

N.J. Stat. § 27:19-26

Current through New Jersey 221st Second Annual Session, L. 2025, c. 271 and J.R. 17

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§ 27:19-26. County bridge commission; general powers; “bridge” defined

Every county through its board of chosen freeholders may, if it determines so to do, create a bridge commission. Each bridge commission so created shall have power from time to time and be authorized to:

- a. Prepare the necessary and proper plans and specifications for the construction, acquisition, improvement or replacement of such bridge or bridges as may be approved by said board of chosen freeholders;
- b. Select the location for same, determine the size, type and method of construction thereof;
- c. Plan and fix their boundaries and approaches;
- d. Make any necessary estimates of the probable costs of construction, acquisition or improvement thereof including the said approaches and the acquisition of the land and rights for the sites of the abutments and approaches to the bridge or bridges;
- e. Enter into the necessary contracts to construct, acquire, improve, equip or demolish such bridge or bridges and approaches thereto, or any part thereof;
- f. Build or acquire the superstructures and substructures and all parts thereof;
- g. Obtain and exercise such consents or approvals as may be necessary from officials or agencies of the government of the United States or the State of New Jersey;
- h. Borrow money and incur indebtedness, and issue its negotiable bonds or notes for any of the purposes provided for in this article and for the purpose of funding or refunding its bonds, notes or other indebtedness, and provide for the rights and security of the holders of such bonds, notes or other indebtedness;
- i. Maintain, improve, reconstruct, manage, control and operate such bridge or bridges and approaches, and with the consent of said board of chosen freeholders, by resolution, but subject to and in compliance with every contract or agreement of the commission, demolish or dispose of any such bridges other than a bridge or bridges extending within the limits of any other State; and
- j. Acquire, hold and dispose of any and all property, real or personal, make, and carry out and perform any and all contracts and agreements, execute any and all instruments, and do and perform any and all acts and things, necessary or convenient in the exercise of the powers expressly given in this article or in the performance of the duties required in or undertaken pursuant to this article.

As used in this article, the term “bridge” shall mean and include a bridge, trestle, viaduct, tunnel, cut or any other structure or device for the passage of persons or vehicles over, under or around

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an obstacle, and the term "approach" shall mean and include an approach to a bridge of a commission or any road or highway connecting therewith or contributing vehicular traffic thereto or connecting 2 or more such bridges.

History

Amended by L. 1946, c. 318, p. 1031, § 1; L. 1963, c. 101, § 1.

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§ 27:19-26.1. Definitions relative to county bridge commission projects, certain

As used in this article:

“Facility charges” mean tolls, rents, rates, fares, fees or other charges in connection with, or for the use or services of, or otherwise relating to, any project owned, leased or controlled by the commission.

“Governmental unit” means the United States of America or the State of New Jersey or any county or municipality or any subdivision, department, agency or instrumentality heretofore or hereafter created, designated or established by or for the United States of America or the State of New Jersey or any county or municipality.

“Person” means any person, partnership, association, corporation, or entity other than a governmental unit.

“Project” means any project authorized by section 2 of [P.L. 2001, c. 301](#) ([C. 27:19-26.2](#)).

History

L. [2001, c. 301](#), § 1, eff. Jan. 2, 2002.

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N.J. Stat. § 27:19-26.2

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§ 27:19-26.2. Additional powers of county bridge commission

In addition to the powers set forth in [R.S. 27:19-26](#) et seq., a bridge commission established prior to the effective date of [P.L. 2001, c. 301](#) ([C. 27:19-26.1](#) et al.) by a county of the second class shall have the power from time to time and be authorized to:

- a.** Plan, finance, develop, acquire, construct, purchase, lease, maintain, market, improve and operate any project within the county, including but not limited to, any terminal, terminal facility, transportation facility or any other facility of commerce or economic development activity;
- b.** Extend credit or make loans to any governmental unit or person for the planning, design, acquisition, construction, improvement, equipping, and furnishing of any project; and
- c.** Mortgage, pledge, assign or otherwise encumber all or any portion of its revenues and other income, real and personal property, projects and facilities and fix and collect facility charges for the use of any project for the purpose of securing its bonds, notes, and other obligations or otherwise in furtherance of the purposes of this article.

History

L. [2001, c. 301](#), § 2, eff. Jan. 2, 2002.

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N.J. Stat. § 27:19-26.3

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§ 27:19-26.3. Empowerment to enter into lease, agreement

Any governmental unit or person is hereby empowered to enter into and perform any lease or other agreement with the commission for the lease to or use by such governmental unit or person of all or any part of any project. Any such lease or other agreement may provide for the payment to the commission by such governmental unit or persons annually or otherwise of such sum or sums of money, computed at fixed amounts or by any formula or in any other manner, as may be fixed in or pursuant thereto. Any such lease or other agreement may be made and entered into for a term beginning currently or at some future or contingent date and with or without consideration and for a specified or unlimited time and on any terms and conditions which may be approved by such governmental unit or person and which may be agreed to by the commission in conformity with its contracts with the holders of any bonds, and shall be valid and binding on such governmental unit or person whether or not an appropriation is made thereby prior to authorization or execution of such lease or other agreement. Every such governmental unit or person is hereby authorized and directed to do and perform any and all acts and things necessary, convenient or desirable to carry out and perform any such lease or other agreement entered into by it and to provide for the payment or discharge of any obligation thereunder in the same manner as other obligations of such governmental unit or person.

