

SUBTITLE D. NEW JERSEY HIGHWAY AUTHORITY

CHAPTER 8

REGULATIONS GOVERNING USE OF THE GARDEN STATE PARKWAY

Authority

N.J.S.A. 27:12B-5(j) and (s) and 27:12B-20a.

Source and Effective Date

R.1993 d.290, effective May 17, 1993.  
See: 25 N.J.R. 1500(b), 25 N.J.R. 2701(c).

Executive Order No. 66(1978) Expiration Date

Chapter 8, Regulations Governing Use of the Garden State Parkway, expires on May 17, 1998.

Chapter Historical Note

Chapter 8, Regulations Governing Use of the Garden State Parkway, Subchapters 1 through 4, was filed and became effective prior to September 1, 1969. Subchapter 5, Central Purchasing, and Subchapter 6, Sale of Surplus Personal Property, were adopted as R.1976 d.92, effective March 25, 1976. See: 8 N.J.R. 155(b), 8 N.J.R. 315(a). Subchapter 7, Inspection and Obtaining of Authority Records, was adopted as R.1976 d.168, effective May 28, 1976. See: 8 N.J.R. 263(c), 8 N.J.R. 359(c). Subchapter 8, Special Permits for Oversize Vehicles, was adopted as R.1980 d.476, effective October 31, 1980. See: 12 N.J.R. 619(c), 12 N.J.R. 732(c). Subchapter 9, Permits for Outdoor Advertising, was adopted as R.1982 d.361, effective October 18, 1982. See: 14 N.J.R. 901(a), 14 N.J.R. 1166(d).

Pursuant to Executive Order No. 66(1978), Chapter 8 was readopted as R.1983 d.237, effective June 2, 1983. See: 15 N.J.R. 615(a), 15 N.J.R. 1039(d). Pursuant to Executive Order No. 66(1978), Chapter 8 expired on June 1, 1988, and subsequently was adopted as new rules by R.1988 d.292, effective July 5, 1988. See: 20 N.J.R. 890(a), 20 N.J.R. 1571(c).

Subchapter 10, Pre-Employment Screening, was adopted as R.1989 d.44, effective January 17, 1989. See: 20 N.J.R. 2864(a), 21 N.J.R. 173(c). Subchapter 11, Organizational Rules, was adopted as R.1989 d.361, effective June 14, 1989. See: 21 N.J.R. 2056(a). Subchapter 12, Petitions for Rules, was adopted as R.1989 d.482, effective September 18, 1989. See: 21 N.J.R. 1975(a), 21 N.J.R. 3021(b).

Pursuant to Executive Order No. 66(1978), Chapter 8 was readopted as R.1993 d.290. See: Source and Effective Date. See, also, section annotations for specific rulemaking activity.

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. DEFINITIONS AND TRAFFIC RULES

- 19:8-1.1 Definitions
- 19:8-1.2 Speed limits
- 19:8-1.3 Retarding traffic
- 19:8-1.4 Uniform direction of traffic
- 19:8-1.5 Passing
- 19:8-1.6 "U" Turns prohibited
- 19:8-1.7 Use of medial strip and roadside areas prohibited
- 19:8-1.8 Parking, standing or stopping on Parkway prohibited except in emergency
- 19:8-1.9 Limitations on use of Parkway
- 19:8-1.10 Civil defense regulations
- 19:8-1.11 Load limit of structures
- 19:8-1.12 Transportation of hazardous material

- 19:8-1.13 Traffic control
- 19:8-1.14 Energy crisis limitations

SUBCHAPTER 2. GENERAL REGULATIONS ON THE GARDEN STATE PARKWAY

- 19:8-2.1 Waste and rubbish
- 19:8-2.2 Damaging of shrubs or plants and defacement of Parkway prohibited
- 19:8-2.3 Displays, posters, placards and leafleting prohibited
- 19:8-2.4 Parades, demonstrations and picnics prohibited
- 19:8-2.5 Hunting and trapping prohibited
- 19:8-2.6 Use of firearms prohibited
- 19:8-2.7 Fire prohibited
- 19:8-2.8 Soliciting of alms prohibited
- 19:8-2.9 Hitchhiking and loitering prohibited
- 19:8-2.10 Sales and distribution prohibited
- 19:8-2.11 Garden State Arts Center
- 19:8-2.12 Emergency service
- 19:8-2.13 Discharges
- 19:8-2.14 Damage to the Parkway due to discharges
- 19:8-2.15 Response to a discharge
- 19:8-2.16 Limitations on activities in the Telegraph Hill Nature Area

SUBCHAPTER 3. TOLLS ON THE GARDEN STATE PARKWAY

- 19:8-3.1 Tolls
- 19:8-3.2 Toll-free passage

SUBCHAPTER 4. PENALTIES

- 19:8-4.1 Penalties

SUBCHAPTER 5. PURCHASING AND PROCUREMENT

- 19:8-5.1 Purpose and objective
- 19:8-5.2 Departmental responsibility
- 19:8-5.3 Purchases involving \$12,300 and over (excluding professional services)
- 19:8-5.4 Purchase under \$12,300
- 19:8-5.5 Repeat purchases
- 19:8-5.6 Emergency purchases
- 19:8-5.7 Emergency engineering and construction procurements
- 19:8-5.8 Purchases pursuant to price agreements
- 19:8-5.9 Receipt and opening of bids
- 19:8-5.10 Tie bids
- 19:8-5.11 Rejection of bids
- 19:8-5.12 Bid guarantees
- 19:8-5.13 Terms and conditions applicable to submission of bids
- 19:8-5.14 Bid errors
- 19:8-5.15 Purchase orders and contracts
- 19:8-5.16 (Reserved)
- 19:8-5.17 Purchases under New Jersey State contracts
- 19:8-5.18 Public advertising threshold requirement
- 19:8-5.19 Purchases from State Distribution Center

SUBCHAPTER 6. SALE OF SURPLUS PERSONAL PROPERTY

- 19:8-6.1 Purpose and objective
- 19:8-6.2 Bids
- 19:8-6.3 Invitation to bid and receipt and opening of bids
- 19:8-6.4 Failure to receive bids or more than one bid
- 19:8-6.5 Withdrawal of items from offer to sell after bid opening and prior to award
- 19:8-6.6 Bid deposits
- 19:8-6.7 General terms and conditions
- 19:8-6.8 Tie bids

