

[Second Reprint]

## **ASSEMBLY, No. 3643**

# **STATE OF NEW JERSEY**

## **218th LEGISLATURE**

INTRODUCED MARCH 12, 2018

**Sponsored by:**

**Assemblyman BOB ANDRZEJCZAK**

**District 1 (Atlantic, Cape May and Cumberland)**

**Assemblyman ROY FREIMAN**

**District 16 (Hunterdon, Mercer, Middlesex and Somerset)**

**Assemblyman CLINTON CALABRESE**

**District 36 (Bergen and Passaic)**

**Co-Sponsored by:**

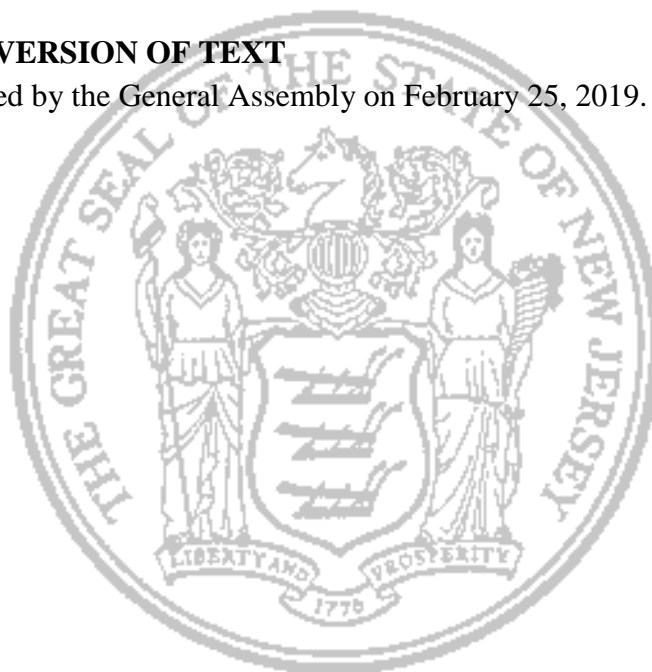
**Assemblymen Land, Karabinchak, Armato and Houghtaling**

### **SYNOPSIS**

Establishes marketing and advertising campaign for State wineries and viticulture attractions.

### **CURRENT VERSION OF TEXT**

As amended by the General Assembly on February 25, 2019.



**(Sponsorship Updated As Of: 6/21/2019)**

1 AN ACT concerning <sup>2</sup>**[tourist directional signs for viticulture]**  
 2 outdoor displays and advertising of wineries and viticulture  
 3 attractions in the State<sup>2</sup> and supplementing <sup>2</sup>**[Title 27 of the**  
 4 **Revised Statutes]** P.L.1991, c.413 (C.27:5-5 et seq.)<sup>2</sup>.

5  
 6 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
 7 *of New Jersey:*

8  
 9 <sup>2</sup>**[1. a. The <sup>1</sup>**[department]** Department of Transportation<sup>1</sup>, in**  
 10 consultation with the Department of Agriculture, shall create a  
 11 “Viticulture Trail Sign Program.” The purpose of the program shall be  
 12 to provide awareness of and directional guidance to viticulture in the  
 13 State through roadway signs, and support a trail-like path through  
 14 signage which allows persons to find and visit wineries and viticulture  
 15 locations in an efficient and reasonable manner, and promote these  
 16 locations within New Jersey.

17 b. A person may apply to the <sup>1</sup>**[department]** Department of  
 18 Transportation<sup>1</sup> to have viticulture trail signs installed identifying and  
 19 directing persons to a winery or other viticulture area. The department  
 20 shall place viticulture trail signs on all eligible roads, including State  
 21 roads.