History

L. [2001, c.301](#), § 10, eff. Jan. 2, 2002.

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[N.J. Stat. § 27:19-26.4](#)

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§ 27:19-26.4. Powers of county, municipality

For the purpose of aiding a commission and co-operating in the planning, undertaking, acquisition, construction or operation of any project, the county or any municipality in any such county may:

- a.** acquire real property in its name for such project or for the widening of existing roads, streets, parkways, avenues or highways or for new roads, streets, parkways, avenues or highways to any such project, or partly for such purposes and partly for other county or municipal purposes, by purchase or condemnation in the manner provided by law for the acquisition of real property by such county or municipality;
- b.** furnish, dedicate, close, vacate, pave, install, grade, regrade, plan or replan parks, streets, roads, roadways, alleys, sidewalks or other places which it is otherwise empowered to undertake;
- c.** in consultation with the Department of Transportation, review and coordinate the development of improvement projects involving the department or New Jersey Transit Corporation transportation facilities that the commission may undertake; and
- d.** do any and all things necessary or convenient to aid and co-operate in the planning, undertaking, construction or operation of any such project, and cause services to be furnished to the commission of any character which such county or municipality is otherwise empowered to furnish, and to incur the entire expense thereof.

History

L. [2001, c. 301](#), § 11, eff. Jan. 2, 2002.

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N.J. Stat. § 27:19-26.5

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§ 27:19-26.5. Empowerment to convey land to commission

Any county by resolution of its governing body, municipality by ordinance of its governing body, governmental unit or person is hereby empowered, without any referendum or public or competitive bidding, to sell, lease, lend, grant or convey to a commission, or to permit a commission to use, maintain or operate as part of any project, any real or personal property which may be necessary or useful and convenient for the purposes of the commission and accepted by the commission. Any such sale, lease, loan, grant, conveyance or permit may be made or given with or without consideration and for a specified or an unlimited period of time and under any agreement and on any terms, and conditions which may be approved by such county, municipality, governmental unit or person and which may be agreed to by the commission in conformity with its contracts with the holders of any bonds. Subject to any such contracts with the holders of bonds, the commission may enter into and perform any and all agreements with respect to property so purchased, leased, borrowed, received or accepted by it, including agreements for the assumption of principal or interest or both of indebtedness of such county, municipality, governmental unit or person or of any mortgage or lien existing with respect to such property for the operation and maintenance of such property as part of any project.

History

L. [2001, c. 301](#), § 12, eff. Jan. 2, 2002.

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§ 27:19-27. Entry upon and condemnation of lands

The commission, its agents, officers, engineers or others in its employ, may enter at all times upon all lands or waters for the purpose of exploring, surveying, leveling and laying out the route or routes of any such bridge, with the proper approaches, and locating the same, and locate all necessary buildings, appurtenances and conveniences, doing no unnecessary injury to private or other property. When the commission shall have determined upon the construction or acquisition of any particular bridge or approach, the commission may proceed to condemn and take the land or waters, or rights therein, and structures, necessary therefor in accordance with chapter one of the Title Eminent Domain (section [20:1-1](#) et seq.), and, to that end, may invoke and exercise in the manner or mode of procedure prescribed in said chapter, either in its own name or in the name of any county which created such commission or consented to the acquisition or construction of such bridge or approach, all of the powers of such county to acquire property for public uses, and may also proceed to acquire, purchase, take and hold such voluntary grants of real estate, riparian rights, and other property, above or under water, as may be necessary for the construction, operation, maintenance and accommodation of its bridge or bridges and approaches thereto.

History

Amended by L. 1946, c. 318, p. 1032, § 2.

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N.J. Stat. § 27:19-28

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§ 27:19-28. Power to acquire or construct approaches and bridges

The commission may acquire or construct approaches to any such bridge, and may acquire or construct any such bridge or bridges over any channel or channels, thoroughfare or thoroughfares, small streams, creeks or rivers, or bodies of water, within the limits of the county or counties for which such commission is created and also within the limits of any other contiguous county which may, by resolution of its board of chosen freeholders, consent thereto. When any such commission shall have adopted a resolution authorizing the construction or acquisition of a bridge over, under or around any obstacle other than a bridge extending within the limits of any other State, neither the State or any agency or subdivision thereof nor any other person, partnership or corporation shall thereafter construct or acquire any bridge over, under or around such obstacle unless, (1) such bridge and every part thereof is not less than ten miles distant from every part of the bridge so authorized by such commission, or (2) such commission shall, by resolution adopted subject to and in compliance with every contract or agreement of the commission, undertake or permit and consent to the construction or acquisition of such bridge.

History

Amended by L. 1946, c. 318, p. 1033, § 3; 1948, c. 288, p. 1198, § 2; 1963, c. 101, § 2.

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[N.J. Stat. § 27:19-29](#)

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§ 27:19-29. Tolls, facility charges

a. The commission may at all times take, demand, and receive of and from any person who shall pass over or use its bridge or bridges and approaches, when such person shall enter upon or attempt to use the same, such rate of toll as may be fixed by it from time to time, for persons, automobiles, wagons, carts or other vehicles or for horses, cows or other animals, or for things not herein enumerated, entering on, passing over or using any such bridge and the approaches thereto.

Any toll gatherer of the commission may stop any person with automobiles, wagons, carts, or other vehicles or things not herein enumerated, and all horses, cows, cattle or other animal or animals, from entering upon, passing over or using any such bridge and the approaches thereto until the toll herein provided for shall have been paid.

b. The commission is authorized to charge and collect tolls, rents, rates, fares, fees or other charges (sometimes in this article referred to as “facility charges”) in connection with, or for the use or services of, or otherwise relating to, any project owned, leased or controlled by the commission. Such facility charges may be charged to and collected from any governmental unit or person and such governmental unit or person shall be liable for and shall pay such facility charges to the commission at the time when and place where such facility charges are due and payable.