**SUBCHAPTER 7. INSPECTION AND OBTAINING OF AUTHORITY RECORDS**

- 19:8-7.1 General provisions
- 19:8-7.2 Bid documents
- 19:8-7.3 New Jersey State Police reports
- 19:8-7.4 Subscription services

**SUBCHAPTER 8. SPECIAL PERMITS FOR OVERSIZE VEHICLES**

- 19:8-8.1 Scope
- 19:8-8.2 Permit requirement
- 19:8-8.3 Period of validity
- 19:8-8.4 Fee
- 19:8-8.5 Issuance
- 19:8-8.6 Limitations on permit
- 19:8-8.7 Application
- 19:8-8.8 Insurance
- 19:8-8.9 Permit to be carried in vehicle
- 19:8-8.10 Permit nontransferable
- 19:8-8.11 Permit privilege; suspension or revocation

**SUBCHAPTER 9. PERMITS FOR OUTDOOR ADVERTISING**

- 19:8-9.1 General provisions
- 19:8-9.2 Procedures application for permit
- 19:8-9.3 Suspension or revocation of permit
- 19:8-9.4 Informal conference
- 19:8-9.5 Notice of violation
- 19:8-9.6 Removal provisions
- 19:8-9.7 Penalties

**SUBCHAPTER 10. PRE-EMPLOYMENT SCREENING**

- 19:8-10.1 Pre-employment screening

**SUBCHAPTER 11. ORGANIZATIONAL RULES**

- 19:8-11.1 Authority purpose
- 19:8-11.2 Organization of the New Jersey Highway Authority
- 19:8-11.3 Public information requests

**SUBCHAPTER 12. PETITIONS FOR RULES**

- 19:8-12.1 Scope
- 19:8-12.2 Procedure for petitioner
- 19:8-12.3 Procedure after receipt of petition

**SUBCHAPTER 13. FEE POLICY FOR CONSTRUCTION AND UTILITY INSTALLATION PERMITS**

- 19:8-13.1 Purpose and objective; services provided
- 19:8-13.2 Fee schedule
- 19:8-13.3 Unauthorized installations
- 19:8-13.4 Waiver

**SUBCHAPTER 1. DEFINITIONS AND TRAFFIC RULES****19:8-1.1 Definitions**

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

“Amphitheater” means the theater and lawn areas within the confines of the fence which surrounds the theater located at the Garden State Arts Center.

“Arts Center” means the amphitheater, plaza, mall, all roads leading to and from the amphitheater and all parking areas supporting the amphitheater.

“Authority” means the New Jersey Highway Authority created by L.1952 c.16 and its statutory successors.

“Bus token” means the Authority’s authorized discount token for use by buses.

“Camper” means a self-propelled motor vehicle, single unit or unit attached, which is used and designed for human habitation and not used for commercial purposes.

“Car” means a passenger motor vehicle, including station wagons, hearses, funeral flower and funeral service vehicles for which issuance of passenger car plates is authorized, taxicabs, motorcycles, two axle four tire campers, school buses and panel vans, pickup trucks and similar vehicles having a gross weight not exceeding 6,999 pounds.

“Car token” means the Authority’s authorized car token for use by cars only at exact change and/or “TOKEN ONLY” toll lanes.

“Discharge” means the unintentional or intentional action or omission resulting in the releasing, spilling, leaking, pumping, pouring, emitting, emptying, abandonment or dumping of a hazardous or non-hazardous material or waste into or on the land, water or air. This shall also include the disposal of containers of hazardous materials into receptacles for trash or recycling at any location on the Parkway.

“Division head” means those individuals who hold that title and who report directly to the Executive Director.

“Executive Director” means that individual so designated by the Authority.

“Garden State Arts Center” means the amphitheater and surrounding lands located on the Garden State Parkway at the Telegraph Hill Nature Area, Holmdel, New Jersey.

“Garden State Parkway” or “Parkway” means the highway project known as the Garden State Parkway as defined and described in L.1952, c.16 and more particularly Section 20 thereof, expressly including, but not limited to, the Garden State Arts Center, the Telegraph Hill Nature Area, to the extent provided in an Agreement dated April 23, 1992 among the Authority, the New Jersey Vietnam Veterans Memorial Committee and the State of New Jersey, the Vietnam Veterans Memorial and all real property owned by, operated or under the jurisdiction of the Authority and any improvements thereon.

“Hazardous material” means any material or substance that is capable of posing a risk to health, safety and property or as set forth in N.J.A.C. 7:E1-17, N.J.A.C. 7:26-8, 40 CFR Part 261 and 49 CFR Part 172, as amended or recodified.

"Heavy truck" means a truck with two axles and four tires weighing more than 6,999 pounds, a truck with two axles and six or more tires, or a truck with three or more axles.

"Loitering" means remaining idle in essentially one location and shall include the concepts of spending time idly, loafing or walking about aimlessly, and which also includes the colloquial expression "hanging around".

"Motorcycle" means a two or three-wheel vehicle with the motive power a part thereof or attached thereto, and having a saddle or seat with the driver sitting astride or upon it, excluding motor scooters, minibikes and bicycles and any other vehicle not registered with the New Jersey Division of Motor Vehicles for use on limited access highways of this State having a regulatory speed limit of 55 miles per hour.

"Omnibus" means any motor vehicle used to transport passengers for hire, excluding taxicabs.

"Parkway" means the Garden State Parkway.

"Passenger motor vehicle" means a motor vehicle used and designed to transport passengers.

"Telegraph Hill Nature Area" means that approximately 400 acre tract including, but not limited to, forest, groves, gardens, picnic areas, nature trails, exercise areas and any improvements thereon, also encompassing the Vietnam Veterans Memorial and the Garden State Arts Center, located in Holmdel, New Jersey.

"Vietnam Veterans Memorial" means that structure containing the open air memorial to the New Jersey servicemen and women who were killed or reported missing in action in the Vietnam Conflict, its environs, including, but not limited to, the Vietnam Era Education Center, located in Telegraph Hill Nature Center.

As amended, R.1974 d.158, effective June 20, 1974.  
See: 6 N.J.R. 281(b).

As amended, R.1975 d.145, effective May 29, 1975.  
See: 7 N.J.R. 241(b), 7 N.J.R. 350(d).

