

See: 25 N.J.R. 2839(b), 25 N.J.R. 4605(a).

Amended by R.1994 d.414, effective August 15, 1994.

See: 26 N.J.R. 337(a), 26 N.J.R. 3463(a).

Amended by R.1997 d.82, effective February 18, 1997.

See: 28 N.J.R. 2518(a), 28 N.J.R. 3242(a), 29 N.J.R. 587(a).

Inserted new (b); recodified former (b) as (c); combined former (c) and (d) into new and substantially amended (d); in (f), added exception to two hour parking maximum; deleted (g) and (h); recodified former (i) as (g); and deleted (j).

Case Notes

Action to force utility to comply with backup requirement for overweight shipment of nuclear waste dismissed as moot; "capable of repetition yet evading review" test for decision on moot issue not met. *New Jersey Turnpike Authority v. Jersey Central Power and Light*, 772 F.2d 25 (3rd Cir.1985).

Regulation banning all photography on State turnpike exceeded powers delegated to State Turnpike Authority. *State v. Levinson*, 225 N.J.Super. 135, 541 A.2d 1110 (A.D.1988).

19:9-1.7 Use of medial strip prohibited

The medial strip between the traffic lanes of the Turnpike shall not be used for driving upon any part thereof or for crossing between said lanes by vehicles or by persons on foot. Excepted from the provisions of this section are State Police vehicles, the Authority's maintenance and official vehicles and vehicles authorized to furnish towing and other services to disabled vehicles on the Turnpike, and all other vehicles discharging emergency functions, such as ambulances and fire engines, when they are properly in use in the performance of authorized Turnpike duties, provided that no excepted vehicle shall use the medial strip so as to create a hazard to other vehicles.

Amended by R.1993 d.496, effective October 4, 1993.

See: 25 N.J.R. 2839(b), 25 N.J.R. 4605(a).

Amended by R.1994 d.414, effective August 15, 1994.

See: 26 N.J.R. 337(a), 26 N.J.R. 3463(a).

19:9-1.8 (Reserved)

Repealed by R.1993 d.496, effective October 4, 1993.

See: 25 N.J.R. 2839(b), 25 N.J.R. 4605(a).

Section was "Air raid precautions".

19:9-1.9 Limitations on use of Turnpike

(a) Use of the Turnpike and entry thereon by the following, unless otherwise authorized by the Authority, is prohibited:

1. Pedestrians;
2. Bicycles with or without motors and any other two or three-wheel vehicles, excluding motorcycles;
3. Motorcycles, during high winds or during the prevalence of other adverse weather conditions;
4. Vehicles drawn by animals;
5. Animals led, ridden or driven on the hoof;
6. Vehicles loaded with animals or poultry not properly confined;

7. Vehicles with improperly inflated pneumatic tires; also vehicles with tires in such condition that they are, in the judgment of the Authority, unsafe for use upon the Turnpike;

8. Farm implements and farm machinery, whether self-propelled or towed;

9. Passenger vehicles and passenger vehicle-drawn trailers with improperly secured loads:

- i. Passenger vehicles and passenger vehicle-drawn trailers carrying any load on the top or sides with lateral or horizontal projection in excess of 12 inches from body of vehicle or vertical projection in excess of 24 inches from body of vehicle;

10. Vehicles with metal tires or solid tires worn to metal and vehicles with caterpillar treads;

11. Construction equipment other than motor trucks or truck cranes capable of maintaining 45 miles per hour;

12. Vehicles or combinations of vehicles, including any load thereon, exceeding the following extreme overall dimensions or weights:

- i. Height: 13 feet, 6 inches;
- ii. Width: 8 feet, 6 inches;
- iii. Length: semitrailer in excess of 53 feet in length when in a tractor-semi-trailer combination, private utility, house-type semitrailer or trailer with a length of any single vehicle in excess of 35 feet, private utility, house-type semitrailer and towing vehicle combination in excess of 45 feet and private utility, house-type trailer and towing vehicle combination in excess of 50 feet;

iv. Gross weight: 80,000 pounds;