History

Amended [2001, c. 301](#), § 3, eff. Jan. 2, 2002.

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§ 27:19-30. Total cost; what to include

For all purposes of financing, the total cost of any improvement authorized by this article may include every item of expense in connection with the project, and among other items shall also include the cost of constructing or purchasing the superstructure, roadway and substructure of any bridge, the approaches and avenues or rights of way of access thereto and necessary real estate in connection therewith, toll houses and equipment thereof and of the bridge, franchises, easements, rights or damages incident to or consequent upon the complete project, expenses preliminary to construction, including investigation and expenses incident thereto, and prior to purchase or prior to and during construction the proper traffic estimates, interest upon bonds and all such other expenses as after the beginning of operation would be chargeable as cost of operation, maintenance and repairs.

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§ 27:19-31. Financing of purposes, powers of bridge commission

(A) To finance any of the purposes or powers provided for in this article, the bridge commission shall from time to time first determine which bridge or bridges, project or projects are to be constructed, acquired, improved or replaced and, for any project which the county unconditionally guarantees the punctual payment of the principal of and interest on any bonds of the commission, seek approval or consent of the board or boards of chosen freeholders for such projects, and upon receiving such approval or consent, or whenever deemed by it necessary or desirable for the purpose of funding or refunding its bonds, notes or other indebtedness or providing funds or reserves for payment or security of any indebtedness including interest or redemption premiums thereon due or to accrue, such commission shall be authorized to issue its bonds, notes or other evidences of indebtedness. The commission may issue such types of bonds, notes or other evidences of indebtedness as it may determine including, without limitation, bonds, notes, or other evidence of indebtedness on which the principal and interest are payable: (1) exclusively from the income and revenues or facility charges of the project financed with the proceeds of such obligations; (2) exclusively from the income and revenues or facility charges of certain designated projects whether or not they are financed in whole or in part with the proceeds of such obligations; or (3) from its revenues generally. In addition, such bonds, notes and other evidence of indebtedness may be secured by a pledge of any grant or contribution from any governmental unit or person or a pledge of any income or revenues of the commission from any source whatsoever, or by a lien, mortgage or pledge upon any one or more of its bridges, approaches or all or any part of the real or personal property of the commission, including property which is acquired, improved, constructed, financed or refinanced by the proceeds of such bonds, or upon the tolls to be received in the operation of any one or more of such bridges, approaches or other properties or any other income or receipts of the commission, or upon any combination of any of the foregoing. No county other than a county which in accordance with paragraph (B) of this section shall have guaranteed payment of the principal of and interest on any such bonds shall incur any indebtedness of any kind or nature or pledge credit, taxes or taxing power, or any part thereof, in support of such principal and interest.

(B) For the purpose of aiding a commission in the accomplishment of any of the purposes or powers provided for in this article and in marketing any of its bonds, refunding or other, the county which created it may, pursuant to resolution duly adopted by its board of chosen freeholders in the manner provided for adoption of a bond ordinance as provided in the Local Bond Law (N.J.S., Title 40A, chapter 2) and with or without consideration and upon such terms and conditions as may be agreed to by and between the county and the commission, unconditionally guarantee the punctual payment of the principal of and interest on any bonds of the commission. Any guaranty of bonds of a commission made pursuant to this section shall be evidenced by endorsement thereof on such bonds, executed in the name of the county and on its behalf by such officer

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thereof as may be designated in the resolution authorizing such guaranty, and such county shall thereupon and thereafter be obligated to pay the principal of and interest on said bonds in the same manner and to the same extent as in the case of bonds issued by it. Any such guaranty of bonds of a commission may be made, and any resolution authorizing such guaranty may be adopted, notwithstanding any statutory debt or other limitations, including particularly any limitation or requirement under or pursuant to said Local Bond Law, but the principal amount of bonds so guaranteed, shall, after their issuance, be included in the gross debt of such county for the purpose of determining the indebtedness of such county under or pursuant to said Local Bond Law. The principal amount of said bonds so guaranteed and included in gross debt shall be deducted and is hereby declared to be and to constitute a deduction from such gross debt under and for all the purposes of said Local Bond Law (a) from and after the time of issuance of said bonds until the end of the third fiscal year beginning next after such time of issuance and (b) in any annual debt statement filed pursuant to said Local Bond Law as of the end of said fiscal year or any subsequent fiscal year if the revenues or other receipts or moneys of the commission in such year are sufficient to pay its expenses of operation and maintenance in such year and all amounts payable in such year on account of the principal and interest on all such guaranteed bonds and any other bonds of the commission issued under this article.

History

Amended 1946, c. 318, § 4; 1963, c. 101, § 3; [2001, c. 301](#), § 4, eff. Jan. 2, 2002.

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§ 27:19-32. Bonds of bridge commission

The bonds, notes or other evidences of indebtedness (hereinafter in this section called “bonds”) issued by such bridge commissions shall bear interest at such rate or rates per annum which may be fixed or may change, at such time or times and according to such formula or method of determination, payable at such times, and may be sold at either private or public sale, to any person or governmental unit, as the commissions shall determine. Such commissions shall provide the form of such bonds and shall fix the denominations, place or places of payment of principal and interest, the terms and conditions and do all other things that may be necessary for the proper execution and delivery of said bonds.