As amended, R.1975 d.332, effective November 1, 1975.  
See: 7 N.J.R. 491(a), 7 N.J.R. 579(b).

As amended, R.1976 d.167, effective May 28, 1976.  
See: 8 N.J.R. 264(a), 8 N.J.R. 359(b).

As amended, R.1977 d.113, effective April 1, 1977.  
See: 9 N.J.R. 151(a), 9 N.J.R. 246(a).

As amended, R.1977 d.419, effective November 27, 1977.  
See: 9 N.J.R. 497(b), 9 N.J.R. 603(d).

As amended, R.1978 d.257, effective July 28, 1978.  
See: 10 N.J.R. 307(b), 10 N.J.R. 408(b).

As amended, R.1984 d.29, effective February 21, 1984.  
See: 15 N.J.R. 2153(a), 16 N.J.R. 381(a).

Definition of "vehicles" changed to expedite determination of weight violation.

Amended by R.1988 d.160, effective April 18, 1988 (operative May 1, 1988).

See: 20 N.J.R. 49(a), 20 N.J.R. 913(c).

Added definitions "bus token", "car token", "heavy truck"; amended definition of "car".

Amended by R.1989 d.182, effective April 3, 1989 (operative April 16, 1989).

See: 21 N.J.R. 127(a), 21 N.J.R. 914(b).

"Car token"—deleted "discount" and "\$0.50", added "TOKEN ONLY".

Amended by R.1990 d.479, effective October 1, 1990.  
See: 22 N.J.R. 2128(a), 22 N.J.R. 3164(a).

Passenger vehicles with more than four wheels and two axles may use Garden State Parkway.

Amended by R.1992 d.178, effective April 20, 1992 (operative May 1, 1992).

See: 24 N.J.R. 557(a), 24 N.J.R. 1515(a).

Added definition "amphitheater"; revised "Arts Center".

Amended by R.1994 d.519, effective October 17, 1994.

See: 26 N.J.R. 3249(a), 26 N.J.R. 4211(a).

Amended by R.1995 d.631, effective December 4, 1995.

See: 27 N.J.R. 3769(a), 27 N.J.R. 4908(b).

Amended by R.1998 d.25, effective January 5, 1998.

See: 29 N.J.R. 4660(b), 30 N.J.R. 107(a).

Added "Division head" and "Executive Director".

### 19:8-1.2 Speed limits

(a) Unless otherwise posted or when conditions make such maximum legal rate of speed unsafe, the maximum legal rate of speed at which any motor vehicle may be operated on the main roadway of the Parkway in both directions of traffic shall be 55 miles per hour for its entire length, except as follows:

1. Forty-five miles per hour on the Great Egg Harbor Bridge; and
2. Forty-five miles per hour on the Alfred E. Driscoll Bridge.

(b) Unless otherwise posted, or when conditions make such maximum legal rate of speed unsafe, the maximum legal rate of speed at which any motor vehicle may be operated at facilities off the main roadway of the Parkway shall be 25 miles per hour.

Amended by R.1973 d.327, effective November 21, 1973.

See: 6 N.J.R. 41(a).

Amended by R.1974 d.6, effective January 9, 1974.

See: 6 N.J.R. 88(b).

Amended by R.1979 d.339, effective August 30, 1979.

See: 11 N.J.R. 415(c), 11 N.J.R. 530(a).

Amended by R.1982 d.325, effective October 4, 1982.

See: 14 N.J.R. 827(a), 14 N.J.R. 1101(a).

Added 4 and 5.

Amended by R.1993 d.33, effective January 19, 1993.

See: 24 N.J.R. 3222(a), 24 N.J.R. 4241(a), 25 N.J.R. 345(a).

Revised (a); added new (b).

### 19:8-1.3 Retarding traffic

No vehicle shall be operated at such a slow speed as to impede or block the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation thereof.

### 19:8-1.4 Uniform direction of traffic

No vehicle shall be operated backed, or pushed or otherwise caused to move in a direction which is against the normal flow of traffic on any traffic lane, deceleration lane, acceleration lane, access ramp, shoulder or other roadway on the Parkway.

**19:8-1.5 Passing**

(a) Drivers shall keep to the right except to pass.

(b) If vehicles on the roadway are moving in two or more substantially continuous lines, the provisions of this section shall not be considered as prohibiting the vehicles in one line overtaking and passing the vehicles in another line, either on the right or left.

**19:8-1.6 "U" Turns prohibited**

(a) The making of a "U" turn at any point on the Parkway is prohibited.

(b) Excepted from the provisions of this article are as follows:

1. Police vehicles;
2. Vehicles operated by authorized Authority employees;
3. Authorized construction, maintenance, repair and towing vehicles;
4. Ambulances, fire engines and other vehicles performing official emergency functions.

(c) The foregoing exceptions shall be for the sole purpose of crossing to a roadway carrying traffic bound in the opposite direction, and no excepted vehicles shall make crossings in such manner as to create a hazard to other vehicles.

**19:8-1.7 Use of medial strip and roadside areas prohibited**

The medial strip between roadways, including crossovers and roadside areas beyond roadways, shall not be used by vehicles or persons on foot for any purpose, except at designated service, recreational, maintenance and police areas, or for maintenance, construction or official purposes or in emergencies.

As amended, R.1974 d.158, effective June 20, 1974.  
See: 6 N.J.R. 281(b).

**19:8-1.8 Parking, standing or stopping on Parkway prohibited except in emergency**

(a) No parking, standing or stopping is permitted on the Parkway, including during weather conditions that obstruct travel, except in areas designated by the Authority or in cases of emergency.

(b) In cases of emergency, as hereinafter defined, vehicles shall be permitted to park, stop and stand on the shoulders to the right of the travel lane facing the direction of travel with all wheels and projecting part of any such vehicle, including the load thereof, completely clear of the travel lanes.

(c) For the purposes of this regulation, an "emergency" is defined as the existence of inclement weather conditions that obstruct travel on the Parkway, including, but not limited to, snow, ice, flooding or high wind conditions; mechanically disabled vehicles; the driver of the vehicle is ill or fatigued; or conditions deemed an "emergency" by the Authority or the State Police; but in no case shall the parking, standing or stopping exceed a two-hour period. In any event, the Authority or the State Police may have the vehicle removed if it is determined that it is obstructing traffic or constitutes an unsafe condition.

