

SUBTITLE M. SOUTH JERSEY TRANSPORTATION AUTHORITY

CHAPTER 75

**SOUTH JERSEY TRANSPORTATION AUTHORITY
RULES OF OPERATION**

Authority

N.J.S.A. 27:25A-7(i) and (q), and 27:25A-22(a) and (c).

Source and Effective Date

R.1994 d.70, effective January 11, 1994.
See: 25 N.J.R. 4874(a), 26 N.J.R. 831(a).

Executive Order No. 66(1978) Expiration Date

Chapter 75, South Jersey Transportation Authority Rules of Operation, expires on January 11, 1999.

Chapter Historical Note

Chapter 75, originally Rules of the Atlantic County Transportation Authority, was adopted as R.1984 d.1, effective January 17, 1984. See: 15 N.J.R. 1933(a), 16 N.J.R. 149(b). Pursuant to Executive Order No. 66(1978), Chapter 75 was readopted as R.1989 d.81, effective January 13, 1989. See: 20 N.J.R. 1680(b), 21 N.J.R. 314(c).

Pursuant to Executive Order No. 66(1978), Chapter 75, redesignated South Jersey Transportation Authority Rules of Operation, was readopted as R.1994 d.70. See: Source and Effective Date. Subchapter 10, Emergency Management Program; Subchapter 11, Bus Maintenance Facilities, and Subchapter 12, Fee Schedule, were adopted as a part of R.1994 d.70, and existing Subchapter 10, Severability, was recodified as Subchapter 13, effective February 7, 1994. See: 25 N.J.R. 4874(a), 26 N.J.R. 831(a). See, also, section annotations.

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SUBCHAPTER 1. GENERAL PROVISIONS

19:75-1.1 Definitions

The following terms shall have the following meanings, unless the context clearly indicates otherwise.

“Activity center” means all such land uses, other than the Atlantic City Municipal Bus Terminal, whose activities generate bus traffic and at whose site bus passengers are loaded or discharged.

“Authority” means the South Jersey Transportation Authority.

“Bus” means any motor vehicle or motorbus operated over public highways or public places in this State, for the transportation of passengers for hire in intrastate business, as defined in N.J.S.A. 48:4-1, whether used in regular route, casino, charter or special bus operations, notwithstanding that such motor vehicle or motorbus may also be used in interstate commerce.

“Bus management program” means a comprehensive program and/or plan developed by the Authority to regulate all casino related bus activities in Atlantic County, including, but not limited to, bus intercept, bus parking, bus maintenance, bus assignment, site capacities, traffic management, computerized/electronic permit validation, and maintenance of daily manifest.

“Bus parking lot” means a facility authorized by the Authority on which buses, subject to these regulations remain stationary during the period between discharge and loading of passengers at an activity center.

“Bus safety inspection” means an inspection for safety in accordance with New Jersey Department of Transportation (NJDOT) regulations.

“Casino” means a single room in which casino gaming is conducted pursuant to the provisions of the Casino Control Act (N.J.S.A. 5:12-1 et seq.)

“Casino intercept” means the procedure of either holding or staging buses at Authority approved locations/facilities for the purpose of regulating the flow of bus traffic to activity centers.

“Certificate of site capacity” means a certificate effective for a period of one year, issued to each activity center, setting its on-site bus capacity and designating all day bus and overnight bus discharging and loading areas.

“Combination bus” means a bus subject to this chapter and destined for one or more activity centers within the City of Atlantic City.

“Completed application” means an application for bus parking lot discharge/loading, major/minor variances, site capacity, and bus maintenance facility approval containing all information required by N.J.A.C. 19:75-4.2(c), 6.2(b), 9.2(a), 9.3(a) or 11.1(a).

“Computerized/electronic manifest program” means an automated type of manifest maintained by the Authority.

“Impact statement” means a statement included with a bus parking lot and/or bus maintenance facility approval or on-site capacity application which includes such facts and analysis necessary to evaluate the benefits and adverse effects of the proposed facility. The statement shall include the following major sections:

1. Inventory: existing land use, social, economic and environmental conditions of the site and surroundings.
2. Project description: a detailed operational plan of what the applicant proposes to do with the lot, where and how, marketing assessment identification, type of service(s) to be provided, and timetable.
3. Environmental assessment: an assessment of the probable beneficial and adverse impacts of the facility. On site as well as off site impact of the facility shall be assessed. Impact shall be quantified wherever possible and shall address geology, soils, hydrology, traffic conditions, public safety, noise, air quality, neighborhood and community impact.
4. Impact on existing and authorized facilities: an assessment of the probable beneficial and adverse impact of the facility on existing and authorized facilities, including divergence of traffic from existing facilities and economic impact.
5. Need: a statement indicating the precise inherent benefits to the bus management program, including increased traffic management efficiency, proximity to other approved Authority facilities, expected impact on existing approved Authority facilities, and other factors deemed necessary to improve air quality and mitigate traffic.

“Load or unload location” means certain locations for the loading or unloading of passengers as designated by the Authority, in accordance with the provisions of this chapter.

“Maintenance facility” means a facility authorized in accordance with this chapter by the Authority to maintain buses and high occupancy vehicles used to transport passengers to and from activity centers.

“Manifest” means a record of daily bus arrivals by an activity center which includes, at a minimum, bus company names, bus numbers, arrival and departure times, origins, destinations, the Authority permit number, combinations, number of passengers, and trip type.

"Medallion" means an annual or daily permit for unlimited bus entry into a municipality within the district in which casino gaming is authorized.

"Motorbus charter service" means subscriptions, tour and other special motorbus services.

"Motorbus regular route service" means the operation of any motorbus or motorbuses on streets, public highways or other facilities, over a fixed route and between fixed termini on a regular schedule for the purpose of carrying passengers, for hire or otherwise, within South Jersey or between points within South Jersey and points without South Jersey.

"Para-transit service" means any service, other than motorbus regular route service and motorbus charter service, including, but not limited to, dial-a-ride, non-regular route, jitney or community minibus, and shared-ride services such as vanpools, limousines, or taxi-cabs which are regularly available to the public. Para-transit services shall not include limousine or taxi-cab service reserved for the private and exclusive use of individual passengers.

"Permit" means the receipt issued by the Authority confirming proof of payment of the Bus Management fee.

"South Jersey Transportation Authority Service Area" means the area encompassing the counties of Atlantic, Camden, Cape May, Cumberland, Gloucester and Salem.

"Transportation project" means the acquisition, construction and maintenance of an airport, public transportation facility or other transportation facility, established by N.J.S.A. 27:25A-1 et seq. or which may be hereafter established by law and may include related facilities and activities which may consist of public transportation services, public transportation facilities, including, but not limited to, rail and bus stations and terminals, noise abatement projects, parking facilities, public highways and feeder roads related to or connected with the project, and any economic development facilities as defined in this section. Transportation project includes any planning necessary to develop a comprehensive, efficient, convenient or economical transportation system in South Jersey, any planning or marketing necessary or desirable for the execution of any transportation project, and any planning, acquisition, construction, or operation of economic development facilities related to, connected with or in the vicinity of the project.

"Variance" means permission to depart from the literal requirements of any provision of this chapter.

Amended by R.1986 d.472, effective January 5, 1987.
See: 18 N.J.R. 1688(a), 19 N.J.R. 142(a).