22 c. The <sup>1</sup>**[department]** Department of Transportation<sup>1</sup>, in  
 23 consultation with the New Jersey State Council on the Arts in the  
 24 Department of State, shall establish a visual art competition, for  
 25 aesthetically pleasing, original art to be displayed on the viticulture  
 26 trail signage. The <sup>1</sup>**[department]** Department of Transportation<sup>1</sup> shall  
 27 establish the terms of the competition, including the rules of the  
 28 competition and submission requirements. The <sup>1</sup>**[department]**  
 29 Department of Transportation<sup>1</sup>, in consultation with the council, shall  
 30 select the artwork to be displayed which at a minimum shall be:

- 31 (1) submitted in accordance with the rules of the competition,  
 32 established pursuant to this subsection;  
 33 (2) reflective of the intent of this act; and  
 34 (3) reproducible on roadway signage.

35 The <sup>1</sup>**[department]** Department of Transportation<sup>1</sup>, in coordination  
 36 with the council, shall publicize the competition in such a manner so  
 37 as to attract artwork submissions, and to that end the <sup>1</sup>**[department]**  
 38 Department of Transportation<sup>1</sup> and council may expend any funds as  
 39 may be appropriated or otherwise made available for that purpose.

40 d. Notwithstanding any rule, regulation, or law to the contrary,  
 41 the <sup>1</sup>**[department]** Department of Transportation<sup>1</sup> shall install an  
 42 approved viticulture trail sign as soon as practicable.<sup>2</sup>

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Assembly AAN committee amendments adopted May 7, 2018.

<sup>2</sup>Assembly floor amendments adopted February 25, 2019.

1       <sup>2</sup>1. a. The Division of Travel and Tourism in the Department of  
2 State, in consultation with the Department of Transportation and the  
3 Department of Agriculture, shall establish a marketing and  
4 advertising campaign to attract the State's residents and visitors to  
5 wineries and viticulture attractions in the State through the erection  
6 of outdoor displays or advertising on real property within public  
7 view.

8       b. (1) A person may apply to the Division of Travel and  
9 Tourism in the Department of State to participate in the marketing  
10 and advertising campaign and to have outdoor displays or  
11 advertising erected identifying and directing the State's residents  
12 and visitors to the person's winery or viticulture attraction.

13       (2) The Director of the Division of Travel and Tourism, in  
14 consultation with the Commissioner of Transportation, shall  
15 establish reasonable fees to be charged to participating wineries and  
16 viticulture attractions for the fabrication, erection, and maintenance  
17 of outdoor displays or advertising erected pursuant to this section,  
18 including the cost of acquiring rights-of-way and replacing  
19 damaged or missing displays.

20       c. The New Jersey State Council on the Arts in the Department  
21 of State, in consultation with the Division of Travel and Tourism  
22 and the Garden State Wine Growers Association, shall establish a  
23 visual arts competition for aesthetically pleasing, original art to be  
24 displayed as outdoor displays or advertising pursuant to this section.  
25 The New Jersey State Council on the Arts and the Garden State  
26 Wine Growers Association shall establish the rules of the  
27 competition and the Department of Transportation shall assist the  
28 council in formulating submission criteria for the competition to  
29 ensure that the original art considered by the council complies with  
30 applicable federal and State laws. The council shall publicize the  
31 competition. The council and Garden State Wine Growers  
32 Association shall select the artwork to be displayed, subject to the  
33 approval of the Commissioner of Transportation, provided the  
34 artwork is:

35       (1) submitted in accordance with the rules of the competition,  
36 established pursuant to this subsection;

37       (2) reflective of the intent of this section; and

38       (3) reproducible on outdoor displays or advertising on real  
39 property within public view.

40       d. The Division shall erect outdoor displays and advertising  
41 pursuant to this section in a manner consistent with applicable  
42 federal and State laws and the provisions of the "Roadside Sign  
43 Control and Outdoor Advertising Act," P.L.1991, c.413 (C.27:5-5 et  
44 seq.).<sup>2</sup>

45  
46       2. This act shall take effect immediately.