

**CHAPTER 20A
COUNTY LOCAL AID**

Authority

N.J.S.A. 27:1A-5, 27:1A-6, 27:7-47, 27:13-1 et seq., 27:13A-1 et seq., 27:14-1 et seq., 27:15-1 et seq., 27:15A-1 et seq. and the New Jersey Trust Fund Authority Act, N.J.S.A. 27:1B-1 et seq.

Source and Effective Date

R.2006 d.395, effective October 19, 2006.
See: 38 N.J.R. 2389(a), 38 N.J.R. 4874(a).

Chapter Expiration Date

Chapter 20A, County Local Aid, expires on October 19, 2011.

Chapter Historical Note

Chapter 20A, New Jersey Transportation Trust Fund Authority Act Federal Aid Urban System Substitution Program: County and Municipal Aid, was adopted as emergency new rules by R.1984 d.423, effective September 6, 1984, expired November 5, 1984. See: 16 N.J.R. 2456(a). The provisions of R.1984 d.423 were adopted as new rules by R.1984 d.552, effective December 17, 1984. See: 16 N.J.R. 3470(a).

Subchapter 5, Audit, was adopted as R.1987 d.265, effective July 6, 1987. See: 19 N.J.R. 622(a), 19 N.J.R. 1229(a).

Pursuant to Executive Order No. 66(1978), Chapter 20A, New Jersey Transportation Trust Fund Authority Act Federal Aid Urban System Substitution Program: County and Municipal Aid, expired on December 17, 1989.

Chapter 20A, New Jersey Transportation Trust Fund Authority Act Federal Aid Urban System Substitution Program: County and Municipal Aid, was adopted as new rules by R.1990 d.128, effective February 20, 1990. See: 21 N.J.R. 3716(a), 22 N.J.R. 669(a).

Pursuant to Executive Order No. 66(1978), Chapter 20A, New Jersey Transportation Trust Fund Authority Act Federal Aid Urban System Substitution Program: County and Municipal Aid, was readopted as R.1995 d.71, effective January 12, 1995. See: 26 N.J.R. 4485(a), 27 N.J.R. 504(b).

Chapter 20A, New Jersey Transportation Trust Fund Authority Act Federal Aid Urban System Substitution Program: County and Municipal Aid, was repealed, and a new Chapter 20A, New Jersey Transportation Trust Fund Authority Act: County Aid, was adopted as R.1996 d.306, effective July 1, 1996. See: 28 N.J.R. 1350(a), 28 N.J.R. 3312(a).

Chapter 20A, New Jersey Transportation Trust Fund Authority Act: County Aid, was readopted as R.2001 d.161, effective April 26, 2001. See: 33 N.J.R. 768(a), 33 N.J.R. 1598(a).

Chapter 20A, New Jersey Transportation Trust Fund Authority Act: County Aid, was readopted as R.2006 d.395, effective October 19, 2006. As a part of R.2006 d.395, Chapter 20A was renamed County Local Aid, effective November 20, 2006. See: Source and Effective Date. See, also, section annotations.

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SUBCHAPTER 1. GENERAL PROVISIONS

16:20A-1.1 Definitions

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

“Commissioner” means the Commissioner of the New Jersey Department of Transportation.

“Department” means the New Jersey Department of Transportation.

“Encumbered” means funds that are financially obligated by being spent, under contract to be spent, or to be spent under a force account agreement in place with the Department.

Repeal and New Rule, R.2006 d.395, effective November 20, 2006. See: 38 N.J.R. 2389(a), 38 N.J.R. 4874(a).

Section was “Appropriation of funds”.

16:20A-1.2 Purpose; Division offices

(a) These rules govern disbursements from the Department’s County Local Aid Program to counties for the purpose of assisting counties in the implementation of transportation projects including, but not limited to, improvement of any public road or bridge under the jurisdiction of a county.