Amended definitions "activity center," "bus," "manifest" and added "permit."

Amended by R.1989 d.81, effective February 6, 1989.
See: 20 N.J.R. 1680(a), 21 N.J.R. 314(c).

Amended by R.1994 d.70, effective February 7, 1994.
See: 25 N.J.R. 4874(a), 26 N.J.R. 831(a).

Amended by R.1995 d.535, effective October 2, 1995.

See: 27 N.J.R. 2128(b), 27 N.J.R. 3800(b).

Added definitions of "Bus safety inspection", "Casino", "Casino intercept", "Computerized/electronic manifest program" and "Medallion", and deleted definitions of "Bus assignment" and "Intercept".

19:75-1.2 Bus itinerary

(a) The owners or operators of all casino or activity center oriented regular route motorbuses, or casino or activity center oriented charter motorbuses preparing to enter or operating in Atlantic County, unless specifically exempted elsewhere in this Chapter, shall be required within seven days of the date of written demand by the Authority, to file with the Authority a notice indicating proposed routes of travel and destinations within the county. All such proposed routes and destinations shall be in conformance with the Authority's bus management program.

(b) The owners or operators of all casino or activity center oriented combination buses shall file the notice provided in (a) above prior to the operation of any combination buses in Atlantic County. Combination buses shall proceed in one direction only, either east to west or west to east, and shall travel on the most direct authorized route, from initial passenger discharge to final passenger discharge following entry into Atlantic City. Combination buses shall proceed in the same manner when picking up passengers just prior to exiting Atlantic City.

Amended by R.1989 d.81, effective February 6, 1989.

See: 20 N.J.R. 1680(a), 21 N.J.R. 314(c).

Amended by R.1994 d.70, effective February 7, 1994.

See: 25 N.J.R. 4874(a), 26 N.J.R. 831(a).

19:75-1.3 Exempt buses

The provisions of this chapter shall apply to all motor bus charter services, motorbus special services, and motorbus regular route services in Atlantic County except those services operated under "The New Jersey Public Transportation Act of 1979," including, but not limited to, New Jersey Transit buses which operate solely from municipal bus termini approved by the Authority, services specifically exempted herefrom by the New Jersey Department of Transportation, and other special services where the primary destination includes, but is not limited to a school, recreation center, community center, or church with the exception of destinations to a casino or authorized activity center.

Amended by R.1989 d.81, effective February 6, 1989.

See: 20 N.J.R. 1680(a), 21 N.J.R. 314(c).

Substituted "termini" for "terminals" and deleted text "and buses operated by the Atlantic City Transportation Company".

Amended by R.1994 d.70, effective February 7, 1994.

See: 25 N.J.R. 4874(a), 26 N.J.R. 831(a).

SUBCHAPTER 2. ROUTES OF TRAVEL

19:75-2.1 Routes of travel; generally

(a) All buses subject to the provisions of this chapter, while operating in Atlantic County, shall travel only on

routes as defined by the Authority. Routings may change or be altered at the discretion of the Authority, in accordance with the provisions of the Administrative Practice Act, N.J.S.A. 52:14B-1 et seq., and the Rules for Agency Rulemaking, N.J.A.C. 1:30.

(b) Except for the City of Atlantic City, bus routes in Atlantic County are U.S. Route 30, U.S. Route 40/322 and the Atlantic City Expressway. All other routes are considered to be feeder routes to these major access roadways. The major access roadway is designed to enable the bus to enter the city where its destination is located.

1. US Route 206/54 is to be used as a feeder route in the western area of Atlantic County.
2. The Garden State Parkway is to be used as a feeder route in the eastern area of Atlantic County.
3. All other county roadway networks approved for bus travel are for local feeder purposes and are as described as follows:
 - i. US Route 9: Access to and from Smithville via N.J. Route 157 between US Route 30 and connection with US Route 9:
 - ii. Alternate Route 561: Access to and from Smithville between US Route 9 and exit 44 Garden State Parkway.
 - iii. County Road 561/Jimmy Leeds Road: Access from Route 30 at Pomona for travel to and from US Route 9.
 - iv. Delilah Road (County Route 646) from US Route 40/322 to US Route 30: To be used by traffic transferring from one major access roadway to another and for transfer of airport-destined traffic.
 - v. Tilton Road (County Route 563) from Egg Harbor City US Route 30 to Renault Winery.
 - vi. Route 52 McArthur Boulevard/Laurel Drive from the Atlantic County boundary to the Garden State Parkway at Interchange 30N and Mays Landing-Somers Point Road between US Route 9 and Shore Road and US Route 9 between Mays Landing-Somers Point Road and Garden State Parkway at Interchange 29S.
 - vii. Egg Harbor Road (County Road 561) from Route 54 to Route 30.

As amended, R.1984 d.396, effective September 4, 1984.

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

(b)2.vii. added.

Amended by R.1986 d.472, effective January 5, 1987.

See: 18 N.J.R. 1688(a), 19 N.J.R. 142(a).

Amended (b)3.vii. and added (b)3.viii.-xii.

Amended by R.1989 d.81, effective February 6, 1989.

See: 20 N.J.R. 1680(a), 21 N.J.R. 314(c).

Amended by R.1994 d.70, effective February 7, 1994.

See: 25 N.J.R. 4874(a), 26 N.J.R. 831(a).

19:75-2.2 Atlantic County and Atlantic City access routes

All buses entering or exiting Atlantic County and Atlantic City shall do so on routes as prescribed by the Authority in accordance with N.J.A.C. 19:75-2.3.

Amended by R.1986 d.472, effective January 5, 1987.

See: 18 N.J.R. 1688(a), 19 N.J.R. 142(a).

Amended by R.1994 d.70, effective February 7, 1994.

See: 25 N.J.R. 4874(a), 26 N.J.R. 831(a).

19:75-2.3 Routes of travel to and from Casino hotels, Atlantic City Convention Hall or Center, major tourist destinations, Atlantic City International Airport, Atlantic City Rail Terminal, Authority approved bus parking lots, and other major traffic generators

(a) Routes to and from The Grand:

1. Arrival: Via the Atlantic City Expressway to Exit 2 onto Albany Avenue (Route 40E) via Albany Avenue to Pacific Avenue, left to Providence Avenue, left and right into The Grand Transportation Center.
2. Departure: Exit the Transportation Center, left onto Boston Avenue to Captain O'Donnell Parkway/Atlantic Avenue, right or left to approved bus parking, or left to Albany Avenue (Route 40W), right to Atlantic City Expressway West (Exit 2).

(b) Routes to and from Bally's Park Place:

1. Arrival: Via the Atlantic City Expressway, left into Missouri Intercept Lot, right out of lot (Baltic Avenue) to Missouri Avenue, left to Atlantic Avenue, left to Ohio Avenue, right to Pop Lloyd Boulevard, left to Park Place, right up to Bally's Park Place bus area.
2. Departure: Via Park Place, go around Brighton Park to Indiana Avenue to Atlantic Avenue, right or left to approved bus parking, or left to Arkansas Avenue, right to Atlantic City Expressway W.