The proceeds from the sale of any such bonds of a commission shall be deposited and used as provided in any contract or agreement of the commission relative thereto or in the resolution authorizing such bonds, or if not so provided, then as the commission shall direct and solely for the purposes for which such bonds were issued, to be drawn over the signatures of the chairman or vice-chairman, the secretary and the treasurer of the commission, with the surplus, if any, to be paid into the fund hereinafter provided for the payment of the principal and interest of such bonds.

The rates of tolls to be charged for the use of any bridge or bridges operated by a bridge commission under the provisions of this article shall be so fixed and adjusted as to comply with any contract or agreement of the commission relative thereto and, in any event, to provide a fund sufficient to pay the interest on and principal of all bonds issued under this article by the commission, refunding or other and whether or not issued to finance such bridge or bridges, provide funds to pay the cost of maintaining, repairing and operating the bridge or bridges operated by the commission, and maintain such reserves for the foregoing or other expenses as the commission may deem necessary. This article authorizes any commission, subject to the terms of any contract or agreement of the commission, to charge tolls for the use of any one or more of the bridges operated by it or of less than all of such bridges, to charge any such tolls in order to make or secure the payment of any bonds issued by it whether or not the bridge or bridges financed by the issuance of such bonds are subject to tolls imposed by the commission or are still operated by the commission, and to charge any such tolls in order to accumulate reserves for application in future to payment of principal of or interest on bonds issued by it or of costs of undertaking or accomplishing any of the purposes or powers provided in this article.

The facility charges fixed, charged and collected by the commission with respect to any project shall comply with the terms of any lease or other agreement of the commission with regard to such project, and the facility charges fixed, charged and collected by the commission may be so adjusted that the revenues of the commission will at all times be adequate to pay all expenses of the commission, including the expense of operation and maintenance of any project or other property owned or controlled by the commission, including insurance, improvements,

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replacements, reconstruction and any other required payments, and to pay the principal of and interest on any bonds, and to maintain such reserves or sinking funds for any of the foregoing purposes as may be required by the terms of any lease or other agreement of the commission or as may be deemed necessary or convenient and desirable by the commission.

All bonds of a bridge commission shall be authorized by resolution of the commission. Any such resolution may contain provisions, and the commission, in order to secure the payment of such bonds and in addition to its other powers, shall have power to agree by provision in such resolution with the several holders of such bonds, and to make, enter into and perform covenants and agreements, as to

- a.** the custody, security, use, expenditure or application of the proceeds of any bonds;
- b.** the construction and completion, or improvement or replacement, of all or any part of any bridge or bridges or approaches thereto or any project authorized by this article;
- c.** the use, regulation, operation, maintenance, insurance or disposition of all or any part of any bridge or bridges or approaches thereto or any project authorized by this article, or restrictions on the exercise of the powers of the commission to dispose, or to limit or regulate the use, of all or any part of the same;
- d.** payment of the principal of or interest on any bonds, and the sources and methods thereof, the rank or priority of any bonds as to any lien or security, or the acceleration of the maturity of any bonds;
- e.** the use and disposition of any moneys of the commission, including revenues (hereinafter in this section sometimes called "bridge revenues") derived or to be derived from the operation of all or any part of any bridge or bridges or approaches thereto or revenues (hereinafter in this section sometimes called "facility revenues") derived or to be derived from the operation of any project authorized by this article, including any parts thereof theretofore constructed or acquired and any parts, extensions, replacements or improvements thereof thereafter constructed or acquired;
- f.** pledging, setting aside, depositing or trusteeing all or any part of any bridge revenues, facility revenues or other moneys of the commission and mortgaging, pledging, or otherwise encumbering all or any part of the commission's real or personal property, then owned or acquired, to secure the payment of the principal of or interest on any bonds, or the payment of expenses of operation or maintenance of any bridge or bridges or approaches thereto or any project authorized by this article;
- g.** the setting aside out of any bridge revenues, facility revenues or other moneys of the commission of reserves and sinking funds, and the source, custody, security, regulation, application and disposition thereof;
- h.** determination or definition of the bridge revenues, facility revenues, or of the expenses of operation and maintenance of any bridge or bridges or approaches thereto or any project authorized by this article;
- i.** the rates, tolls, rents, fares, fees, facility charges or other charges in connection with, for the use or services of, or for passage over or through or the use of, or otherwise relating thereto, any bridge or bridges or approaches thereto or any project authorized by this article, including any parts thereof theretofore constructed or acquired and any parts, extensions, replacements or improvements thereof thereafter constructed or acquired, and the fixing, establishment, collection and enforcement of the same, the amount or amounts of bridge

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revenues or facility revenues to be produced thereby, and the disposition and application of the amounts charged or collected;

j. the assumption or payment or discharge of any indebtedness, liens or other claims relating to any part of any bridge or bridges or approaches thereto or any project authorized by this article or any obligations constituting or which may constitute a lien on any part of the bridge revenues or facility revenues;

k. limitations on the issuance of additional bonds, notes or other evidences of indebtedness or on the incurrence of indebtedness of the commission;

l. limitations on the powers of the commission to construct, acquire or operate, or permit the construction, acquisition or operation of, any structures, facilities or properties which may compete or tend to compete with any bridge or bridges or approaches thereto or any project authorized by this article;

m. payment of costs or expenses incident to the enforcement of any bonds or of the provisions of such resolution or of any covenant or agreement with the holders of any bonds;

n. the procedure, if any, by which the terms of any covenant or agreement with, or duty to, the holders of bonds may be amended or abrogated, the amount of bonds the holders of which must consent thereto, and the manner in which such consent may be given or evidenced; or

o. any other matter or course of conduct which, by recital in such resolution, is declared to further secure the payment of the principal of or interest on the bonds.