(b) County local aid funds are administered by the Department’s Division of Local Aid and Economic Development. Contact information for the Division is as follows:

- 1. Main Office
 - 1035 Parkway Avenue
 - Trenton, New Jersey 08625
 - Phone: (609) 530-3640
 - Fax: (609) 530-8044
 - Counties covered: all counties

2. District One Office
Roxbury Corporate Center
200 Stierli Court
Mount Arlington, New Jersey 07856
Phone: (973) 770-5070/(973)770-5068
Fax: (973) 770-5172
Counties covered: Hunterdon, Morris, Passaic, Somerset, Sussex, and Warren
3. District Two Office
153 Halsey Street, 5th Floor
Newark, New Jersey 07102
Phone: (973) 877-1500
Fax: (973) 877-1556
Counties covered: Bergen, Essex, Hudson, and Union
4. District Three Office
Route 79 and Daniels Way
Freehold, New Jersey 07728
Phone: (732) 308-4002
Fax: (732) 308-4003
Counties covered: Mercer, Middlesex, Monmouth, and Ocean
5. District Four Office
One Executive Campus
Route 70 West, 3rd Floor
Cherry Hill, New Jersey 08002
Phone: (856) 486-6618
Fax: (856) 486-6771
Counties covered: Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, and Salem

New Rule, R.2006 d.395, effective November 20, 2006.

See: 38 N.J.R. 2389(a), 38 N.J.R. 4874(a).

Former N.J.A.C. 16:20A-1.2, Distribution of funds, recodified to N.J.A.C. 16:20A-1.3.

16:20A-1.3 Distribution of funds

(a) Subject to appropriation, each county shall receive an annual county local aid allotment not less than the combined total of their 1984 apportionment of Federal Aid Urban System funds plus State matching funds including their portion of non-attributable funds made available for Small Urban Areas.

(b) Prior to the distribution of its annual county local aid allotment, each county shall certify to the Department that the allotted funds shall only be spent on eligible costs of projects set forth in the county's approved Annual Transportation Program.

Amended by R.2001 d.161, effective May 21, 2001.

See: 33 N.J.R. 768(a), 33 N.J.R. 1598(a).

In (b), substituted "approved Annual" for "approval Capital" and deleted "(CTP)".

Recodified from N.J.A.C. 16:20A-1.2 and amended by R.2006 d.395, effective November 20, 2006.

See: 38 N.J.R. 2389(a), 38 N.J.R. 4874(a).

Rewrote (a); in (b), substituted "county local" for "State" and "shall" for "will" and deleted "of Transportation" following "Department". Former N.J.A.C. 16:20A-1.3, Minimum allotment, recodified to N.J.A.C. 16:20A-1.4.

16:20A-1.4 Minimum allotment

Subject to appropriation, the State allotment to each county shall be a minimum of \$300,000 for transportation projects annually. The Commissioner shall, when necessary and pursuant to authority given in statute, allocate from available funds sufficient funds to meet the minimum allocations.

Recodified from N.J.A.C. 16:20A-1.3 and amended by R.2006 d.395, effective November 20, 2006.

See: 38 N.J.R. 2389(a), 38 N.J.R. 4874(a).

Substituted "Subject to appropriation, the" for "The"; and added last sentence.

SUBCHAPTER 2. COUNTY AID

16:20A-2.1 Eligible costs

State participation in project costs shall be limited to 100 percent of the cost of construction including construction supervision, inspection and material testing. The cost of engineering and right-of-way acquisition shall be borne totally by the county. State participation may be increased to include up to 100 percent of engineering and right-of-way acquisition costs in special cases when requested by the county and concurred with by the Department. Justification for special cases may include the county's inability to advance a project due to lack of funds, lack of staff, lack of expertise, or other extenuating circumstances. Department staff shall recommend acceptance or rejection of the special case request to the Commissioner for his or her final decision. The Commissioner's final decision shall be based on need, on a case-by-case basis.

Amended by R.2006 d.395, effective November 20, 2006.

See: 38 N.J.R. 2389(a), 38 N.J.R. 4874(a).

Rewrote the section.

16:20A-2.2 Project approval

(a) Annually, prior to August 31, each county shall be advised of the amount of county local aid funds allotted for the current State fiscal year.

(b) An Annual Transportation Program shall be submitted by each county to the Department's Local Aid and Economic Development District Office for Department approval prior to February 1 of the next succeeding calendar year.

1. The Annual Transportation Programs shall list a pool of eligible projects by name and location with a brief description of each project and an estimate of the construction cost. The total cost of the pool of projects may exceed the amount of county local aid funds available.

2. The Annual Transportation Program shall contain a statement describing how the projects in the program are consistent with all applicable State and regional planning documents, including, but not limited to, the State Development and Redevelopment Plan, the State long-range transportation plan, the regional long-range transportation plan of the appropriate metropolitan planning organization, and the county master plan.