(c) Routes to and from Caesar's:

1. Arrival: Via the Atlantic City Expressway, left into Missouri Intercept Lot, right out of lot (Baltic Avenue) to Missouri Avenue, left to Caesar's Transportation Center, left into the Center.
2. Departure: Left onto Arkansas Avenue to Atlantic Avenue, right or left to approved bus parking, or straight to the Atlantic City Expressway W.

(d) Routes to and from Claridge:

1. Arrival: Via the Atlantic City Expressway, left into the Missouri Intercept Lot, right out of lot (Baltic Avenue) to Missouri Avenue, left to Atlantic Avenue, left to Ohio Avenue, right to Claridge Transportation Center, left into Center.

2. Departure: Right onto Park Place to Pop Lloyd Boulevard, right turn to Michigan Avenue, right on Michigan Avenue to Atlantic Avenue, right or left on Atlantic Avenue to Authority approved bus parking lot, or left on Atlantic Avenue to Arkansas Avenue, right to the Atlantic City Expressway W.

(e) Routes to and from Harrah's:

1. Arrival: Via Route 30/Absecon Boulevard to Dr. Martin Luther King Boulevard Exit, then left onto Huron Avenue, left to Brigantine Boulevard, left and follow signs under Brigantine Bridge to Harrah's Transportation Center.

2. Departure: Via Brigantine Boulevard to Route 30, right or left on approved routes to approved bus parking or Brigantine Boulevard, right to Huron Avenue, right to Absecon Boulevard/Route 30, right.

(f) Route to and from Merv Griffin's Resorts:

1. Arrival: Via the Atlantic City Expressway, left to Missouri Intercept Lot, right out of lot (Baltic Avenue) to Missouri Avenue, left to Atlantic Avenue, left to Pennsylvania Avenue, right on Pennsylvania Avenue to Merv Griffin's Resorts.

2. Departure: Via Pennsylvania Avenue down into tunnel, exit through tunnel onto Maryland Avenue to Route 30 W; or exit through tunnel onto Maryland Avenue to Atlantic Avenue, left to Authority approved bus parking or exiting the city via the Atlantic City Expressway.

(g) Routes to and from Sands:

1. Arrival: Via the Atlantic City Expressway, left to Missouri Intercept Lot, right out of lot (Baltic Avenue) to Missouri Avenue, left to Atlantic Avenue, left to Dr. Martin Luther King Boulevard, right to Pop Lloyd Boulevard, right to the Sands bus area.

2. Departure: Via Pop Lloyd Boulevard, right on Indiana Avenue to Atlantic Avenue, right or left to Authority approved bus parking or left to Arkansas Avenue, right to the Atlantic City Expressway W.

(h) Routes to and from Showboat:

1. Arrival: Via Route 30/Absecon Boulevard to Delaware Avenue right on Atlantic Avenue, left on Maryland Avenue, left on Pacific Avenue, right into Showboat Transportation Center.

2. Departure: Via Delaware Avenue to Route 30 W or to Atlantic Avenue, left to Authority approved bus parking.

(i) Routes to and from Tropworld:

1. Arrival: Via the Atlantic City Expressway, to Atlantic Avenue, right to Brighton Avenue, left to the Tropworld Transportation Center, right into the Center.

2. Departure: Right onto Morris Avenue to Atlantic Avenue, right or left to Authority approved bus parking, or left on Atlantic Avenue onto Captain O'Donnell Parkway to Albany Avenue, right to the Atlantic City Expressway W.

(j) Routes to and from Trump Castle:

1. Arrival: Via Route 30/Absecon Boulevard, to Dr. Martin Luther King Boulevard Exit, then left to Huron Avenue, to Trump Castle Transportation Center. First left after Brigantine Boulevard to entrance of Transportation Center.

2. Departure: Via Huron Avenue, exit right to Route 30/Absecon Boulevard, or exit right to Brigantine Boulevard, left to Route 30/Absecon Boulevard to approved bus parking.

(k) Routes to and from Trump Plaza:

1. Arrival: Via the Atlantic City Expressway, left into Missouri Avenue Intercept Lot, right out of lot (Baltic Avenue) to Missouri Avenue, left to Trump Plaza Transportation Center, right into Center.

2. Departure: Right onto Mississippi Avenue to Atlantic Avenue, right or left to Authority approved bus parking, or right to Arkansas Avenue, left to the Atlantic City Expressway W.

(l) Routes to and from Taj Mahal:

1. Arrival: Via Route 30/Absecon Boulevard, right on Delaware Avenue on right to Atlantic Avenue to left on Pennsylvania Avenue into tunnel and exit tunnel onto Maryland Avenue, right into Taj Mahal Transportation Center.

2. Departure: Via Maryland Avenue right on Atlantic Avenue, to left on Delaware Avenue to Route 30/Absecon Boulevard or Atlantic Avenue, right or left to approved bus parking.

3. Alternate Route:

i. Arrival: Via the Atlantic City Expressway to Atlantic Avenue, left to Pennsylvania Avenue, right into tunnel, exit tunnel onto Maryland Avenue, right into Taj Mahal Transportation Center.

ii. Departure: Via Maryland Avenue to Route 30/Absecon Boulevard, or (off hours) Maryland Avenue to Atlantic Avenue, left to Arkansas Avenue, right onto the Atlantic City Expressway W.

(m) Routes to and from Atlantic City Convention Hall:

1. Arrival: Via the Atlantic City Expressway left into Missouri Avenue Intercept Lot, right out of lot (Baltic

Avenue) to Missouri Avenue, left to Atlantic Avenue, right to Mississippi Avenue, left into tunnel staying right to loading area.

2. Departure: Exit tunnel (Georgia Avenue) onto Pacific Avenue, right to Arkansas Avenue, left to the Atlantic City Expressway, or to Atlantic Avenue, right or left to Authority approved bus parking.

(n) Routes to and from Atlantic City International Airport:

1. Arrival: Atlantic City Expressway Eastbound to Exit 9, left turn on Delilah Road (Route 646) to Airport Circle to Airport terminal building.

2. Departure: Airport terminal building to Airport Circle, right to Delilah Road (Route 646) to Atlantic City Expressway Interchange 9, West to Camden/Philadelphia or East to Garden State Parkway and Atlantic City.

(o) Routes to and from Atlantic City Rail Terminal/New Convention Center:

1. Taj Mahal/Showboat Resorts:

i. Arrival: Exit Showboat via Delaware Avenue to Atlantic Avenue. Make a left onto Atlantic Avenue to Michigan Avenue, right on Michigan Avenue to Kirkman Boulevard. Make a left on Kirkman Boulevard to Rail Terminal.

ii. Departure: Kirkman Boulevard to Michigan Avenue, right on Michigan Avenue to Atlantic Avenue, left on Atlantic Avenue to Pennsylvania Avenue, right on Pennsylvania Avenue to approved load/unload area at Resorts International. After unloading at Resorts proceed through tunnel to Taj Mahal Transportation Center position, proceed to Maryland Avenue, right on Pacific Avenue to entrance of Showboat to load/unload area.

