

1. The maximum hook-up charge for towing cars and campers up to a registered maximum gross weight 6,999 pounds (Class I) shall be \$50.00 plus a mileage charge of \$2.70 per mile or fraction thereof.

2. The maximum hook-up charge for towing trucks and buses (two-axle) and cars and campers with a registered gross weight from 7,000 pounds to 14,999 pounds (Class II) shall be \$70.00 plus a mileage charge of \$3.00 per mile or fraction thereof.

3. The maximum hook-up charge for towing trucks, with or without trailers, and buses (three-axle or more) or vehicles with a registered gross weight exceeding 14,999 pounds (Class III) shall be \$110.00 plus a mileage charge of \$3.50 per mile or fraction thereof.

4. The maximum hook-up charge for use of a land all trailer (low boy) shall be \$125.00 for the first hour, with an additional \$63.00 charge for each additional hour used, plus a mileage charge of \$5.00 per mile or fraction thereof.

5. The maximum hook-up charge for the use of a heavy-duty under-reach shall be \$230.00 per hour, plus a mileage charge of \$5.00 per mile or fraction thereof.

6. The maximum amount charged as a storage fee shall be \$25.00 per day, after the first 24 hours, for any Class I vehicle.

(e) The mileage charges in (d)1 above shall not apply when the operator of a Class I vehicle elects to be towed to a destination other than the nearest exit or the service provider's garage. In such cases, the mileage charge shall be reasonable and as mutually agreed upon between the operator of the vehicle and the garage.

(f) The following criteria shall be considered by the Authority in awarding a contract for towing and storage services:

1. Reliability;
2. Experience;
3. Response time;
4. Acceptance of credit cards and prepaid towing contracts;
5. Price of such services to the patrons of the Parkway;
6. Adequate equipment to safely handle sufficient volume of common vehicle types under a variety of traffic and weather conditions;
7. Location of storage and repair facilities;
8. Security of vehicles towed or stored;
9. Financial return to the Authority;
10. Maintenance of adequate liability insurance; and

11. Appropriate safeguards to protect the personal safety of customers, including considerations related to the criminal background of employees.

(g) Contracts for emergency services entered into prior to March 20, 1998, shall remain in effect in accordance with the terms thereof.

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).

Repeal and New Rule, R.1998 d.311, effective June 15, 1998.

See: 30 N.J.R. 1394(a), 30 N.J.R. 2270(a).

Section was "Emergency service".

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.I. 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 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 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).
Amended by R.1998 d.210, effective May 4, 1998.
See: 30 N.J.R. 806(a), 30 N.J.R. 1635(d).

In (a) and (d), deleted "Garden State" preceding "Arts Center".

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.

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

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, 3½ 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	—	—	HEAVY TRUCKS PROHIBITED NORTH OF INTERCHANGE 105				
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 Gretna	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 (3½ tons or more, 6 tires, or 3-or-more-axles) 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, PO 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.

Amended by R.1999 d.17, effective January 19, 1999.

See: 30 N.J.R. 3389(a), 30 N.J.R. 4147(a), 31 N.J.R. 141(a).

In (b), inserted " , or by means of an electronic toll collection system" following "or scrip".

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).