

CHAPTER 86A

PEDESTRIAN SAFETY, ENFORCEMENT AND EDUCATION FUND

Authority

N.J.S.A. 39:4-36.2.

Source and Effective Date

R.2008 d.124, effective May 19, 2008.
See: 39 N.J.R. 4387(b), 40 N.J.R. 2480(a).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 86A, Pedestrian Safety, Enforcement and Education Fund, expires on May 19, 2015. See: 43 N.J.R. 1203(a).

Chapter Historical Note

Chapter 86A, Pedestrian Safety, Enforcement and Education Fund, was adopted as new rules by R.2008 d.124, effective May 19, 2008. See: Source and Effective Date.

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SUBCHAPTER 1. GENERAL PROVISIONS

13:86A-1.1 Scope and authority

The rules in this chapter govern the award of grants by the Division of Highway Traffic Safety to municipalities and counties with pedestrian safety problems, to support projects to address these problems in accordance with the Pedestrian Safety Enforcement and Education Fund Act, N.J.S.A. 39:4-36.2 et seq.

13:86A-1.2 Construction

This chapter shall be liberally constructed to allow the Division of Highway Traffic Safety to fully effectuate the purposes of the Act.

13:86A-1.3 Definitions

The following words and terms, when used in this chapter, shall have the following meaning unless the context clearly indicates otherwise:

“Director” means the Director of the Division of Highway Traffic Safety in the Department of Law and Public Safety.

“Division” means the Division of Highway Traffic Safety in the Department of Law and Public Safety.

“DOT” means the New Jersey Department of Transportation.

“Grant” means an award of monies from the PSEEF to a local entity to support the costs of a pedestrian safety project.

“Intersection” means a traffic intersection under the authority of a municipality or county, whether or not controlled by a traffic control signal.

“Pedestrian safety problems” means traffic-related or other problems that interfere with or affect the safe use of an intersection, crosswalk or roadway by pedestrians.

“Project” means the enforcement, educational or other remedial steps authorized by this chapter to address pedestrian safety problems, which are set forth by a county or municipality in the approved grant application.

“Project period” means the time during which the funds awarded shall be available for reimbursement for allowable costs.

“PSEEF” or “Fund” means the Pedestrian Safety Enforcement and Education Fund, established in the Division by N.J.S.A. 39:4-36.2.

“SFY” means the State Fiscal Year, July 1 to June 30.

SUBCHAPTER 2. ELIGIBILITY FOR PEDESTRIAN SAFETY AND EDUCATION GRANT AWARDS

13:86A-2.1 Eligible applicants

Municipalities and counties with pedestrian safety problems are eligible to apply for a grant. Priority in awarding grants shall be given to municipalities and counties requesting funds in order to take remedial steps for intersections under their authority that have been identified by DOT as demonstrating pedestrian safety problems, pursuant to the Act.

13:86A-2.2 Eligible projects and costs

(a) The following projects are eligible for a grant through this program:

1. The posting of a sign to prohibit drivers from making right turns upon "STOP" or "CAUTION" signal at an intersection controlled by a traffic control signal. All such signs must conform to the "Manual on Uniform Traffic Control Devices" (MUTCD), incorporated herein by reference, 3rd edition, revision 1, as amended and supplemented, published by the U.S. Department of Transportation, Federal Highway Administration (FHWA).

i. The MUTCD is available in electronic format from the FHWA website at <http://mutcd.fhwa.dot.gov/>.

ii. The MUTCD is available in book form or as a compact disk from the following organizations:

(1) The American Association of State Highway and Transportation Officials (AASHTO) at: https://bookstore.transportation.org/direct_order_form.aspx;

(2) The Institute of Traffic Engineers (ITE) at: <http://www.ite.org/bookstore/index.asp>; or

(3) The American Traffic Safety Services Association (ATSSA) at: <http://www.atssa.com/>;

2. The posting of a pedestrian crossing yield sign that makes reference to State law at all crosswalks at an intersection not controlled by a traffic signal;

3. The conducting of an educational or training program or public outreach program aimed at improving pedestrian safety;

4. The assignment of a police officer or authorized crossing guard at an intersection or crosswalk; and

5. Other initiatives approved by the Director, designed to eliminate or reduce pedestrian safety problems at intersections, crosswalks, or other roadways.

(b) The following costs constitute allowable costs for a project:

1. Engineering and design for a traffic sign;
2. Purchasing and installing a traffic sign;
3. Educational or training materials or media campaigns concerning pedestrian safety;
4. Compensation for a police officer or authorized crossing guard assigned to an intersection, crosswalk or other roadway;
5. Personnel or contractual service;
6. Commodities; and
7. Other direct costs approved by the Director as necessary or appropriate to implement an approved project.

SUBCHAPTER 3. ALLOCATION OF GRANT FUNDING

13:86A-3.1 Availability of funds

The availability of grant funds is subject to legislative appropriation. The Division will award grant funds from the monies deposited in the PSEEF pursuant to N.J.S.A. 39:4-36 and 39:4-36.2. All monies in the PSEEF as of January 1 of each year shall be available for grants to be awarded during the following SFY commencing on July 1. Any monies available for the SFY not awarded during a SFY shall be carried forward and made available for grants in the next SFY. Awards shall be made by a grant agreement, executed by the Division and the municipality or county for a particular project.

13:86A-3.2 Grant payment

(a) The award of a grant authorizes the Division to reimburse the grantee in an amount not to exceed the amount of the award, for payment(s) made by the grantee for allowable costs in compliance with terms and conditions of the grant agreement. The grantee shall follow the schedule below when submitting claims for reimbursement:

<u>Grant Amount</u>	<u>Invoice Schedule</u>
Less than \$3,000	Final claim only
\$3,000 to \$8,000	Biannual and final claims
\$8,000 to \$30,000	Quarterly and final claims
\$30,000 and more	Monthly and final claims

(b) Final invoices shall be submitted no later than 30 days after the project period has ended, unless the Director grants an extension upon request of the entity for good cause. Failure to submit timely invoices may result in the loss of unclaimed funds. Final reimbursement shall be provided to the entity no later than 60 days after the project period has ended, plus any approved extension of time to submit final invoices.

SUBCHAPTER 4. APPLICATION AND PROJECT AGREEMENT PROCEDURES

13:86A-4.1 Notice of amounts available for a grant

The Division shall publish a notice of availability of funds in the New Jersey Register by March 15 of each year, stating the amount of funds available for the award of grants for a SFY as determined under N.J.A.C. 13:86A-3.1, or a statement that no applications will be accepted for the SFY if the Director determines that the amount of funding available is insufficient to justify awards.

13:86A-4.2 Contents of application

(a) A municipality or county seeking a grant shall submit an application to the Division no later than April 15.