(d) Parking in public parking facilities at service areas shall not exceed a two-hour period, except where otherwise posted for commuter parking.

(e) Vehicles violating this section may be towed away at the cost of the owner.

(f) Stopping of vehicles on any part of the Parkway for the purpose of picking up or discharging any person is prohibited.

(g) Parking in public parking facilities posted for commuter parking shall be limited to the period of 4:00 A.M. to Midnight, prevailing local time, Monday through Friday, excluding holidays.

(h) Parking in any space appropriately marked for vehicles for the physically handicapped pursuant to P.L. 1977, c.202 (c.39:4-197.5), unless the vehicle is authorized by law to be parked therein, is prohibited.

R.1972 d.19, effective February 4, 1972.

See: 4 N.J.R. 14(a), 4 N.J.R. 55(c).

As amended, R.1977 d.270, effective July 28, 1977.

See: 9 N.J.R. 349(c), 9 N.J.R. 448(b).

As amended, R.1984 d.395, effective September 4, 1984.

See: 16 N.J.R. 1194(a), 16 N.J.R. 2380(a), 16 N.J.R. 2455(a).

(i) added.

Amended by R.1987 d.8, effective January 5, 1987.

See: 18 N.J.R. 2120(b), 19 N.J.R. 141(b).

(d) repealed, old (e)-(i) renumbered (d)-(h).

Amended by R.1994 d.518, effective October 17, 1994.

See: 26 N.J.R. 3251(a), 26 N.J.R. 4210(b).

**19:8-1.9 Limitations on use of Parkway**

(a) No vehicle shall enter upon or leave the Parkway except at access points designated by the Authority.

(b) Use of Parkway and entry thereon by the following is prohibited at all times;

1. Pedestrians except on sidewalks, footpaths and other areas specifically designated by the Authority for that purpose;
2. Vehicles drawn by animals;

3. All bicycles other than motorcycles;
4. Animals led, ridden, unattended or driven on the hoof except horses on bridle paths and leashed dogs in permitted areas;
5. Vehicles containing animals or poultry not properly confined;
6. Vehicles whose condition, equipment or tires create a probable hazard to such vehicles or others;
7. Farm implements and farm machinery, whether self-propelled or towed;
8. Vehicles with improperly secured attachments or loads;

4. Operators of motor vehicles bearing license plates which identify the operator as a disabled or handicapped driver shall be exempt from the provision of (c) above and shall be permitted to purchase motor fuel on any day.

(g) Violations rules are as follows:

1. No persons shall threaten, interfere, or attempt to interfere with compliance with these regulations.

2. No person shall knowingly or willfully misrepresent a motor vehicle as one entitled to an exemption from these regulations or a priority thereunder. If such misrepresentation is of a continuing nature, each day during which it continues shall constitute an additional, separate and distinct offense. Any penalties imposed resulting from a violation of this section shall not preclude the application of any other penalties, civil or criminal, as prescribed by law.

(h) The Authority may, from time to time and for such period as it deems appropriate, modify or suspend the operation and/or enforcement of any or all of these regulations, in whole or in part. Such modification or suspension may be immediately effective without prior notice. Any modification or suspension order issued by the Authority may be for a definite or indefinite duration, and, notwithstanding the fact that any such order hereinafter issued is specified to be for a definite duration, the Authority may rescind any such order and reinstate any such modified or suspended regulations.

R.1979 d.246, eff. June 18, 1979.  
See: 11 N.J.R. 415(d).

## SUBCHAPTER 2. GENERAL REGULATIONS ON THE GARDEN STATE PARKWAY

### 19:8-2.1 Waste and rubbish

No person shall throw, drop or discard bottles, cans, paper, garbage, rubbish or other material of any kind or description on the Parkway. No person shall dispose of waste oil and other hazardous materials and/or their containers at any location or into any receptacle on the Parkway.

Amended by R.1994 d.519, effective October 17, 1994.  
See: 26 N.J.R. 3249(a), 26 N.J.R. 4211(a).

### 19:8-2.2 Damaging of shrubs or plants and defacement of Parkway prohibited

(a) No person shall cut, mutilate or remove any trees, shrubs, flowers, plants, top soil or sod location upon the Parkway or attempt to do so.

(b) Injury, defacement, removal or destruction of the surfaces of the Parkway, or its structures, appurtenances, recreational facilities or property is prohibited.

### 19:8-2.3 Displays, posters, placards and leafleting prohibited

No person shall erect or place any displays, posters, or placards, or engage in leafleting or display any advertising matter of any kind, regardless of the character or content of the message, on the Parkway, except as otherwise specifically pre-authorized by the Authority.

Amended by R.1995 d.631, effective December 4, 1995.  
See: 27 N.J.R. 3769(a), 27 N.J.R. 4908(b).

### 19:8-2.4 Parades, demonstrations and picnics prohibited

(a) Parades or other demonstrations are prohibited.

(b) Picnics or other gatherings, games, entertainment or sports, on the Parkway are prohibited except at sites which may be designated for such purposes.

(c) Use of picnic areas during the period of  $\frac{1}{2}$  hour after sunset until  $\frac{1}{2}$  hour before sunrise is prohibited, except that visitation at the Vietnam Veterans Memorial for public use and activity as defined at N.J.A.C. 19:8-2.16(b) is generally permitted at any time except as may be otherwise directed by the Authority or the operators of the Memorial.

Amended by R.1995 d.631, effective December 4, 1995.  
See: 27 N.J.R. 3769(a), 27 N.J.R. 4908(b).

### 19:8-2.5 Hunting and trapping prohibited

No person shall hunt, trap or molest any wildlife upon the Parkway, or fish on or from the Parkway, except at designated locations.

### 19:8-2.6 Use of firearms prohibited

The use, display or discharge of any firearms or other weapons or fireworks on the Parkway, except by persons authorized by the Authority or by law, is prohibited.

### 19:8-2.7 Fire prohibited

The igniting of fires for any purpose whatsoever is prohibited on the Parkway, except in fireplaces or pits provided by the Authority for that purpose.

### 19:8-2.8 Soliciting of alms prohibited

Soliciting of alms or contributions on the Parkway is prohibited.

### 19:8-2.9 Hitchhiking and loitering prohibited

(a) Soliciting of rides on the Parkway, commonly known as "hitchhiking", is prohibited.