(1) Single axle: 22,400 pounds;

(2) Tandem axle: 34,000 pounds;

v. Notwithstanding the above limitations, a combination of vehicles designed, built and used to transport other motor vehicles may carry a load which does not exceed 65 feet overall length, including load overhang. The overhang shall be limited to seven feet and may not exceed three feet at the front and four feet at the rear and that the overhang shall be above the height of the average passenger car;

vi. Notwithstanding the above limitations, no vehicle operated with a tandem trailer combination, commonly known as a "double bottom," with overall individual trailer length in excess of 28 feet 6 inches shall be operated on the Turnpike.

13. Except for the Interstate 95 Extension, any vehicle operated pursuant to a special permit issued pursuant to N.J.S.A. 39:3-84, unless said permit or its equivalent is issued by the Authority;

14. Passenger vehicles or passenger vehicle-drawn trailers being towed by other vehicles, unless both vehicles and the connecting and control devices between them meet the following requirements:

- i. Not more than one vehicle is being towed;
- ii. A hitch bar is used in combination with chain strong enough to hold if the bar became disconnected from either vehicle; and
- iii. Brakes, brake lights and directional signals on both vehicles are controlled by the driver of towing vehicle and synchronized. A trailer with a gross weight of 3,000 pounds or less may be operated without brakes if it is towed by a vehicle whose gross weight is at least $2\frac{1}{2}$ times the gross weight of the trailer;

15. Vehicles with loads extending more than four feet:

- i. Beyond the rear of the vehicle body or other supporting member; or
- ii. Beyond the rear of vehicle-drawn trailer;

16. Vehicles with improperly secured loads;

17. Vehicles so loaded or operated that the contents or any part thereof may be scattered on the Turnpike roadway;

18. Vehicles that are not capable of maintaining a speed of at least 35 miles per hour on a level grade;

19. Vehicles not otherwise specified in this section that create a probable hazard to other vehicles or to persons;

20. During winds or during the prevalence of other adverse weather conditions, house trailers, horse trailers, boat trailers, utility trailers, motorcycles and all passenger vehicle-drawn trailers;

21. Vehicles in tow:

- i. With an axle or combination of axles raised off the ground and supported by cable, chains, rope, dollies or other devices;
- ii. Without axles raised, if interconnected with rope, chains, cable or pipe or tow bars without chains; or
- iii. By a fifth wheel crane or hoist mounted on a truck-tractor.

22. Vehicles owned or operated by a member or employee of a diplomatic mission, where said member or employee of the diplomatic mission has been sent prior written notice from the Authority that said member or employee violated any provision of N.J.A.C. 19:9 and who, subsequent to said notice, a provision of N.J.A.C. 19:9. Upon occurrence of the second violation, said vehicle or vehicles shall be escorted off the Turnpike at the nearest point of exit or interchange;

23. Commercial motor vehicles, trailer and semitrailers including farm trucks, while loaded with hay or straw when the extreme overall dimension is greater than 102 inches in width.

24. Three-vehicle combinations, commonly known as "Double Saddle-mount," wherein a tractor is hauling two additional tractors; and

25. Omnibuses exceeding 45 feet in length, excluding bumpers, and articulated omnibuses exceeding 61 feet in length, excluding bumpers.

(b) In addition to the State Police, toll collection employees of the Authority are authorized to enforce the provisions of this section, and all persons shall comply with the orders of such employees given to prevent the use of the Turnpike by any of the aforesaid prohibited vehicles.

Amended by R.1972 d.37, effective February 25, 1972.

See: 4 N.J.R. 14(b), 4 N.J.R. 56(a).

Amended by R.1973 d.145, effective June 4, 1973.

See: 5 N.J.R. 172(a), 5 N.J.R. 247(d).

Amended by R.1974 d.227, effective January 1, 1975.

See: 6 N.J.R. 209(c), 6 N.J.R. 370(c).

Amended by R.1975 d.25, effective February 7, 1975.

See: 7 N.J.R. 122(d).

