



April 10, 2025

New Jersey State House
Attn: Assembly Committee on State and Local Government
125 West State Street
Trenton, New Jersey 08625

Re: A 3036 – “Swift Access For Emergency Response Actions Preservation Program (SAFER APP)” (Oppose)

Dear Chairman Robert Karabinchak, Vice Chair Lisa Swain, and Members of the Assembly Committee on State and Local Government:

On behalf of the Computer & Communications Industry Association (CCIA), I write to respectfully oppose A 3036 in advance of the Assembly State and Local Government Committee hearing on April 10, 2025.

CCIA is an international, not-for-profit trade association representing a broad cross-section of communications and technology firms.¹ Proposed regulations on the interstate provision of digital services therefore can have a significant impact on CCIA members.

While CCIA recognizes the intent of A 3036 and appreciates the goal of addressing congestion and promoting traffic safety in localities throughout the state, the bill raises a number of concerns—it would infringe on turn-by-turn navigation system operators’ First Amendment rights and establish an arbitrary system that fails to address the underlying problem of increased road traffic.²

If passed into law, A 3036 would likely infringe on turn-by-turn navigation system operators’ First Amendment rights by forcing them to change the navigation directions they provide to consumers. These private businesses have a right to publish all available navigation routes. The First Amendment protects search results including the choices of what to include or prioritize in those results.³ Moreover, the government cannot punish or restrict speech and expressive conduct because it disapproves of the ideas or content expressed, in this case disapproving of offering navigation routes that utilize local roads.⁴ As New Jersey is the first state to consider such a proposal, if A 3036 were to become law, it might well face legal challenges, which would likely leave the problem unsolved while court proceedings take place.

Turn-by-turn navigation systems’ purpose is to provide drivers with the most efficient navigation path from one point to another, particularly drivers who may not be familiar with a

¹ For more than 50 years, CCIA has promoted open markets, open systems, and open networks. CCIA members employ more than 1.6 million workers, invest more than \$100 billion in research and development, and contribute trillions of dollars in productivity to the global economy. A list of CCIA members is available at <https://www.ccianet.org/members>.

² Peter Chen, *New Jersey’s Population is Actually Growing, Despite Data from Moving Van Companies*, New Jersey Policy Perspective (Feb. 5, 2024), <https://www.njpp.org/publications/blog-category/new-jerseys-population-is-actually-growing-despite-data-from-moving-van-companies/>.

³ *Search King, Inc. v. Google Tech., Inc.*, No. CIV-02-1457-M, 2003 WL 21464568 (W.D. Okla. May 27, 2003).

⁴ *R.A.V. v. City of St. Paul*, 505 U.S. 377 (1992).



given area. Consumers rely on these navigation platforms to get themselves to job interviews, doctor's appointments, new local restaurants, and stores. If A 3036 were to go into effect, it would inhibit New Jerseyans' abilities to make these routine trips, while still not solving the underlying problem, as drivers could still use printed maps or local knowledge to utilize local roadways, which would still be open to traffic.

For the reasons outlined above, CCIA opposes A 3036 and recommends that the Legislature not pass this legislation. We appreciate your consideration on this matter and would welcome the opportunity to speak in greater detail on this bill.

Sincerely,

Kyle J. Sepe
Regional State Policy Manager, Northeast
Computer & Communications Industry Association