(b) No person shall loiter on the Parkway in such manner as to:

1. Create or cause to be created a danger of a breach of the peace;
2. Create or cause to be created a disturbance or annoyance to the comfort and repose of any person;
3. Obstruct the free passage of pedestrians or vehicles;
4. Obstruct, molest or interfere with any person lawfully on the Parkway. This paragraph shall include the making of unsolicited remarks of an offensive, disgusting or insulting nature or which are calculated to annoy or disturb the person to whom, or in whose hearing, they are made.

As amended, R.1978 d.257, effective July 28, 1978.  
See: 10 N.J.R. 307(b), 10 N.J.R. 408(b).

### 19:8-2.10 Sales and distribution prohibited

No person shall enter or remain on the Parkway for the purpose of offering, selling, hiring or leasing any goods, wares, merchandise or services, whether or not such services are to be rendered for compensation, nor for the purpose of distributing samples, pamphlets or advertising matter of any sort, except as authorized by the authority.

### 19:8-2.11 Garden State Arts Center

(a) For events requiring a ticket, no person shall be admitted to the amphitheater without a ticket, including minors. For events requiring a ticket, no person, including a minor, may occupy a reserved seat at the amphitheater unless able to produce a ticket stub for that seat nor occupy lawn space unless able to produce a ticket stub.

(b) No person shall be admitted to the amphitheater unless properly attired. Bare feet are not permitted.

(c) No person shall be admitted to the amphitheater with the following in his or her possession:

1. Alcoholic beverages;
2. Food or beverages of any kind, whether or not contained in any package, can, bottle, cooler, box, flask, thermos bottle, bag or container of any description unless expressly authorized by the Authority;
3. Cameras, video cameras, recording equipment, radios, televisions or other electronic equipment unless specifically authorized by the Authority;
4. Pets.

(d) To effect compliance with (c) above, the Authority shall have the right to inspect any such package, can, bottle, cooler, box, flask, thermos bottle, bag or container of any description in the possession of any persons seeking admission to the amphitheater. Any refusal to permit such inspection shall be grounds to prohibit the admission of any person to the amphitheater.

(e) No person may take or leave their reserved seat when the house lights are out, unless accompanied by an usher.

(f) Ticket resales are prohibited except in accordance with Title 56 of the New Jersey statutes.

(g) After any person has been admitted to the amphitheater, there shall be no departure and readmittance permitted without the approval of the Authority.

(h) No person shall sell any merchandise of any description or kind on Arts Center property without express permission of the Authority. Any unauthorized sale of said merchandise shall subject same to confiscation. A person who has in his or her possession or under his or her control four or more like items is presumed to have violated this subsection.

R.1975 d.145, effective May 29, 1975.

See: 7 N.J.R. 241(b), 7 N.J.R. 350(d).

As amended, R.1980 d.189, effective May 1, 1980.

See: 12 N.J.R. 225(a), 12 N.J.R. 355(e).

As amended, R.1981 d.169, effective June 4, 1981.

See: 13 N.J.R. 247(e), 13 N.J.R. 378(a).

(c)2 and (d) added.

Amended by R.1992 d.178, effective April 20, 1992 (operative May 1, 1992).

See: 24 N.J.R. 557(a), 24 N.J.R. 1515(a).

Amended by R.1994 d.235, effective May 16, 1994.

See: 26 N.J.R. 1318(a), 26 N.J.R. 2146(c).

### 19:8-2.12 Emergency service

Repair and towing of the vehicles on the Parkway shall be by the off-Parkway garages licensed by the Authority only and permissible rates and other requirements shall be as set forth in the bid specifications soliciting such services and the contract award made by the Authority.

R.1975 d.331, effective November 1, 1975.

See: 7 N.J.R. 491(b), 7 N.J.R. 579(a).

As amended, R.1979 d.167, effective May 15, 1979.

See: 11 N.J.R. 213(a), 11 N.J.R. 309(b).

As amended, R.1981 d.115, effective May 7, 1981.

See: 13 N.J.R. 165(b), 13 N.J.R. 315(a).

(a)-(e) substantially amended. (f), previously codified as footnote 1, added.

As amended, R.1983 d.99, effective April 4, 1983.

See: 15 N.J.R. 134(a), 15 N.J.R. 554(c).

Fees increased.

Amended by R.1985 d.14, effective February 4, 1985.

See: 16 N.J.R. 3299(a), 17 N.J.R. 321(b).

Rate increases throughout section.

Amended by R.1987 d.9, effective January 5, 1987.

See: 18 N.J.R. 2120(c), 19 N.J.R. 141(c).

(e)2 added.

Amended by R.1992 d.179, effective April 20, 1992 (operative May 1, 1992).

See: 23 N.J.R. 557(b), 24 N.J.R. 1516(a).

Amended by R.1998 d.22, effective January 5, 1998.

See: 29 N.J.R. 4413(a), 30 N.J.R. 112(a).

Rewrote (a) and deleted (b) through (f).

### Case Notes

Term "responsible" within meaning of statutory language 'lowest responsible bidder' refers to bidder's quality, fitness, and capacity to satisfactorily perform the proposed work; although financial package offered by bidder is important consideration, bidder must also possess requisite judgment, skill, ability, and integrity to fulfill its obligations under the public contract, as well as other attributes. N.E.R.1. Corp. v. New Jersey Highway Authority, 147 N.J. 223, 686 A.2d 328 (1996).

Highway Authority towing contracts exempted from public bidding requirements. *N.E.R.I. Corp. v. New Jersey Highway Authority*, 282 N.J.Super. 460, 660 A.2d 564 (A.D.1995).

#### 19:8-2.13 Discharges

(a) Any material being carried by a vehicle shall be firmly secured and vehicles carrying loose material likely to be discharged that is not otherwise boxed, crated, bagged or packaged, shall be firmly secured on all sides with a tarpaulin completely covering the material, and capable of preventing the escape of said material.

(b) No material shall be discharged on the Parkway or on the property adjacent to the Parkway which may cause an impact on the operations of the Parkway. This prohibition shall apply to any material being carried as cargo in or on a vehicle, by any person or by any contractor or vendor of the Authority, and to any material that is a part of the vehicle or necessary for the operation of the vehicle or any apparatus affixed thereon, but shall not apply to ordinary vehicular emissions anticipated by the original design of the vehicle.