All such provisions of said resolution and all such covenants and agreements shall constitute valid and legally binding contracts between the commission and the several holders of the bonds, regardless of the time of issuance of such bonds, and shall be enforceable by any such holder or holders by appropriate action or proceeding, including a proceeding in lieu of prerogative writ, in any court of competent jurisdiction.

History

Amended 1946, c. 318, § 5; 1953, c. 27, § 25; 1963, c. 101, § 4; [2001, c. 301](#), § 5, eff. Jan. 2, 2002.

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§ 27:19-32.1. Covenant of State with bondholders

The State of New Jersey does hereby covenant and agree with the holders of any bonds, notes or other evidences of indebtedness issued by any bridge commission that it will not in any manner limit or alter the power and obligation vested by this article in the commission to fix, establish and collect such tolls or facility charges and revise the same from time to time whenever necessary, as will be sufficient to always comply fully with and fulfill the terms of all agreements and covenants made with the holders of such bonds, notes or other evidences of indebtedness, and will not in any manner impair, alter or abrogate any other power or obligation vested by this article in the commission or the rights and remedies of holders of such bonds, notes or other evidences of indebtedness until all such bonds, notes or other evidences of indebtedness, together with interest thereon and all costs and expenses in connection with any actions or proceedings by or on behalf of the holders thereof, are fully paid and discharged or adequate provision made for the payment or discharge thereof.

History

L. 1946, c. 318, § 11; amended [2001, c. 301](#), § 6, eff. Jan. 2, 2002.

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N.J. Stat. § 27:19-32.2

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§ 27:19-32.2. Legal investments, evidences of indebtedness of commission as

The bonds, notes or other evidences of indebtedness of such commissions are hereby made securities in which, notwithstanding any restriction contained in any other law, the State and all public officers, municipalities, counties, political subdivisions and public bodies, and agencies thereof, all banks, bankers, trust companies, savings banks and institutions, building and loan associations, savings and loan associations, investment companies, and other persons carrying on a banking business, all insurance companies, insurance associations and other persons carrying on an insurance business, and all executors, administrators, guardians, trustees and other fiduciaries, may legally invest any sinking funds, moneys or other funds belonging to them or within their control, and any such bonds, notes or other evidences of indebtedness shall be authorized security for any and all public deposits.

History

L. 1948, c. 288, p. 1198, § 3.

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§ 27:19-33. Creation of commission; corporate powers; members; terms and vacancies; property exempt from taxation and execution; bonds tax exempt

When it has been determined by the governing body of any such county, by resolution in the exercise of its discretion that in the exercise of the powers conferred by this article it is expedient to create a bridge commission, the board of chosen freeholders of such county shall pass a resolution creating such commission and appointing three persons who shall constitute a bridge commission, which shall be a public body corporate and politic of the State, under the name of (insert name of county) bridge commission, and shall have perpetual succession and power to contract, to sue and be sued and to adopt a seal and alter same at pleasure, but shall not have power to pledge the credit or taxing power of the county. No officer or employee of the county, whether holding a paid or unpaid office, shall be eligible for membership on the commission. Such appointees shall be originally appointed for terms of one year, two years, three years, respectively. Upon the expiration of such terms appointments shall be made in like manner except that the terms of the three appointees shall be for three years. Not more than two of such appointees shall be members of the same political party. Vacancies shall be filled for any unexpired term in the same manner as the original appointment.

Each bridge and all approaches and other property of any commission are hereby declared to be public property of a public body corporate and politic and political subdivision of the State and devoted to an essential public and governmental purpose and shall be exempt from all taxes and special assessments by the State or any subdivision thereof and exempt from any lien, levy, sale or other charge by virtue of any judgment, execution or other process except in favor of the holder or holders of any bonds, notes or other evidences of indebtedness outstanding pursuant to a resolution adopted by the commission under authority of section [27:19-32](#) of this article. All such bonds, notes or other evidences of indebtedness of such commission are hereby declared to be issued by a public body corporate and politic and political subdivision of the State, and for an essential public and governmental purpose and to be public instrumentalities and, together with the interest thereon and any income therefrom, shall be exempt from taxes.

History

Amended by L. 1941, c. 71, p. 158, § 1; 1946, c. 318, p. 1038, § 6.

§ 27:19-33. Creation of commission; corporate powers; members; terms and vacancies; property exempt from taxation and execution; bonds tax exempt

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N.J. Stat. § 27:19-34

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§ 27:19-34. Organization of commission; officers and employees; compensation

The commission shall elect a chairman and vice-chairman from its members, and a secretary and treasurer who need not be a member. The members of the commission shall receive such annual compensation from the commission as may be determined by the commission not exceeding, however, such maximum amounts as may be fixed from time to time by the governing body of the county, and such members shall give such bond as may be required from time to time by the governing body of the county. The commission shall fix the compensation of the secretary and treasurer in its discretion. The commission shall have power to establish by-laws, rules and regulations for its own government and to make and enter into all contracts or agreements necessary or incidental to the performance of its duties and the execution of its powers. The commission may employ engineering, architectural, and construction experts and inspectors and attorneys, and such other employees as may be necessary in its opinion, and fix their compensation, all of whom shall do such work as the commission shall direct. All salaries and compensation shall be obligations against and be paid solely from funds provided under the authority of this article. The office, records, books and accounts of the bridge commission shall always be maintained in the county which the commission represents.