2. Harrah's Marina/Trump Castle:

i. Arrival: Exit Trump Castle to Brigantine Boulevard, right on Brigantine Boulevard proceed under the Brigantine Bridge to Harrah's exit to load/unload area. Exit Harrah's Marina to Brigantine Boulevard to Huron Avenue, right on Huron Avenue to Dr. Martin Luther King, Jr., Boulevard, bear left onto Dr. Martin Luther King, Jr., Boulevard to Baltic Avenue, right on Baltic Avenue to Michigan Avenue, right on Michigan Avenue to Kirkman Boulevard, left at Kirkman Boulevard, to Rail Terminal.

ii. Departure: Kirkman Boulevard to Michigan Avenue, right to Atlantic Avenue, left on Dr. Martin Luther King, Jr. Boulevard to Huron Avenue, bear right on Huron Avenue to Brigantine Blvd. Cross over Brigantine Blvd. to load/unload area at Trump Castle. Exit Trump Castle to Brigantine Blvd., go under Brigantine Bridge to Harrah's bus load/unload area.

3A. Brighton Park Casinos—Bally's Park Place and Claridge:

i. Arrival: Park Place around Park to Indiana Avenue, left on Indiana Avenue to Atlantic Avenue, make a left on Atlantic Avenue to Michigan Avenue, right on Michigan Avenue to Kirkman Blvd., left on Kirkman Blvd. to Rail Terminal.

ii. Departure: Kirkman Blvd. to Ohio Avenue, right on Ohio Avenue to approved load/unload area.

3B. Sands:

i. Arrival: Right on Indiana Avenue to Atlantic Avenue, left to Michigan Avenue, right to Kirkman Blvd. to Rail Terminal.

ii. Departure: Kirkman Blvd. to Michigan Avenue, right on Michigan Avenue to Atlantic Avenue, left on Atlantic Avenue to Dr. Martin Luther King, Jr. Blvd., right to Pop Lloyd Blvd., right to approved load/unload area.

4. Caesars, Trump Plaza:

i. Arrival: Exit Transportation Center and return to Atlantic Avenue. Make a right on Atlantic Avenue to Michigan Avenue. Left on Michigan Avenue to Kirkman Blvd. Make a left onto Kirkman Blvd. to Rail Terminal.

ii. Departure: Kirkman Blvd. to Michigan Avenue, right on Michigan Avenue to Atlantic Avenue, right on Atlantic Avenue to Missouri Avenue, left on Missouri Avenue to Trump Plaza or Caesars bus center. Exit bus center.

5. Tropworld/ The Grand:

i. Arrival: Exit Transportation Center and return to Atlantic Avenue, right on Atlantic Avenue to Michigan Avenue, left on Michigan Avenue to Kirkman Blvd., left onto Kirkman Blvd., to Rail Terminal.

ii. Departure: Kirkman Boulevard to Michigan Avenue, right on Michigan Avenue to Atlantic Avenue, right on Atlantic Avenue to Brighton Avenue, left on Brighton Avenue, TropWorld Transportation Center or left on Providence Avenue to The Grand Transportation Center.

(p) Routes to and from Bus Parking Facilities:

1. Routes to and from South Jersey Gas Lot:

i. Arrival: Atlantic Avenue to Arkansas Avenue, right on Arctic Avenue to entrance of facility.

ii. Departure: Exit via Arctic Avenue, right on Ohio Avenue, through, right, or left on Atlantic Avenue, exit via Atlantic Avenue, right turn only with restrictions.

2. Routes to and from Hansens's Bus World:

i. Arrival: Atlantic Avenue to Albany Avenue (Route 40) west to entrance of facility.

ii. Departure: Right on Albany Avenue (Route 40) west to entrance of Atlantic City Expressway or right on Albany Avenue (Route 40) west to first u-turn then east on Albany (Route 40) to Atlantic Avenue, left on Atlantic Avenue to destination.

3. Routes to and from Ruffu Ford:

i. Arrival: Atlantic Avenue to Albany (Route 40) west to entrance of facility.

ii. Departure: Right on Albany Avenue (Route 40) west to entrance of Atlantic City Expressway or right on Albany Avenue (Route 40) west to first u-turn then east on Albany Avenue (Route 40) to Atlantic Avenue, left on Atlantic Avenue to destination.

4. Routes to and from John King:

i. Arrival: Via Atlantic City Expressway-Missouri Avenue, to left on Atlantic Avenue, right on Tennessee Avenue to parking facility.

ii. Departure: Exit lot via St. James Place, right on Pacific Avenue, left on South Carolina Avenue to Atlantic Avenue.

iii. Alternate Route; Departure: Exit lot via St. James Place, right on Pacific Avenue, left on Tennessee Avenue to Atlantic Avenue.

(q) Routes of travel to and from most major tourist destinations, may be obtained by bus owners or operators upon request from the Authority.

(r) The Authority may alter the above routes on a temporary basis due to construction.

As amended, R.1994 d.396, effective September 4, 1984.
See: 16 N.J.R. 1194(a), 16 N.J.R. 2380(b).

(b)1. Changed "Brighton Avenue" to "Morris Avenue"; (c)1. old text deleted, new text added; (h) added.

Amended by R.1986 d.472, effective January 5, 1987.
See: 18 N.J.R. 1688(a), 19 N.J.R. 142(a).

Substantially amended.

Amended by R.1989 d.81, effective February 6, 1989.
See: 20 N.J.R. 1680(a), 21 N.J.R. 314(c).

Amended by R.1994 d.70, effective February 7, 1994.
See: 25 N.J.R. 4874(a), 26 N.J.R. 831(a).

Amended by R.1995 d.535, effective October 2, 1995.
See: 27 N.J.R. 2128(b), 27 N.J.R. 3800(b).

SUBCHAPTER 3. CASINO BUS INTERCEPT

19:75-3.1 Conditions requiring intercept

(a) Buses traveling to Authority approved casino activity centers are not subject to intercept if the casino has intercept capabilities at its premises.

(b) If the casino does not have in place an Authority approved bus program, intercept is not required.

(c) Casinos that do not have intercept capabilities shall intercept at an Authority designated facility.

(d) If on street loading/unloading is required, intercept services shall be obtained from the Authority for the periods of operation required by the Casino.

(e) Authority intercept assistance shall be provided at the casino's expense and the casino shall reimburse the Authority for all utility, capital, maintenance and avoidable operating costs incurred for its intercept assistance upon receipt of a monthly or quarterly invoice.

Amended by R.1986 d.472, effective January 5, 1987.

See: 18 N.J.R. 1688(a), 19 N.J.R. 142(a).

Deleted "whose bus volume at any time shall exceed their on-site bus capacity."

Amended by R.1994 d.70, effective February 7, 1994.

See: 25 N.J.R. 4874(a), 26 N.J.R. 831(a).

Amended by R.1995 d.535, effective October 2, 1995.

See: 27 N.J.R. 2128(b), 27 N.J.R. 3800(b).

19:75-3.2 Authority assisted intercept procedures

(a) Casinos subject to Authority intercept shall follow the procedures in (b) through (d) below.

(b) Buses subject to intercept at Authority designated locations and so notified by the casino activity center and/or the Authority, shall proceed to the intercept facility designated by the casino activity center and/or the Authority, and shall be dispatched as and when on-site capacity permits, or as otherwise directed by the Authority or its designee.

(c) Any casino activity center authorized to intercept and dispatch must submit an intercept and dispatch plan to the Authority for review and approval prior to authorization. In evaluating plans submitted for Authority approval, the Authority shall consider site capacity, peak hour bus volumes, over-all impact on traffic, safety, staffing levels, corridor location and the various functions performed at the intercept facility.