New Rule, R.1994 d.519, effective October 17, 1994.  
See: 26 N.J.R. 3249(a), 26 N.J.R. 4211(a).

#### 19:8-2.14 Damage to the Parkway due to discharges

(a) No material shall be discharged on the Parkway or on the property adjacent to the Parkway, that may cause damage to the Parkway, the general public, the environment, the Authority, its agents and employees. For purposes of this section only, "damage" includes any effect which may be injurious to health, safety or welfare, cause the contamination of the environment including soils and ground water, or which may cause financial loss or delay the movement of traffic.

(b) The operator, owner or lessee of any vehicle, lessee of Authority property, or owner or lessee of adjacent property from which a discharge in violation of any provision of this section or N.J.A.C. 19:8-1.12, or 2.13 occurs, regardless of the cause of the discharge, shall cooperate fully with the Authority, its employees, agents, and third parties (authorized to respond to an emergency, discharge or blockage of traffic by the Authority), the State Police and the New Jersey Department of Environmental Protection (NJDEP) and shall take any action deemed necessary by them to restore normal traffic conditions and to remove spilled or otherwise discharged material from the Parkway immediately. The vehicle operated, owned or leased by any person, lessee of Authority property, or the owner or lessee of the adjacent property failing to cooperate or take such action as deemed necessary by the official in charge of the scene where the discharge occurred is subject to impoundment by the Authority, or its agents and their employees until such time as all penalties, towing and storage fees and costs have been satisfied.

(c) In addition to any penalties prescribed by this chapter or by the laws and regulations of other government entities including, but not limited to, Titles 2C, 13, 27, 39 and 58 of

the New Jersey Statutes and Federal law or regulation, any person violating any provision of this section or N.J.A.C. 19:8-1.12, 2.13 or 2.15, shall be liable to the Authority for treble the amount of damages for any and all costs arising out of said violation, including, but not limited to, the costs of:

1. Collecting, testing and properly disposing of the material and any noted contaminated soils or ground water and providing the Authority with all copies of results and documentation of same;
2. Replacing or repairing, in the Authority's sole discretion, any property damaged by reason of said violation.
3. Toll and other revenues lost because of closing of the Parkway, any part thereof, by reason of said violation;
4. Medical care, supervision or other costs relating to personal injury suffered by the general public, the Authority, its agents or employees; and
5. Any other costs arising out of said violation and incurred by the Authority, its Consultants or third parties.

(d) The Authority may recover the costs under (c) above by way of complaint filed in a court of appropriate jurisdiction, by an administrative consent order executed by an authorized representative of the Department of Environmental Protection or by any other lawful means.

New Rule, R.1994 d.519, effective October 17, 1994.  
See: 26 N.J.R. 3249(a), 26 N.J.R. 4211(a).

#### 19:8-2.15 Response to a discharge

(a) Any operator, owner or lessee of a vehicle on the Parkway which contains any hazardous or non-hazardous material shall be subject to all provisions and penalties hereunder, in addition to any provisions of the United States Code, the New Jersey Statutes and the New Jersey Administrative Code.

(b) In the event of a discharge of hazardous or non-hazardous material on the Parkway or on adjacent property impacting the Parkway, all remedial efforts shall be conducted in compliance with these rules and under the supervision of the Authority, the State Police, and/or the Department of Environmental Protection.

1. Where practicable, but not contrary to the rules of the NJDEP, and not contrary to the safety of the operator, the general public or the Authority, the operator, owner or lessee of the vehicle, lessee of Authority property or owner or lessee of adjacent property may be afforded the opportunity to contain and remove discharged material using personnel, materials and equipment:
  - i. Aboard the vehicle or on the property from which the discharge occurred;
  - ii. Aboard another vehicle owned or leased by the operator, owner or lessee of the vehicle or of the property from which the discharge occurred;
  - iii. By a specialized response team operated by the manufacturer or distributor of the hazardous or non-hazardous material that has been discharged; or

iv. By third parties contracted to contain, clean up, and/or dispose of the discharge (hereafter "emergency response contractors") by the operator, owner or lessee of the vehicle or of the property specifically for the purpose of remediating hazardous or non-hazardous materials discharged from the operator's, owner's, or lessee's vehicle or property.

2. No emergency response services may be provided pursuant to (b)1i through iv above unless all the entities undertaking such services have provided to the Authority proof of adequate insurance, registration with the NJDEP (as per N.J.A.C. 7:E1-4.2) and other such information as may be required by the Department of Operations.

3. The Authority shall make available to any operator, owner or lessee of a vehicle or property so requesting a list of emergency response contractors as compiled by the NJDEP. The operator, owner or lessee of a vehicle or property shall arrange and pay for emergency response services to be performed by such contractors. Approval of such contractors pursuant to (b)2 above is not to be considered a warranty or assurance by the Authority of such contractors' ability to perform emergency response services.

4. Whenever the operator, owner or lessee of a vehicle or property from which a discharge occurred refuses to arrange for an emergency response contractor, or whenever dangerous circumstances or the risk posed by the discharge to the general public, the environment or the Authority's agents or employees is too great to await the arrival of the emergency response contractor(s) arranged by the operator, owner or lessee in the opinion of the Department of Operations or its designee, the Department or its designee may arrange for emergency response services and long-term remedial efforts to be provided by a third party of the Authority's choice. Emergency response and long term remedial services may be performed by or through the NJDEP or its agents, including any county environmental health department, or by private organizations engaged by the Authority. The cost of services pursuant to this paragraph shall be based on the schedule of rates normally charged for emergency response or long-term remedial services, and shall be borne by the operator, owner or lessee of the vehicle or property from which a discharge occurred.

i. If, at the time the emergency response contractor arrives at the scene of the discharge, the operator, owner or lessee of the vehicle or property from which a discharge occurred refuses to agree to pay or complete any documents necessary to engage the contractor for such services, the Authority may impound the vehicle and any cargo or contents thereof until such time as the costs of remedial services are satisfied. If such costs are not satisfied within 14 days, the Authority shall have the right to sell the vehicle, its cargo and contents at public auction and/or to recover treble the amount of damages for any unsatisfied costs by filing a civil action in a court of appropriate jurisdiction over such action.

ii. If the emergency response contractor refuses to contract with the operator, owner or lessee of the vehicle or property from which a discharge occurred because of a bona fide concern about the operator's, owner's or lessee's ability or willingness to pay for such services, the Department or the Department's designee may authorize such services to be performed at the Authority's expense, and the Authority may thereafter recover treble the costs thereof from the operator, owner or lessee from which a discharge occurred by filing a civil action in a court of appropriate jurisdiction over such action. The emergency response contractor's concern shall be deemed bona fide if the operator's, owner's or lessee's credit record indicates a history of refusal or failure to pay commercial debts.