Amended by R.1975 d.41, effective February 28, 1975.

See: 7 N.J.R. 77(c), 7 N.J.R. 185(a).

Amended by R.1977 d.63, effective March 1, 1977.

See: 9 N.J.R. 56(a), 9 N.J.R. 203(a).

Amended by R.1978 d.412, effective December 5, 1978.

See: 9 N.J.R. 497(c), 11 N.J.R. 53(b).

Amended by R.1981 d.520, effective January 18, 1982.

See: 13 N.J.R. 751(b), 14 N.J.R. 106(a).

(a)25: new text added for paragraph previously reserved.

Amended by R.1982 d.448, effective December 20, 1982.

See: 14 N.J.R. 1087(a), 14 N.J.R. 1464(c).

Added 26 to (a).

Amended by R. 1983 d.301, effective August 1, 1983.

See: 15 N.J.R. 886(a), 15 N.J.R. 1257(a).

Amended several length requirements.

Amended by R.1984 d.547, effective December 17, 1984.

See: 16 N.J.R. 2517(a), 16 N.J.R. 3458(a).

Deleted language "A red inspection . . . or to persons".

Amended by R.1986 d.271, effective July 7, 1986.

See: 18 N.J.R. 935(a), 18 N.J.R. 1402(b).

(a)12v deleted text "The total . . . front or rear" and substituted "The overhang shall . . . at the rear".

Amended by R.1990 d.32, effective January 16, 1990.

See: 21 N.J.R. 3272(b), 22 N.J.R. 249(a).

Repealed regulation on schoolbus use of "Out-of-Service" sign pursuant to repeal of pertinent statute, see: P.L. 1989, c.36.

Amended by R.1992 d.211, effective May 18, 1992.

See: 24 N.J.R. 931(a), 24 N.J.R. 1905(c).

Revised (a)12iii.

Amended by R.1993 d.311, effective July 6, 1993.

See: 25 N.J.R. 684(a), 25 N.J.R. 2906(c).

Amended by R.1993 d.496, effective October 4, 1993.

See: 25 N.J.R. 2839(b), 25 N.J.R. 4605(a).

Amended by R.1994 d.414, effective August 15, 1994.

See: 26 N.J.R. 337(a), 26 N.J.R. 3463(a).

Case Notes

Action to force utility to comply with backup requirement for over-weight shipment of nuclear waste dismissed as moot; "capable of repetition yet evading review" test for decision on moot issue not met. *New Jersey Turnpike Authority v. Jersey Central Power and Light*, 772 F.2d 25 (3rd Cir.1985).

SUBCHAPTER 3. FEES

19:9-3.1 Towing rates

(a) Towing rates charged by Authority-authorized companies shall conform to the following rates or such rates as may be approved and amended by the Commissioners from time to time, in accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and the rules on agency rulemaking, N.J.A.C. 1:30.

1. Class 1 vehicles (24 hours):

- i. Service charge, \$40.00 or \$50.00 for flatbed; plus
- ii. \$2.00 per mile on Turnpike to a maximum of \$60.00 or \$70.00 for flatbed plus;
- iii. Additional charge of \$5.00 for the use of dolly wheels;
- iv. An additional charge of \$15.00 for disconnecting a drive shaft;
- v. An additional charge of \$30.00 for removing a chrome bumper; and
- vi. An additional charge of \$20.00 for removing an axle.

2. Class 2-6 vehicles:

- i. Service charge, \$70.00 for straight truck, car with trailer, or trailer without car or \$100.00 for tractor trailer or bus;
- ii. \$3.00 per mile on Turnpike to a maximum of \$100.00 for straight truck, car with trailer, or trailer without car or \$5.00 per mile for tractor trailer or bus to a maximum of \$150.00; plus
- iii. An additional charge of \$15.00 for connecting air lines;
- iv. An additional charge of \$15.00 for disconnecting drive shaft on cars and small trucks or \$30.00 on large trucks;
- v. An additional charge of \$30.00 for removing a chrome bumper;
- vi. Additional charge of \$20.00 for removing an axle; and
- vii. Additional charge of \$45.00 for removing an air scoop.