(d) Upon 30 days written notice from the Authority, all casino activity centers providing gratuities, incentives or premiums to bus passengers shall submit a plan to the Authority for review and approval setting forth the procedure to be utilized by the casino activity center at the intercept facility to carry out these activities, to ensure that the activities do not adversely affect traffic flow at either the intercept facility or the casino activity center.

Amended by R.1989 d.81, effective February 6, 1989.

See: 20 N.J.R. 1680(a), 21 N.J.R. 314(c).

Added (b) and (c).

Amended by R.1994 d.70, effective February 7, 1994.

See: 25 N.J.R. 4874(a), 26 N.J.R. 831(a).

Amended by R.1995 d.535, effective October 2, 1995.

See: 27 N.J.R. 2128(b), 27 N.J.R. 3800(b).

SUBCHAPTER 4. DISCHARGE AND LOADING OF PASSENGERS

19:75-4.1 Discharging and loading: generally

(a) All buses shall discharge and load passengers on sites designated by the Authority.

(b) A list of approved load or unload location sites is available from the Authority upon request.

Amended by R.1995 d.535, effective October 2, 1995.
See: 27 N.J.R. 2128(b), 27 N.J.R. 3800(b).

19:75-4.2 On-site capacity; designated discharging and loading area; certificate of on-site capacity; requirements of application

(a) The Authority shall, on its own initiative or upon submission of an application by an activity center or proposed activity center, designate the number of buses which may be present at any given time at each activity center, which number shall constitute the "on-site bus capacity" for the activities center. The Authority shall also designate the specific area or areas on-site where buses may discharge and load passengers at the activity centers. Where appropriate or necessary, on-site capacity and designated areas shall be allocated by the Authority between buses carrying:

1. Passengers arriving and leaving on the same day (day buses); and
2. Passengers remaining overnight or longer (overnight bus).

(b) The Authority shall issue to each activity center a certificate setting forth its on-site bus capacity and designating all day bus and overnight bus discharging and loading areas, a copy of which shall be filed with the police department of the municipality in which such activity center is located. Certificates shall be effective for a period of one year with periodic reviews and annual updates unless earlier modified by the Authority pursuant to N.J.A.C. 19:75-4.3.

(c) Any activity center which submits an application in accordance with (a) above shall include in the application a statement of physical capabilities, the type of service provided, and a traffic mitigation plan. Such activity center shall also participate in the Authority's Bus Management Program, in accordance with the provisions of this chapter.

(d) Site capacity shall not be transferrable. A certificate of site capacity reverts back to the Authority upon change of ownership of the property or facility.

(e) A violation of this subchapter shall subject the affected activity center to penalties as provided for in N.J.A.C. 19:75-8.1.

Amended by R.1989 d.81, effective February 6, 1989.
See: 20 N.J.R. 1680(a), 21 N.J.R. 314(c).
Amended by R.1994 d.70, effective February 7, 1994.
See: 25 N.J.R. 4874(a), 26 N.J.R. 831(a).

19:75-4.3 Modification of authorized on-site capacity or discharge and loading areas; emergency procedures

(a) The Authority shall regularly monitor all bus operations at activity centers. When, in the opinion of the Authority, traffic conditions in the City of Atlantic City and Atlantic County require, the Authority shall notify any activity center of its intention to reduce or otherwise modify the on-site bus capacity of such activity center or alter its discharging and loading areas.

1. Such notice shall be served upon the activity center no less than 15 days prior to the effective date of the proposed action, and shall set forth the reasons for such proposed action.

2. A copy of the notice of intention to reduce or modify shall be filed simultaneously with the police department of the municipality in which the activity center is located.

3. The activity center may request a hearing to oppose the proposed action, which request must be in writing and must be served on the Authority within five business days of receipt by the activity center of the Authority's notice of intention to reduce or modify.

4. If requested, the hearing shall be conducted in accordance with the procedures set forth in N.J.A.C. 19:75-9.4(a)3.

5. The proposed action by the Authority shall not take effect until such hearing is concluded and a final determination rendered therein.

6. Failure to make timely written request for such hearing shall result in the proposed action taking effect on the date set forth in the notice of intention to reduce or modify, and the Authority shall issue a new certificate setting forth the specific reductions and/or modifications pursuant to N.J.A.C. 19:75-4.2(b).

(b) When, in the opinion of the Executive Director of the Authority or his or her designee, extraordinary traffic volumes or other circumstances create an imminent peril to the health, safety and welfare of the residents of the City of Atlantic City and Atlantic County, which peril may be reduced or avoided by the limitation of on-site bus operations at the activity centers, the Executive Director of the Authority or his or her designee may issue an emergency order reducing on-site capacity, and/or modifying discharging and loading areas for any or all of the activity centers.

1. Such emergency order shall be in writing, setting forth the specific reasons for such orders and shall become effective immediately upon service of the emergency order upon the affected activity center or centers, and the police department of the municipality in which the affected activity center is located.

2. Such emergency order shall continue in effect until the imminent peril to health, safety and welfare has ceased, or for a period of seven days, whichever is shorter, unless extended by the Executive Director or his or her designee of the Authority at a duly scheduled hearing.

3. Written notice of such hearing shall be served upon the affected activity center and the police departments of the municipalities in which the affected activity centers are located.

4. Such hearing shall be conducted in accordance with the procedures set forth in N.J.A.C. 19:75-9.4(a)(3).

5. During the effective period of any emergency order, the Authority shall endeavor, by means of bus intercept or other procedures, to minimize the impact of the emergency orders on bus operations at the activity centers.

6. Such emergency orders shall be in accordance with the Authority's Emergency Management Plan as set forth in N.J.A.C. 19:75-10.1.

7. Any emergency orders issued in accordance with (b) above shall be at the sole discretion of the Executive Director or his or her designee of the Authority.

Amended by R.1989 d.81, effective February 6, 1989.

See: 20 N.J.R. 1680(a), 21 N.J.R. 314(c).

Added "or established bus volume"; "final", "in the city of".

Amended by R.1994 d.70, effective February 7, 1994.

See: 25 N.J.R. 4874(a), 26 N.J.R. 831(a).

19:75-4.4 Additional site approval; requests by activity centers to increase or modify on-site bus capacity or discharging or loading areas

(a) Additional sites may be approved as activity centers with on-site bus capacity and designated discharging and loading areas by the Authority upon written application, containing, without limitation, the following:

1. Location, dimensions and legal description of the proposed location;
2. Number of buses proposed to be on site at any one time;
3. Security measures and traffic control to be provided;
4. Evidence of on-site radio/telecommunication equipment;
5. A traffic impact statement including impact on other activity centers, need, and physical capabilities;
6. Drawing to scale, with dimension in feet, showing discharging/loading site.

(b) All applications shall be submitted with an original and eight copies. One additional copy of the application shall be served upon the police department of the municipality in which the proposed site is located and proof of

such service by way of affidavit or certified mail return receipt shall be filed with the Authority. Upon filing with the Authority, the application shall be acted upon in the manner and in accordance with the procedure set forth in N.J.A.C. 19:75-9.4, and thereafter the Authority shall issue a certificate, pursuant to N.J.A.C. 19:75-4.2(b).

