



# Traffic Safety Bulletin

NEW JERSEY DIVISION OF HIGHWAY TRAFFIC SAFETY

JANUARY 2010, BULLETIN NUMBER 7

## ICE & SNOW REMOVAL FROM MOTOR VEHICLE LAW • OCTOBER 20, 2010

On October 19, 2009, Governor Jon S. Corzine signed into law a bill amending various parts of statutory law **C.39:4-77.1** to require drivers of **all** motor vehicles (commercial and non-commercial) operated on any roadway in the state to make all reasonable efforts to remove accumulated snow and ice from exposed surfaces of motor vehicles **prior** to their operation. The full text of the law can be found at: [http://www.njleg.state.nj.us/2008/Bills/PL09/138\\_.pdf](http://www.njleg.state.nj.us/2008/Bills/PL09/138_.pdf)

### OVERVIEW OF P.L. 2009, CHAPTER 138

1. Exposed surfaces include but are not limited to: the hood; the trunk; the windshield and windows; the roof; the cab of a truck; and the top of a trailer, semitrailer or intermodal freight container.
2. A driver who violates the provisions of this subsection may be stopped on a street or highway by a law enforcement officer who believes the accumulated snow and/or ice may pose a threat to persons or property.
3. A driver may only be cited for a violation once in a 24 hour period. However, every day that a violation occurs is considered a separate incident.
4. The law does not apply when a driver is operating a vehicle during a snow and/or ice storm that began and continued for the duration of a vehicle's operation or while a vehicle is parked.
5. The person in physical possession of a vehicle at the time snow and/or ice accumulates is responsible for its removal. In the case of a trailer or semitrailer being drawn by a motor vehicle or any vehicle or combination of vehicles carrying an intermodal freight container, the individual who is in physical possession of the equipment is responsible for the removal of all ice and/or snow and liable for a violation of this law. If the driver was not in physical possession of the vehicle when the snow and/or ice accumulated, the driver is not liable.
6. No fine will be imposed on the driver of a commercial motor vehicle if the vehicle is traveling to a location where snow and ice removal equipment is available, provided the driver has not already passed such a location while enroute to his or her destination. To verify this, the law enforcement official may inspect any documentation related to the driver's route including, but not limited to, a log book and/or route map.
7. The fine for violating this law is not less than \$25 or more than \$75 for each offense regardless of whether any snow and/or ice is dislodged from the vehicle. No motor vehicle points will be assessed for this offense.
8. **This law takes effect on October 20, 2010.**



## SAFE PASSAGE

*moving toward zero fatalities*

[WWW.NJSAFEROADS.COM](http://WWW.NJSAFEROADS.COM)



\*The Traffic Safety Bulletin is for informational purposes only. Its content does not represent legal advice from the Office of the Attorney General/Division of Criminal Justice.