3. Winching and wrecking (all classes of vehicles):

- i. \$50.00 per hour for a light wrecker;
- ii. \$100.00 per hour for a heavy wrecker;
- iii. \$350.00 per hour, two hour minimum for construction-type cranes in excess of 40,000 pounds; and
- iv. \$225.00 per hour, two hour minimum for specialized equipment, including heavy duty underreach,

Landoll Hydraulic Trailer, 40 to 45 ton Challenger, Oshkosh, Sterling-type wrecker crane, box trailer with tractor and driver or wrecker with wheel lift.

R.1975 d.221, effective August 1, 1975.

See: 7 N.J.R. 351(a), 7 N.J.R. 447(c).

As amended, R.1981 d.37, effective February 4, 1981.

See: 13 N.J.R. 49(b), 13 N.J.R. 165(c).

Substantially amended.

Amended by R.1993 d.496, effective October 4, 1993.

See: 25 N.J.R. 2839(b), 25 N.J.R. 4605(a).

19:9-3.2 Road service rates

(a) Road service rates for Class 1 vehicles charged by Authority-authorized service companies shall conform with the following rates or such rates as may be approved and amended by the Commissioners from time to time, in accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq. and the rules on agency rulemaking, N.J.A.C. 1:30.

- 1. Road service charge: \$30.00;
- 2. Gasoline/diesel: Cost of product plus road service charge;
- 3. Tire change: Road service charge;
- 4. Tire repair/replacement: Cost of product plus road service charge;
- 5. Battery service: Road service charge; and
- 6. Water: Road service charge.

New Rule, R.1993 d.496, effective October 4, 1993.

See: 25 N.J.R. 2839(b), 25 N.J.R. 4605(a).

19:9-3.3 Questions and disputes

Questions and disputes concerning the rates or quality of towing or road service provided by Authority-authorized companies may be directed to the Director of Operations.

New Rule, R.1993 d.496, effective October 4, 1993.

See: 25 N.J.R. 2839(b), 25 N.J.R. 4605(a).

SUBCHAPTER 4. INSPECTION AND OBTAINING OF AUTHORITY RECORDS

19:9-4.1 General provisions

(a) Except as otherwise provided by law, all Authority records required by law to be made, maintained, or kept on file shall be available to any individual for the purpose of inspection or hand copying during regular business hours at the Authority's main offices at the Administration Building, Turnpike Interchange 9 at Route 18 North, East Brunswick, New Jersey. Other records within the possession of the Authority may be made available for inspection or hand copying subject to N.J.A.C. 19:9-4.2.

(b) Except as otherwise specified herein, copies of records may be obtained by written request to:

New Jersey Turnpike Authority
Law Department
Records Request
P.O. Box 1121
New Brunswick, New Jersey 08903

(c) Copies of New Jersey State Police Troop D accident reports concerning accidents on the Turnpike may be obtained upon payment of a \$10.00 report charge payable to the New Jersey Turnpike Authority, accompanied by a written request to:

New Jersey Turnpike Authority
Operations Department
Accident Report Request
P.O. Box 1121
New Brunswick, New Jersey 08903

(d) Criminal reports statements, photographs and other evidential reports, if any, attached to accident reports will be furnished only in accordance with applicable laws and the New Jersey court rules.

(e) Photographs of the Turnpike roadway, structures and/or appurtenances will be taken by the Authority upon written request to the Director of Public Affairs at the address set forth in (b) above. Requests must specify the exact location of the site, accompanied by a brief description of the item to be photographed. Such photographs shall not be taken by persons other than those employed or contracted by the Authority without first making written or verbal request to the Director of Public Affairs, whose approval shall be subject to the terms of N.J.A.C. 19:9-1.6(j).

(f) Records sought in connection with a claim or suit against the Authority, its agents, servants or employees, will be furnished only in accordance with applicable laws and the New Jersey court rules.