(c) In making a determination, the Authority shall consider, among other things, the availability of other sites, anticipated traffic conditions, the impact of the request on the traffic flow, the necessity to the applicant for the additional site, and compatibility with designated routes as provided herein.

(d) As a condition of approval, all discharge/loading sites shall have:

1. Dimensions no less than 45 feet by 12 feet for each bus;
2. Supervisory personnel on site during discharging/loading of passengers;
3. Radio or telecommunication equipment for the purpose of intercept and dispatch procedures.

(e) No discharging/loading site located in a traffic or curb lane, or similar area where the site impedes traffic flow, shall be utilized without prior Authority approval of a plan to mitigate the effect on traffic flow. Mitigation plans shall be submitted to the Authority in accordance with the requirement of (a) through (d) above.

Amended by R.1989 d.81, effective February 6, 1989.

See: 20 N.J.R. 1680(a), 21 N.J.R. 314(c).

Amended by R.1994 d.70, effective February 7, 1994.

See: 25 N.J.R. 4874(a), 26 N.J.R. 831(a).

SUBCHAPTER 5. BUS OPERATIONS

19:75-5.1 Procedure following discharge of passengers

Upon discharge of all passengers, buses shall forthwith proceed to an authorized bus parking facility in accordance with all traffic regulations, unless otherwise exempted in accordance with N.J.A.C. 19:75-6.2(d). Buses shall not be operated solely for the convenience of the driver between discharge and loading of passengers. Buses picking up passengers shall not arrive more than 15 minutes prior to scheduled departure.

Amended by R.1994 d.70, effective February 7, 1994.

See: 25 N.J.R. 4874(a), 26 N.J.R. 831(a).

Amended by R.1995 d.535, effective October 2, 1995.

See: 27 N.J.R. 2128(b), 27 N.J.R. 3800(b).

19:75-5.2 Speed limit in parking lots

Operating speeds in parking lots will not exceed five miles per hour.

19:75-5.3 Engine idling requirements

No buses shall be stopped with their engine running except as is specifically permitted by the New Jersey Department of Environmental Protection Idle Standard set forth in N.J.A.C. 7:27-14.3. Bus parking lot owners and bus operators will be mutually responsible for compliance with this regulation.

Amended by R.1989 d.81, effective February 6, 1989.
See: 20 N.J.R. 1680(a), 21 N.J.R. 314(c).
Amended by R.1994 d.70, effective February 7, 1994.
See: 25 N.J.R. 4874(a), 26 N.J.R. 831(a).

19:75-5.4 Bus safety inspection

The Authority, in cooperation with the Department of Transportation (DOT), may direct buses, after passengers are unloaded, to an authorized facility for a bus safety inspection.

New Rule, R.1995 d.535, effective October 2, 1995.
See: 27 N.J.R. 2128(b), 27 N.J.R. 3800(b).

SUBCHAPTER 6. PARKING**19:75-6.1 Approved parking lots**

(a) All buses subject to the provisions of this chapter shall park in lots approved by the Authority unless otherwise exempted, in accordance with N.J.A.C. 19:75-6.2(d).

(b) A list of approved bus parking lots is available from the Authority upon request.

(c) Bus parking lots, including Authority lots, which currently are approved or conditionally approved must submit by December 1, 1995 an application with plans that comply with these rules.

(d) Bus parking lots which submit applications as provided in (c) above shall operate in full compliance with these rules by December 1, 1996. Failure to comply by this date shall result in rescission of approval and/or conditional approval to operate a bus parking lot.

(e) The Authority shall deny an application for bus parking lot approval if the bus parking demand during the peak parking month does not exceed 85 percent of the existing number of Authority approved bus parking spaces. The peak parking month and existing number of approved parking spaces shall be as determined by the Authority.

(f) Subsection (e) above shall not apply to bus parking lots approved or conditionally approved as of October 2, 1995.

Amended by R.1986 d.472, effective January 5, 1987.
See: 18 N.J.R. 1688(a), 19 N.J.R. 142(a).
Added (a)1iii and (d).

Amended by R.1989 d.81, effective February 6, 1989.
See: 20 N.J.R. 1680(a), 21 N.J.R. 314(c).
Amended by R.1994 d.70, effective February 7, 1994.
See: 25 N.J.R. 4874(a), 26 N.J.R. 831(a).
Amended by R.1995 d.535, effective October 2, 1995.
See: 27 N.J.R. 2128(b), 27 N.J.R. 3800(b).

19:75-6.2 Bus parking lot approvals

(a) The Authority bus parking lot approval required by these rules shall be in addition to any and all other required municipal, county, state or Federal approvals. Authority approval shall be granted only if the applicant bus parking lot satisfies each of the criteria as follows:

1. Has filed an impact statement acceptable to the Authority;
2. Is within a driving distance of five miles of that portion of Atlantic Avenue between Maine and Albany Avenues within the corporate limits of Atlantic City;
3. Has a minimum of 50 bus parking spaces, with each space having a minimum dimension of 45 feet by 12 feet;
4. Permits only bus parking at this site;
5. Has lighting and is attended during all hours of operation;
6. Contains signs conforming to the standards of the municipality in which the lot is located;
7. Participates in the Authority's Bus Management Program;
8. Possesses two-way radio or telephone equipment sufficient to participate in bus intercept and dispatch activity;
9. Does not materially impair the intent and purpose of these regulations;
10. Demonstrates that it complements the Authority's bus management program, and does not adversely affect any portion of the program as contained in this chapter;
11. Is on an Authority approved bus route;
12. Possesses sufficient specific area which is made available when needed to the New Jersey Department of Transportation (NJDOT) for bus safety inspections;
13. Provides on-site driver services including food services, rest rooms, security, lounge areas, television rooms, recreational areas and communication services;
14. Is in conformance with the Noise Control Act (N.J.S.A. 13:1G) and the rules of the Department of Environmental Protection promulgated pursuant thereto and the standards contained in the Atlantic City Land Use Development Ordinance (Chapter 163-73H);
15. A building or structure setback of 100 feet from any residential use property line;
16. A 25-foot front yard, rear yard, and side yard setback from uses other than residential;

17. A 25-foot buffer along the site boundary in accordance with a submitted landscaping plan;

18. A minimum circulation aisle width of 18 feet for one-way flow and 25 feet for two-way flow, with signs and striping as required by the Manual on Uniform Traffic Control Devices (MUTCD) standards;

19. A minimum lot depth of 100 feet; and

20. Is in conformance with municipal land use ordinances to the extent that such conformance is not inconsistent with these rules.

(b) The requirements of (a)15, 16 and 17 above shall not apply to bus parking lots approved or conditionally approved as of October 2, 1995.

(c) Applicants for Authority approval of any bus parking lot shall submit an original and eight copies of the application to the Authority, including any maps, plans or drawings required by the Authority containing, and without limitation, the following:

1. Location, dimensions and legal description of proposed lot;
2. Hours of operation;
3. Security measures to be provided;
4. Provision for lavatory dumping facilities;
5. Evidence of on-site radio/telecommunications equipment and valid licenses, if required, for the same; and
6. Impact statement as defined in N.J.A.C. 19:75-1.1.