5. Access to Authority property for the purposes of investigating or remediating contamination caused by the discharge or release of any material will be granted only after compliance with (b)2 above and only after notification to the Chief Engineer of the Authority. Such access will not be unreasonably withheld. All investigatory data, including but not limited to, soil investigations, soil boring logs, ground water monitoring well logs, laboratory analytical data, correspondence with regulatory agencies, and all reports and submissions generated as a result of work on Authority property shall be made available for inspection by the Authority or its agents, and copies of all such information and data shall be produced for the Authority or its agents upon request.

New Rule, R.1994 d.519, effective October 17, 1994.  
See: 26 N.J.R. 3249(a), 26 N.J.R. 4211(a).

#### **19:8-2.16 Limitations on activities in the Telegraph Hill Nature Area**

(a) Public use and activity in the Nature Area shall be limited to nature and ecological studies and education, running and walking on designated trails, picnicking in designated areas and such additional uses as may be designated by the Authority which may promote and complement its statutory mission and that of the Garden State Arts Center.

(b) Public use and activity in the Vietnam Veterans Memorial and its environs shall be limited to quiet and respectful observation, by individuals, of the memorial to those New Jersey servicemen and women who were killed or reported missing in action in the Vietnam Conflict.

(c) Public use and activity at the Vietnam Era Education Center and its environs shall be limited to the educational uses and activities provided by the operator(s) of the Center.

(d) In addition to the limitations set forth in this subchapter, all the rules which apply generally to the Parkway shall be applicable to the Telegraph Hill Nature Area, the Garden State Arts Center, the Vietnam Veterans Memorial and the Vietnam Era Education Center.

New Rule, R.1995 d.631, effective December 4, 1995.

See: 27 N.J.R. 3769(a), 27 N.J.R. 4908(b).

(b) Tolls shall be paid by currency, coin, or authorized Authority token or scrip for the passage of all vehicles on the Parkway in amounts and at the locations designated in the following schedule.

SUBCHAPTER 3. TOLLS ON THE GARDEN STATE PARKWAY

19:8-3.1 Tolls

(a) It is hereby declared to be unlawful for any person to refuse to pay or to evade the payment of tolls.

Toll Location	Barrier or Ramp	Car	Car with 1-axle Trailer, 2-axle, 6-Tire Camper, or 3-axle Camper	Car with 2-axle Trailer or 4-axle Camper	Car with 3-axle Trailer	Omnibus**	2-axle, 4-tire Truck, 3 1/2 tons or more	2-axle, 6-tire Truck	Heavy Truck***			
									3-axle Truck	4-axle Truck	5-axle Truck	6-axle Truck
Hillsdale	B	.35*	.50	.70	.90	2.00	—	—	—	—	—	—
Paramus	R	.25	.35	.50	.60	2.00	—	—	—	—	—	—
Bergen	B	.35*	.50	.70	.90	2.00	—	—	—	—	—	—
Saddle Brook	R	.35*	.50	.70	.90	2.00	—	—	—	—	—	—
Clifton	R	.25	.35	.50	.60	2.00	—	—	—	—	—	—
Passaic	R	.25	.35	.50	.60	2.00	—	—	—	—	—	—
Watchung	R	.35*	.50	.70	.90	2.00	—	—	—	—	—	—
Essex	B	.35*	.50	.70	.90	2.00	—	—	—	—	—	—
Bloomfield	R	.25	.35	.50	.60	2.00	—	—	—	—	—	—
East Orange	R	.25	.35	.50	.60	2.00	—	—	HEAVY TRUCKS PROHIBITED NORTH OF INTERCHANGE 105			
Irvington	R	.25	.35	.50	.60	2.00	—	—				
Union	R	.35*	.50	.70	.90	2.00	—	—				
Union	B	.35*	.50	.70	.90	2.00	—	—				
Raritan N & S	B	.35*	.50	.70	.90	2.00	—	—	—	—	—	—
Matawan	R	.25	.35	.50	.60	2.00	—	—	—	—	—	—
Keyport-Hazlet	R	.25	.35	.50	.60	2.00	—	—	—	—	—	—
Holmdel	R	.25	.35	.50	.60	2.00	—	—	—	—	—	—
Red Bank	R	.25	.35	.50	.60	2.00	—	—	—	—	—	—
Eatontown	R	.35*	.50	.70	.90	2.00	—	—	—	—	—	—
Asbury Park	B	.35*	.50	.70	.90	2.00	.70	.70	1.05	1.40	1.75	2.10
Belmar-Wall	R	.25	.35	.50	.60	2.00	.50	.50	.75	1.00	1.25	1.50
Lakewood-Brick	R	.25	.35	.50	.60	2.00	.50	.50	.75	1.00	1.25	1.50
Lakehurst	R	.25	.35	.50	.60	2.00	.50	.50	.75	1.00	1.25	1.50
Toms River	B	.35*	.50	.70	.90	2.00	.70	.70	1.05	1.40	1.75	2.10
Lacey	R	.25	.35	.50	.60	2.00	.50	.50	.75	1.00	1.25	1.50
Barnegat	B	.35*	.50	.70	.90	2.00	.70	.70	1.05	1.40	1.75	2.10
New Grenna	B	.35*	.50	.70	.90	2.00	.70	.70	1.05	1.40	1.75	2.10
Interchange 44+	R	.25	.35	.50	.60	2.00	.50	.50	.75	1.00	1.25	1.50
Atlantic County+	B	.35*	.50	.70	.90	2.00	.70	.70	1.05	1.40	1.75	2.10
Int. 40 and/or 41+	R	.25	.35	.50	.60	2.00	.50	.50	.75	1.00	1.25	1.50
Somers Point	R	.35*	.50	.70	.90	2.00	.70	.70	1.05	1.40	1.75	2.10
Great Egg	B	.35*	.50	.70	.90	2.00	.70	.70	1.05	1.40	1.75	2.10
Cape May	B	.35*	.50	.70	.90	2.00	.70	.70	1.05	1.40	1.75	2.10
Wildwood	R	.25	.35	.50	.60	2.00	.50	.50	.75	1.00	1.25	1.50

\*Car tokens available for use by cars in exact change or token only lanes.  
 \*\*\$.50 bus token available for regularly scheduled buses and \$1.00 bus token available for all other buses for use in designated lanes.  
 \*\*\*Heavy trucks (3 1/2 tons or more, 6 tires, or 3-or-more-axes) prohibited north of Interchange 105.  
 + To be designated.