(g) Copies of bid documents for contractors and vendors bidding on work, services or materials shall be obtained at fees established by the Turnpike Authority to cover printing and distribution costs and published in the advertisement for the receipt of bids.

(h) The fees for obtaining Authority records, which are set forth in N.J.A.C. 19:9-4.4 shall be collectable at or before delivery of the documents copied. Payment shall be made by check or money order payable to the New Jersey Turnpike Authority.

Amended by R.1993 d.496, effective October 4, 1993.
See: 25 N.J.R. 2839(b), 25 N.J.R. 4605(a).

19:9-4.2 Nonpublic information

(a) The following records, if not required by law to be made, maintained, or kept on file, may be deemed by the Director of Law not to constitute public records subject to the inspection, examination and copying provisions of this subchapter:

1. All evaluative reports or memoranda submitted to, or prepared by, the Authority, its consultants, agents, or employees;
2. All records that are interagency or intraagency communications other than statistical or factual tabulations of data or final Authority policy or determinations;
3. All records concerning applications for employment with the Authority;
4. All records containing personal, financial or proprietary information submitted by individuals, corporations, partnerships and other entities doing business or seeking to do business with the Authority;
5. All records which, if disclosed, would impair present or imminent contract awards or collective bargaining negotiations;
6. All records which, if disclosed, would constitute an invasion of personal privacy;

7. All records compiled for law enforcement or official investigatory purposes if their disclosure would interfere with law enforcement investigations or legislative, judicial, administrative, or disciplinary proceedings or hearings, or deprive a person of a right to a fair trial or hearing or impartial adjudication, or identify a confidential source or disclose confidential information relating to a criminal, administrative or disciplinary investigation, or reveal criminal investigative techniques or procedures, except routine techniques or procedures, or where disclosure would endanger the life or safety of any person or prejudice the Authority's ability to seek judicial or administrative relief;

8. All records otherwise exempted from disclosure by State or Federal law; and

9. Any other documents protected by a privilege.

As amended, R.1978 d.258, effective July 31, 1978.

See: 10 N.J.R. 310(a), 10 N.J.R. 408(c).

As amended, R.1982 d.447, effective December 20, 1982.

See: 14 N.J.R. 974(b), 14 N.J.R. 1464(e).

Increased fees from \$3.00 to \$10.00; \$6.00 to \$15.00 and \$1.00 to \$10.00.

Repeal and New Rule, R.1993 d.496, effective October 4, 1993.

See: 25 N.J.R. 2839(b), 25 N.J.R. 4605(a).

Section was "Photographs; slides".

19:9-4.3 Procedures for obtaining Authority records

(a) Requests for inspection or copying of records shall be made in person or in writing to the Authority at the address set forth in N.J.A.C. 19:9-4.1. Each request must set forth the name and address of the party requesting the document, the reason for the request, and the intended use of the document. The Director of Law shall review all requests and shall notify the person making a request of the time and date, or alternative times and dates, that the records will be made available for inspection and copying. If the request is denied, the person will be notified of the denial and the reasons for such denial.

(b) Records shall be inspected only under the supervision of the Director of Law or such other officer or employee as may be designated by the Director of Law. Such inspections shall be made at the Administration Building during regular business hours or at such other times and/or locations as the Director of Law deems convenient.

(c) All duplication shall be done by, or at the request of, the Authority, and the charges shall be in accordance with those set forth in N.J.A.C. 19:9-4.4. If the Director of Law finds that there is no risk of damage, mutilation or loss of such records and that it would not be incompatible with the economic and efficient operation of the Authority, the Director of Law may permit an individual or entity seeking to copy more than 100 pages to use his or her own photographic process, approved by the Director of Law upon the payment of a reasonable fee, considering the equipment and the time involved, to be fixed by the Director of Law at not less than \$10.00 nor more than \$50.00 per day. If it is not practicable for the Authority to copy any document, that document will be copied commercially, and the person requesting the copy shall be charged a fee equal to the Authority's cost for such commercial reproduction.