History

Amended by L. 1946, c. 318, p. 1039, § 7.

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§ 27:19-34.1. Contracts for hospitalization, medical, surgical, etc., benefits; validation and confirmation of payments

Notwithstanding the provisions of any other law, any county bridge commission created under the article to which this act is a supplement and owning or controlling any bridge or bridges extending within the limits of another state may enter into contracts of insurance with carriers licensed to operate in this State providing hospital, surgical, obstetrical, medical and major medical expense benefits covering employees of the commission and their dependents, including retired employees of the commission and their dependents.

Payments heretofore made by such a county bridge commission under contracts providing any of the benefits in this act authorized are validated and confirmed.

History

L. 1970, c. 24, § 1, eff. April 3, 1970.

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§ 27:19-35. Awarding of contracts, agreements

Every contract or agreement for the construction, reconstruction, repair, enlargement, extension, renewal, replacement or equipment of bridges or projects, shall be made and awarded pursuant to the provisions of the “Local Public Contracts Law,” P.L. 1971, c. 198 ([C. 40A:11-1](#) et seq.).

History

Amended L. 1985, c. 469, § 5, eff. Jan. 16, 1986; [2001, c. 301](#), § 7, eff. Jan. 2, 2002.

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[N.J. Stat. § 27:19-36](#)

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§ 27:19-36. Operation of bridges; tolls; agreements with counties for maintenance of bridges; powers of counties

The commission shall operate, manage and control the bridges under its charge in their entirety, fix the rate of tolls, establish rules and regulations for the use of such bridges, provide for the lighting and policing thereof, select such employees as are deemed necessary and fix their compensation, make necessary repairs and provide maintenance, and insure the bridges and all property connected therewith against every manner of loss or injury.

By or pursuant to resolution of its board of chosen freeholders, (a) any county may covenant and agree with any bridge commission as to the laying out or continuance of use and maintenance of any road or highway connecting with or contributing vehicular traffic to any bridge or approach of the commission or connecting 2 or more such bridges, and any county which created such commission or consented to the acquisition or construction of any such bridge or approach may covenant and agree with such commission for the maintenance and operation by such county of any such road or highway or any such approach or any part thereof, or for the payment by such county of all or any part of the expense of such maintenance and operation, and (b) any county which created a commission (i) may appropriate moneys for the purposes of the commission and loan or donate, or agree to loan or donate, such moneys to the commission in such installments and upon such terms as may be agreed upon with the commission, (ii) may, without any referendum or public or competitive bidding, sell, lease, lend, grant or convey to the commission any county bridge or bridge constituting part of a county road, with the approaches thereto and lands or rights in land necessary for the operation or replacement thereof which may be necessary or useful and convenient for the purposes of the commission and accepted by the commission, and (iii) may accept, or agree to accept, from the commission, as a county bridge or bridge constituting part of a county road, any bridge constructed or acquired by the commission, with the approaches thereto and lands and rights in land necessary for the maintenance thereof, which may be offered to the county by the commission, and such commission, subject to and in compliance with every contract or agreement of the commission, may convey such property to the county for maintenance by such county as a county bridge or bridge constituting part of a county road. Any such sale, lease, loan, grant, conveyance or acceptance may be made or given with or without consideration and for a specified or an unlimited period of time and under any agreement and on any terms and conditions which may be approved by such county and which may be agreed to by the commission in conformity with its contracts with the holders of any of its bonds. Any such covenant or agreement by a county shall be and constitute a valid and legally binding obligation of the county and shall be deemed to be made with or for the benefit of, and shall be enforceable by, the holder or holders of any bonds, notes or other evidences of indebtedness of the commission, as well as by the commission.

§ 27:19-36. Operation of bridges; tolls; agreements with counties for maintenance of bridges; powers of counties

History

Amended by L. 1946, c. 318, p. 1040, § 8; 1953, c. 162, p. 1411, § 1; 1963, c. 101, § 5.

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§ 27:19-36.1. Payments to municipality in lieu of taxes

Notwithstanding any of the provisions of the article to which this act is a supplement, any county bridge commission created pursuant to said article may contract with any municipality within which any part of property acquired by such commission for bridge or project purposes is located, for the payment by such commission to such municipality, and may make payments to such municipality, of a fixed annual sum or sums of money in lieu of, or in reimbursement for, the loss of taxes upon such property; provided, however, that such annual sum or sums shall not be in excess of the amount of the municipal taxes upon such property for the year when last assessed prior to the time of its acquisition by the commission.

Any municipality wherein any such bridge property is located is authorized and empowered to enter into such contract with any such commission to accept the payment or payments which the commission is herein authorized and empowered to make.

History

L. 1952, c. 338, § 1; amended [2001, c. 301](#), § 8, eff. Jan. 2, 2002.

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N.J. Stat. § 27:19-36.2

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§ 27:19-36.2. Lease or conveyance of real property to county bridge commission

Any public department, agency or commission of the State of New Jersey, notwithstanding any other law, is hereby authorized and empowered to lease, lend, grant or convey to a county bridge commission at its request, with the approval of the State House Commission and upon such terms and conditions as the State House Commission may deem reasonable and fair, and without the necessity for any advertisement, order of court or other action or formality, other than the regular and formal action of the authorities concerned, any real property which may be necessary or convenient to the effectuation of the authorized purposes of such county bridge commission, including public roads and other real property already devoted to public use; to the extent, however, that such real property may, in the judgment of the authorities concerned, and subject to the approval of the State House Commission, be required by the county bridge commission for the erection of toll booths.