(d) One additional copy of the application shall be served upon the police department of the municipality in which the proposed bus parking lot is located and proof of such service by way of affidavit or certified mail return receipt shall be filed with the Authority. Upon filing with the Authority, the application shall be acted upon in the manner and in accordance with the provisions set forth in N.J.A.C. 19:75-9.4.

(e) The requirement of Authority approval shall not apply to a privately owned parking, repair and maintenance facility in existence at a location in Atlantic County as of February 1, 1983, which exclusively accommodates motor buses owned by the owner of a parking facility and does not rent or lease the facility or its use to any other motorbus provided there is no increase in the capacity of the facility after August 9, 1991, except that any such facility located within the City limits of Atlantic City may provide repair and maintenance service to its motorbuses and other motorbuses and attendant storage and may expand its facility to an adjoining property, subject to municipal planning and zoning ordinances. The requirements for Authority approval shall also not apply to a privately owned parking, repair or maintenance facility located outside the City limits of Atlantic City in existence on February 1, 1983, and in continuous operation thereafter, which exclusively accommodates motorbuses, tractors, trailers and limousines owned directly or through a corporation by an owner or a contract

purchaser of the facility, provided there is no increase in the land area of the entire facility after February 1, 1983, the number of buses parked at any one time does not exceed 85, and on or after January 1, 1992 this exemption shall not transfer with title to the facility.

(f) All approvals shall be conditioned upon compliance with the following:

1. Municipal zoning or planning board approval;
2. Maintenance of the bus parking lot in the condition set forth in the application or any amended application approved by the Authority;
3. On-site posting in a conspicuous place of Authority-approved bus routes and regulations; and
4. Submission of monthly reports on forms supplied by the Authority setting forth arrival/departure times, the bus operator's name, bus number, point of origin, number of passengers and whether or not it is a combination bus.

(g) The Authority retains the right to enter upon and inspect all approved bus parking lots during hours of operation for the purpose of verifying compliance with the provisions of this chapter. In the event that the owner and/or operator of any bus parking lot shall fail to comply with any provision of this subchapter, the Authority shall notify such owner and/or operator of the specific violation thereof. The Authority, in addition to any other penalty provided for herein, shall revoke approval of such bus parking lot unless the enumerated violations have been corrected within 15 days of notification to the owner and/or operator.

(h) All approvals granted by the Authority pursuant to this subchapter shall be for a period of one year. Any renewal or extension of any approval shall only be granted pursuant to the provisions of (h) below. Such approval may be earlier terminated by the Authority in the event that:

1. The use of the property as a bus parking lot is terminated within such one year period; or
2. The approval by the Authority is withdrawn pursuant to (f) above.

(i) Renewals: 120 days prior to the expiration of the approval period provided for in this section, the owner of a bus parking lot shall file with the Authority a written request for a one year renewal of the approval. Such written request shall contain certification by the owner that the bus parking lot complies with all the terms and conditions set forth in this subchapter governing the granting of bus parking lot approval, including any amendments to this subchapter taking effect prior to the expiration of the term of the original approval. The request for renewal shall be processed by the Authority pursuant to the provisions of N.J.A.C. 19:75-9.4. Failure to apply for renewal of a bus parking lot approval within the time provided for herein shall result in the expiration of such approval at the end of one year from the date of issuance. The owner whose bus parking lot approval has expired may file a new application for approval pursuant to the provisions of (a) through (g) above at any time.

Amended by R.1986 d.472, effective January 5, 1987.

See: 18 N.J.R. 1688(a), 19 N.J.R. 142(a).

Added text in (g) and added (h)-(i).

Amended by R.1989 d.81, effective February 6, 1989.

See: 20 N.J.R. 1680(a), 21 N.J.R. 314(c).

Added (b)4; renumbered (b)4 with changes, and (b)5 to (b)5-(b)6.

Amended by R.1994 d.70, effective February 7, 1994.

See: 25 N.J.R. 4874(a), 26 N.J.R. 831(a).

Amended by R.1995 d.535, effective October 2, 1995.

See: 27 N.J.R. 2128(b), 27 N.J.R. 3800(b).

SUBCHAPTER 7. BUS MANAGEMENT FEE

19:75-7.1 Mandatory payment of fees; proof of payment

(a) The owner/operators of any bus subject to the provisions of this chapter shall:

1. Pay a bus management fee to the Authority in the amount of \$2.00 for each bus which it owns or operates and which enters a municipality within the district in which casino gambling is authorized. This fee shall be adjusted annually by the Authority according to the percentage increase of the Consumer Price Index for the Philadelphia/New Jersey area for the preceding year, as determined by the Bureau of Labor Statistics. Payment of the bus management fee shall be for each such entry by any bus with passengers, and applies to any and all buses not exempt carrying passengers to an approved activity center.

2. Exhibit proof of such payment by way of permit in the front windshield of the vehicle, which proof shall be visibly displayed and contain complete information to be considered valid, including the name of the company, bus number and month, day and year of entry.

3. In lieu of the bus management fee required by (a)1 above, the Authority offers a daily or annual bus management fee for each bus in the form of a medallion which may be purchased from the Authority. The annual medallion fee is \$550.00 per each company fleet bus and is payable on a quarterly basis. Annual medallions are available for \$500.00 per fleet bus if purchased on an annual basis by October 1 of each year. The daily medallion fee is \$4.00 per bus.

4. A bus company may obtain company wide daily entry permits pursuant to (a)1 above or daily medallions pursuant to (a)3 above on an annual basis. On or before October 1 of each year, a bus company may apply for such annual entry permits by filing an application with the Authority which includes a complete list of the prior year bus activity and the amount expended for entry permits. The fee for such an annual permit shall be calculated by multiplying the number of bus permits used each day during the prior year by the \$4.00 or \$2.00 fee, as appropriate.

5. Upon written notice to the Authority, the bus company may transfer annual medallions from bus to bus within the same company fleet up to four times per year.

6. A bus company shall include affiliates which operate under different names, but under the ownership of the same particular company, if satisfactory proof of ownership is presented to the Authority.

7. A daily or annual Medallion as issued by the Authority shall be visibly displayed or a company wide approval certificate provided upon demand.

8. On entry permit purchases greater than \$5,000, handling fees shall be waived.

(b) Casino oriented buses that do not have a valid permit or do not purchase a valid permit are subject to a fine in accordance with N.J.A.C. 19:75-8.

Amended by R.1994 d.70, effective February 7, 1994.

See: 25 N.J.R. 4874(a), 26 N.J.R. 831(a).

Amended by R.1995 d.535, effective October 2, 1995.

See: 27 N.J.R. 2128(b), 27 N.J.R. 3800(b).

19:75-7.2 Modes of payment

(a) All bus operators or owners required to pay the bus management fee shall do so in accordance with the following:

1. Payment of the bus management fee shall be made in advance by sending a check or money order payable to the Authority, at South Jersey Transportation Authority, Farley Plaza Service Plaza, P.O. Box 351, Hammonton, NJ 08037. Such advance payment including costs for postage and handling must be received no less than two weeks prior to the scheduled arrival date of any bus subject to this subchapter.