Repeal and New Rule, R.1993 d.496, effective October 4, 1993.
See: 25 N.J.R. 2839(b), 25 N.J.R. 4605(a).
Section was "Bid documents".

19:9-4.4 Fees

(a) Copies of Authority records by the Authority shall be made available to the requesting individual or entity upon full payment of copying costs. Copying costs shall be determined in accordance with the following fee schedule:

1. Documents up to 8½ by 13 inches: \$.50 per page;
2. Documents over 8½ by 13 inches: \$1.00 per page;
3. Drawings, maps, and plan sheets: \$1.00 per page;
4. Microfilm copies, any size: \$1.00 per page;
5. Existing Photographs:
 - i. Photographs up to 8 by 10 inches, black and white glossy: \$10.00 per picture;
 - ii. Photographs 8 by 10 inches, color glossy: \$15.00 per picture;
6. Photographs taken upon request (prices include travel time, materials and film processing) up to 8 by 10 inches, black and white glossy:
 - i. First photograph: \$30.00;
 - ii. Each additional photograph: \$15.00;
7. Slides, 35 millimeter: \$10.00 per slide;
8. State Police Accident reports, all pages \$10.00;
9. State Police Photographs up to 8 by 10 inches, color glossy:
 - i. First photograph: \$5.00;
 - ii. Each additional photograph: \$3.00.

(b) Payment may be waived when the request is made by the United States, the State of New Jersey, or any agency or political subdivision thereof, individuals or firms doing work or performing services for the Authority, organizations or associations of which the Authority is a member, credentialed media organizations, and organizations exchanging information with the Authority on a reciprocal basis.

(c) A fee of \$5.00 per document or photograph will be charged for certification by the Secretary of the Authority that an Authority document is authentic or that a record of which the Authority is legal custodian cannot be found.

As amended, R.1983 d.554, effective December 5, 1983.
See: 15 N.J.R. 1643(a), 15 N.J.R. 2046(e).

Amended text to allow requests to be made by mail or in person. Reports obtained in person cost \$1.00; mailed reports cost \$6.00. Repeal and New Rule, R.1993 d.496, effective October 4, 1993.
See: 25 N.J.R. 2839(b), 25 N.J.R. 4605(a).
Section was "New Jersey State Police reports".

SUBCHAPTER 5. ADMINISTRATIVE PRACTICES

19:9-5.1 Pre-employment screening

(a) Applicants for employment with the New Jersey Turnpike Authority shall be of good moral character and shall not have been convicted of any crime.

(b) The New Jersey Turnpike Authority shall submit requests for any Criminal History Record Information (CHRI) from the New Jersey State Police regarding any applicant for employment with the New Jersey Turnpike Authority.

(c) A medical examination, including drug screening, may be performed on any applicant for employment by the Authority's designated medical representative. Annual medical evaluations may subsequently be performed on all employees, and for appropriate personnel, may include drug screening.

R.1979 d.181, effective May 7, 1979.
See: 11 N.J.R. 309(a).
Amended by R.1993 d.496, effective October 4, 1993.
See: 25 N.J.R. 2839(b), 25 N.J.R. 4605(a).

19:9-5.2 Waivers generally

Nothing in these rules shall be construed to prohibit the Authority from granting waivers from any provisions hereof, the New Jersey Turnpike Authority Standard Specifications.

New Rule, R.1993 d.496, effective October 4, 1993.
See: 25 N.J.R. 2839(b), 25 N.J.R. 4605(a).

19:9-5.3 Procedure for waiver

Any party desiring a waiver or release from the express provisions of any of these rules, the New Jersey Turnpike Authority's Standard Specifications shall submit a written request to the Executive Director. Any waiver so requested may be granted only upon a finding that such waiver would not jeopardize the health, safety or welfare of the Turnpike, its patrons or the general public, would not contravene the provisions of N.J.S.A. 27:23-1 et seq., and that granting the waiver would be consistent with the Authority's statutory purposes.

New Rule, R.1993 d.496, effective October 4, 1993.
See: 25 N.J.R. 2839(b), 25 N.J.R. 4605(a).