History

L. 1953, c. 399, p. 2037, § 1.

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N.J. Stat. § 27:19-36.3

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§ 27:19-36.3. Appointment of bridge police; authority; procedure on arrest

Notwithstanding any of the provisions of the article of which this act is a supplement, any county bridge commission created pursuant to said article may appoint policemen and all policemen so appointed are hereby authorized and empowered to make arrests on view and without warrant on Sunday or any other day for crimes, misdemeanors and offenses of any character, or for disorder or breach of the peace or violations of any rules and regulations adopted by such county bridge commissions, committed within the jurisdiction of this State on any bridge owned by or under the control of such county bridge commission, or at the approaches thereof, or on any other property owned by or under the control of such commission. In addition, such policemen shall have all the powers conferred by law on police officers or constables in the enforcement of laws in this State and the apprehension of violators.

Any person so arrested shall be conducted by the officer to a municipal magistrate of the political subdivision in which the arrest is made or, if there is no such available magistrate, to the nearest available magistrate in any other political subdivision.

Any policeman may, instead of arresting an offender as herein provided, serve upon him a summons.

History

L. 1960, c. 168, p. 709, § 1.

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N.J. Stat. § 27:19-36.4

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§ 27:19-36.4. Rules and regulations by county bridge commission

Any county bridge commission may adopt such rules and regulations as it may deem expedient for the proper government of the bridge or bridges and for the preservation of good order, safe traffic and proper conduct thereon and on the approaches thereto.

History

L. 1960, c. 168, p. 710, § 2.

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N.J. Stat. § 27:19-36.5

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§ 27:19-36.5. Penalties for violations

For any violation of this chapter or of any rule or regulation of any county bridge commission, the offender shall be subject to a penalty of not less than \$10.00 nor more than \$25.00, together with costs, and on default of payment of the penalty, to imprisonment of not less than 10 days nor more than 30 days in the county jail. Upon conviction of any subsequent offense, the offender shall be subject to a penalty of not less than \$25.00 nor more than \$50.00, together with costs, or to imprisonment of not less than 30 days nor more than 60 days, or both.

History

L. 1960, c. 168, p. 710, § 3.

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N.J. Stat. § 27:19-37

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§ 27:19-37. Records, semiannual statements, examination

The commission shall keep accurate records of all acts, the property intrusted to it, the cost of the bridge or bridges, project or projects, and incidents thereto, the expenditures for maintaining, repairing and operating the same, and the daily tolls or facility charges collected, which records shall be public records and the property of the county. A semiannual statement of the daily tolls shall be published on each bond interest date in the official newspaper of the county. The governing body of the county shall have power to examine the accounts at any time, to call for any reports at any time in its discretion, and to require the commission and its employees to appear before it to report or testify at any time.

History

Amended [2001, c. 301](#), § 9, eff. Jan. 2, 2002.

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N.J. Stat. § 27:19-37.1

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§ 27:19-37.1. Surplus capital funds; determination; disposition

Whenever any county bridge commission, created pursuant to article 2 of chapter 19 of Title 27 of the Revised Statutes or any supplement thereto has or shall have paid the principal and interest on all its outstanding indebtedness and has or shall have on hand capital funds, derived from sources other than toll revenues in excess of the amount determined by such commission to be required for maintenance, repair, operation, reconstruction, replacement and modernization and improvement of the bridge or bridges under its control, and the approaches thereto, together with all other necessary expenditures of said commission, the commission may, by resolution, determine that such capital funds are surplus and provide for the payment of all or any part thereof to the county treasurer of the county for the use of the county.

History

L. 1963, c. 3, § 1.

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N.J. Stat. § 27:19-37.2

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§ 27:19-37.2. Use of surplus capital funds

Said surplus funds may be used by the county only for capital purposes in the acquisition, construction, improvement or enlargement of county facilities, buildings and roads, or any one or more of them, pursuant to resolution adopted by the board of chosen freeholders of the county.

History

L. 1963, c. 3, § 2.

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§ 27:19-38. Joint county bridge commission [Repealed]

History

Amended by L. 1946, c. 318, p. 1040, § 9; repealed by L. [2007, c. 63](#), § 35 (40A:65-35), eff. April 3, 2007, operative Nov. 1, 2007.

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N.J. Stat. § 27:19-39

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§ 27:19-39. Dissolution of commission; assumption of duties

Any commission provided for in this article may be dissolved by the governing body of the county or counties creating it at any time after the construction, purchase and equipment of the complete bridge or bridges within its care have been completed and all the costs thereof and all bonds, notes or other evidences of indebtedness, together with interest thereon and all costs and expenses in connection with any actions or proceedings by or on behalf of the holders thereof, have been paid. Thereupon the governing body of the county or counties shall assume the further duties in connection with such bridges, including the operation, maintenance and repair thereof, and upon any such dissolution, title to all real estate or any other property or structures of such commission shall thereafter be vested in the county or counties creating the commission.

History

Amended by L. 1946, c. 318, p. 1041, § 10.

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N.J. Stat. § 27:19-40

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§ 27:19-40. Bridges extending within limits of other states not to be acquired or constructed

No county bridge commission created pursuant to the article to which this act is a supplement shall hereafter acquire or construct any bridge extending within the limits of any State other than the State of New Jersey.

