

March 26, 2015

Re: Police Camera Mandate Reminder

Dear Mayor,

The League would like to remind you that P.L. 2014, c. 54 became effective on March 1, 2015. The law requires that, “[e]very new or used municipal police vehicle purchased, leased, or otherwise acquired on or after the effective date (that being March 1, 2015), which is primarily used for traffic stops shall be equipped with a mobile video recording system.”

The League wrote to you about this issue on February 19th. <http://nj-njslom.civicplus.com/ArchiveCenter/ViewFile/Item/364>

This law presents two issues:

- 1) The unfunded mandate issue. It was the League’s position that this law is an “unfunded mandate” and thus unconstitutional. While the law does provide for an additional surcharge on DWI fines, this revenue sources will likely not cover the expense. In reviewing the law prior to passage, the non-partisan Office of Legislative Services agreed with that position.
- 2) The lack of guidance issue. P.L. 2014, c. 54 requires that the Attorney General promulgate regulations in order to “effectuate implementation” of the law. There are a number of issues which need to be resolved through a rulemaking. Among them are how to define a vehicle which is “primarily used for traffic stops” and thus subject to the mandate. Towns also need to know how OPRA should be applied to camera recordings. The League has been urging the Attorney General to address these issues in a rulemaking.

If you have any questions please contact Ed Purcell Esq. at (609) 695-3481 x. 137.

Very Truly Yours,

William G. Dressel, Jr.
Executive Director