(c) It is hereby declared to be unlawful for any person to place or insert any plastic, paper, cloth, wadding or other article, object, material, substance, instrument or contrivance within the coin-receipt chute or in any other part of an automatic toll collection machine on the Parkway, including entrance and exit ramps, in such a manner as to prevent, interfere with or obstruct the receipt of coins deposited therein by the patrons of the Parkway, or in such manner as to cause such coins to be uncollected or unlawfully returned, or, by any such other means or device whatsoever, to prevent or contrive to prevent the receipt of coins by such automatic toll collection machine, or to place or insert in

any part of such machine any article, substance, contrivance or device in such manner as to obstruct, alter, injure or interfere with the action or operation of such machine, or, by any device or contrivance, or in any manner whatsoever, to obstruct, alter, injure or interfere with the action or operation of such machine.

(d) It is hereby declared to be unlawful for any person to operate, or owner to permit to be operated, a vehicle in an "EXACT CHANGE" toll lane of the Parkway unless the person has the required change or authorized Authority

token to pay the applicable toll in accordance with the above Schedule of Tolls.

(e) Any person who operates, and any owner who permits to be operated, a vehicle in an "EXACT CHANGE" toll lane of the Parkway and does not have the required change or authorized Authority token to pay the applicable toll in accordance with the above Schedule of Tolls must stop at the toll booth, remain in the vehicle, blow horn and wait until assisted by a toll, traffic or police officer before proceeding.

(f) Any person who operates, or owner who permits to be operated, a vehicle in an "EXACT CHANGE" toll lane of the Parkway at an entrance or exit ramp when no toll collector is on duty and not having the required change or authorized Authority token to pay the applicable toll in accordance with the above Schedule of Tolls shall pay said toll by mail addressed to New Jersey Highway Authority, Garden State Parkway, P.O. Box 53, Woodbridge, New Jersey, 07095 or in person to a toll collector at any other location on the Parkway.

As amended, R.1974 d.8, effective January 14, 1974.

See: 6 N.J.R. 88(a).

As amended, R.1974 d.158, effective June 20, 1974.

See: 6 N.J.R. 281(b).

As amended, R.1974 d.290, effective October 24, 1974.

See: 6 N.J.R. 496(c).

As amended, R.1975 d.332, effective November 1, 1975.

See: 7 N.J.R. 491(a), 7 N.J.R. 579(b).

As amended, R.1976 d.127, effective April 23, 1976.

See: 8 N.J.R. 315(b).

As amended, R.1977 d.419, effective November 27, 1977.

See: 9 N.J.R. 497(b), 9 N.J.R. 603(d).

As amended, R.1978 d.379, effective October 26, 1978.

See: 10 N.J.R. 459(a), 10 N.J.R. 569(a).

As amended, R.1979 d.469, effective November 29, 1979.

See: 11 N.J.R. 596(d), 12 N.J.R. 57(c).

As amended, R.1981 d.170, effective June 4, 1981.

See: 13 N.J.R. 248(a), 13 N.J.R. 378(b).

(d), (e), (f): added "or authorized Authority token".

Amended by R.1985 d.15, effective February 4, 1985.

See: 16 N.J.R. 3300(a), 17 N.J.R. 321(c).

(b) amended.

Amended by R.1988 d.160, effective April 18, 1988 (operative May 1, 1988).

See: 20 N.J.R. 49(a), 20 N.J.R. 913(c).

Amended table.

Amended by R.1989 d.182, effective April 3, 1989 (operative April 16, 1989).

See: 21 N.J.R. 127(a), 21 N.J.R. 914(b).

Table amended to reflect increase in tolls.

### 19:8-3.2 Toll-free passage

(a) Unless expressly authorized by the authority, no toll-free passage through toll collection points on the Parkway will be permitted except the following:

1. The Governor of the State of New Jersey, former Governors of the State of New Jersey, Commissioners and executive staff members of the Authority and former Commissioners of the Authority;

2. Consultants, employees of the Authority and members of the State Police assigned to the Authority in the actual course of performance of such duties, or while traveling to or from the place of performance of such duties;

3. Vehicles carrying persons to or from destinations on the Parkway where such persons are required by law to perform specified functions on the Parkway;

4. Members of the fire department of any local municipality or political subdivision in the course of performance of duties on the Parkway;

5. The emergency passage of ambulances or rescue vehicles when driven by authorized members of any public or nonprofit ambulance or rescue squad service;

6. Authorized vehicles when engaged in the performance of construction, service or maintenance contracts when such vehicles are operated by personnel authorized by the Authority to perform duties under the terms of contracts with the Authority.

Administrative Correction to (a)1: Inserted missing text.  
See: 22 N.J.R. 2187(a).

## SUBCHAPTER 4. PENALTIES

### 19:8-4.1 Penalties

(a) Any violation of any regulation adopted by the Authority under the provisions of N.J.S.A. 27:12B-18 is punishable by a fine not exceeding \$200.00 or by imprisonment not exceeding 30 days or by both fine and imprisonment.

(b) In addition, every registration certificate and every license certificate to drive a motor vehicle may be suspended or revoked and any person may be prohibited from obtaining a driver's license or registration certificate.

(c) Violators may be required to leave the Parkway at the next exit in the direction of traffic.

#### Statutory References

N.J.S.A. 27:12B-18.

## SUBCHAPTER 5. PURCHASING AND PROCUREMENT

### Subchapter Historical Note

Subchapter 5, Central Purchasing, was renamed Purchasing and Procurement by R.1998 d.25, effective January 5, 1998. See: 29 N.J.R. 4460(b) 30 N.J.R. 107(a).