History

L. 1953, First Sp.Sess., c. 453, p. 2445, § 1.

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N.J. Stat. § 27:19-41

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§ 27:19-41. Sale by commission of bridges extending within limits of other states

Every such county bridge commission owning or controlling any bridge or bridges extending within the limits of any State other than the State of New Jersey is hereby authorized to sell, grant or convey any such bridge or any other of its property, real or personal to any body corporate and politic and public corporate instrumentality of the State of New Jersey and such other State created or continued by any compact or agreement between the State of New Jersey and such other State heretofore or hereafter executed on behalf of the State of New Jersey and such other State and consented to by the Congress of the United States, or to the State of New Jersey. Such sale, grant or conveyance may include any and all lands or waters, or rights therein, and structures, real estate, riparian rights and other property, real or personal, located within or without the State of New Jersey, acquired by the commission, either in its own name or in the name of any county which created the commission, and shall be authorized by resolution of the commission without the consent, approval or concurrence of the board of chosen freeholders of any such county or of any other body, officer, agency or commission, and shall be made at such price or prices and on such terms and conditions as may be fixed by such resolution and approved by the body corporate and politic and public corporate instrumentality accepting such sale, grant or conveyance.

History

L. 1953, First Sp.Sess., c. 453, p. 2446, § 2.

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[N.J. Stat. § 27:19-42](#)

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§ 27:19-42. Disposition of proceeds of sale of bridges extending within limits of other states

The proceeds received by any such county bridge commission upon any sale, grant or conveyance made pursuant to section two hereof shall forthwith upon their receipt be paid into a fund for the payment of the principal, redemption price and interest of bonds, notes or other evidences of indebtedness (hereinafter in this section called “bonds”) issued by the commission, and, so long as any such bonds are outstanding, shall be held for and applied solely to the payment of such principal, redemption price and interest. The commission shall at the earliest time permitted by law and the provisions of such bonds and the availability to it of such proceeds and any other funds, pay and retire, or call for redemption and redeem and retire, all of such bonds. The remainder of such proceeds of such sale, after the retirement of all such bonds but before the commission shall be dissolved, shall be paid over to the county which created the commission; provided, that if the commission shall have entered into a contract for the payment to any municipality of annual sums of money in lieu of, or in reimbursement for, the loss of taxes on the bridge or other property sold, there shall be paid by the commission out of such remainder of such proceeds of such sale to each such municipality in full satisfaction of all obligations of the commission under such contract, an amount which bears the same proportion to such remainder of such proceeds of sale as the total assessed valuations of property in such municipality bear to the total assessed valuations of property in such county. In computing the amount so to be paid to any such municipality the assessed valuations for the most recent tax year for which such valuations are available shall be used.

History

L. 1953, First Sp.Sess., c. 453, p. 2446, § 3.

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N.J. Stat. § 27:19-43

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§ 27:19-43. Disposition of proceeds of condemnation award for bridge

In the event that any such county bridge is acquired in any condemnation proceeding by any such body corporate and politic and public corporate instrumentality of the State of New Jersey and any such other State, the proceeds of any award of damages or other award made to the commission shall be applied, used and distributed in the manner provided in section three hereof with respect to proceeds of a sale.

History

L. 1953, First Sp.Sess., c. 453, p. 2447, § 4.

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N.J. Stat. § 27:19-44

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§ 27:19-44. Dissolution of county bridge commission

Any county bridge commission may be dissolved by the governing body of the county or counties creating it at any time after the bridge or bridges within its care have been sold, granted or conveyed to, or have been acquired by condemnation by, any body corporate and politic authorized to acquire such bridge or bridges and all the costs of such bridge or bridges and all bonds, notes or other evidences of indebtedness together with interest thereon and all costs and expenses in connection with any actions or proceedings by or on behalf of the holders thereof have been paid. Thereupon the governing body of the county shall assume the further duties, if any, of such commission and upon any such dissolution title to all real estate or any other property of such commission shall thereupon be vested in the county or counties creating the commission.

History

L. 1953, First Sp.Sess., c. 453, p. 2447, § 5.

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[N.J. Stat. § 27:19-45](#)

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§ 27:19-45. Replacement or reconstruction of bridges or approaches; powers of commission

Notwithstanding any of the provisions of the article of which this act is a supplement, any county bridge commission created pursuant to said article shall, upon obtaining the consent of its board of chosen freeholders, have the power and be authorized to:

- a.** Replace or reconstruct in whole or in part any bridge or bridges and approaches thereto owned or operated by said commission on the effective date of this act, or thereafter acquired, including any such bridge or bridges and approaches thereto extending within the limits of any state other than the State of New Jersey; and
- b.** In connection with the replacement or reconstruction of any bridge or bridges and approaches thereto, pursuant to section a. of this act, to demolish or dispose of any such bridge or bridges and approaches owned or operated by said commission on the effective date of this act, or thereafter acquired, including any such bridge or bridges and approaches thereto extending within the limits of any state other than the State of New Jersey; and
- c.** In connection with the replacement or reconstruction of any bridge or bridges and approaches thereto pursuant to subsection a. of this section, to issue bonds, notes or other evidences of indebtedness payable only from toll revenues and other income from whatever sources derived and other assets of said commission; provided that use of such toll revenues, income and assets of said commission will not in any manner impair, alter or abrogate any rights and remedies of holders of other bonds, notes or other evidences of indebtedness issued by said commission.

History

L. 1975, c. 266, § 1, eff. Dec. 22, 1975.

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