2. Payment of the fee shall be made in advance or at all Authority-approved bus parking facilities and activity centers.

3. The Authority, in its sole discretion, may authorize the purchase of a permit on an emergency basis at an Authority-approved activity center. The following conditions are considered emergency situations:

i. Motorbuses that operate on a limited basis traveling to Atlantic City (less than 10 trips per year);

ii. Motorbus companies that are unaware of Authority rules;

iii. Motorbuses that originate from distances to Atlantic City in excess of 300 miles;

iv. Unscheduled emergency trips to Atlantic City if the motorbus company has contacted the Authority prior to entry;

v. Motorbus drivers that encounter unusual or special circumstances and do not have a valid permit in their possession; and

vi. Motorbus drivers that have an invalid permit in their possession and need to purchase a replacement permit. The invalid permit must be turned into Authority representatives.

Amended by R.1986 d.472, effective January 5, 1987.

See: 18 N.J.R. 1688(a), 19 N.J.R. 142(a).

Added (a)2iii; renumbered old iii to iv.

Amended by R.1989 d.81, effective February 6, 1989.

See: 20 N.J.R. 1680(a), 21 N.J.R. 314(c).

Amended by R.1994 d.70, effective February 7, 1994.

See: 25 N.J.R. 4874(a), 26 N.J.R. 831(a).

19:75-7.3 Proof of payment required at Authority authorized bus parking lots/activity centers

No owner or operator of an approved bus parking lot or activity center operating under the provisions of N.J.A.C. 19:75-6.1(a) or (b) shall permit any bus subject to the provisions of this chapter to park/load/unload thereon unless such bus properly exhibits proof of payment of the Bus Management Fee as provided for in N.J.A.C. 19:75-7.1(b).

Amended by R.1994 d.70, effective February 7, 1994.

See: 25 N.J.R. 4874(a), 26 N.J.R. 831(a).

19:75-7.4 Activity center manifests

(a) The Authority shall require each casino activity center to maintain a daily bus activity manifest, and participate in the Authority's computerized/electronic manifest program.

(b) All non-casino activity centers shall maintain a written manifest or may, at their option, participate in the Authority's computerized/ electronic manifest program.

(c) Any activity center which the Authority has determined has maintained or submitted a fraudulent manifest shall be subject to a penalty as contained herein, and/or revocation of their approval.

(d) Any activity center which fails to comply with this section may have its approval revoked by the Authority, after the opportunity for a hearing pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq. and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1.

Amended by R.1986 d.472, effective January 5, 1987.

See: 18 N.J.R. 1688(a), 19 N.J.R. 142(a).

Deleted "per Diagram C".

Amended by R.1994 d.70, effective February 7, 1994.

See: 25 N.J.R. 4874(a), 26 N.J.R. 831(a).

Amended by R.1995 d.535, effective October 2, 1995.

See: 27 N.J.R. 2128(b), 27 N.J.R. 3800(b).

SUBCHAPTER 8. VIOLATIONS AND PENALTIES

19:75-8.1 Specific offenses

(a) For any violation of the following provisions of this chapter, the violator shall be subject to minimum penalties as set forth below

Traveling on unapproved routes, Subchapter 2.

Illegal bus parking, Subchapter 6.

Non-payment of bus management fee, Subchapter 7.

Failure to intercept when required, Subchapter 3.

Failure to possess variance if required, Subchapter 9.

Discharge/load passengers at non-approved location, Subchapter 4.

Activity center exceeding capacity, Subchapter 4.

Operating bus for driver's convenience, Subchapter 5.

Failure to file combination bus itinerary, Subchapter 1.

Combination bus traveling in violation of bus itinerary, Subchapter 1.

Excessive Engine Idling, Subchapter 5.

Failure to meet criteria for an approved bus parking lot, Subchapter 4.

Failure to meet criteria for an approved bus maintenance facility, Subchapter 11.

Failure to purchase a valid permit, Subchapter 7.

Failure of an activity center, bus parking lot, or bus maintenance facility to submit a manifest in accordance with the format determined by Authority, Subchapter 7.

Failure of an activity center to participate in Authority's computerized/electronic manifest program, Subchapter 7.

(b) For any violation of the above provisions of this Chapter, the violator will be subject to a minimum penalty in the amount of \$150.00 for a first offense, \$300.00 for a second offense, and \$500.00 for a third or subsequent offense.

Amended by R.1989 d.81, effective February 6, 1989.

See: 20 N.J.R. 1680(a), 21 N.J.R. 314(c).

Amended by R.1994 d.70, effective February 7, 1994.

See: 25 N.J.R. 4874(a), 26 N.J.R. 831(a).

19:75-8.2 All other violations

For any violations of this Chapter except those specifically set forth in N.J.A.C. 19:75-8.1, the violator will be subject to a minimum fine of \$50.00 for the first offense, \$150.00 for a second offense, and \$250.00 for any subsequent offense, up to a maximum of \$500.00 for all offenses.

19:75-8.3 Uncorrected violations

Any violations of this Chapter shall subject the violator to the penalties set forth herein for each day such violation shall continue uncorrected.

19:75-8.4 Prosecution of violations

Any violation of these rules and regulations shall be prosecuted in the municipal court in the municipality in which the violation occurred. All moneys collected as a result of the imposition of fines in cases prosecuted by the municipality shall be paid to the municipality. If in the judgment of the Authority, any municipality shall fail to enforce adequately the provisions of these rules and regulations, proceedings to enforce such rules and regulations in

the municipality shall be prosecuted by the Authority, and moneys collected as a result of the imposition of fines shall be paid to the Authority.

New Rule, R.1994 d.70, effective February 7, 1994.
See: 25 N.J.R. 4874(a), 26 N.J.R. 831(a).

19:75-8.5 Affidavits

An affidavit issued pursuant to Court Rule 7:6-6 may be available in lieu of an alleged violator's personal court appearance. Each alleged violator may pursue such an affidavit directly with the municipal court having jurisdiction of the violation.

New Rule, R.1995 d.535, effective October 2, 1995.
See: 27 N.J.R. 2128(b), 27 N.J.R. 3800(b).

SUBCHAPTER 9. VARIANCES; PROCEDURE

19:75-9.1 Variances; minor and major

(a) In particular cases and for special reasons, the Authority may grant a variance from the strict application of the provisions of this chapter. Such variances shall be designated as minor variances or major variances.

1. A minor variance, if granted, shall permit a one-time deviation without penalty from the provisions regarding designated routes, sites and site capacity for loading and discharging passengers, parking and/or intercept. A minor variance shall be granted for a specified date. The procedure for application for and determination of a minor variance are as set forth in N.J.A.C. 19:75-9.2 below.

2. A major variance, if granted, shall permit a permanent or long term deviation without penalty from all or any provisions of this chapter. The procedure for the application for and determination of a major variance is set forth in N.J.A.C. 19:75-9.3.

Amended by R.1989 d.81, effective February 6, 1989.
See: 20 N.J.R. 1680(a), 21 N.J.R. 314(c).
Changed reference from 7.2 to 9.2.

19:75-9.2 Application for minor variance

(a) An application for a minor variance shall be in writing setting forth the following:

1. Name and address of applicant;
2. Narrative statement describing exact nature of variance requested, the special reasons why such variance should be granted and the impact such variance, if granted, will have on the neighborhood and traffic conditions;
3. Citation of specific subchapters from which variance is sought; and
4. Date for which variance is requested.

(b) All applications for a minor variance shall be filed at the Operations Department of the Authority, 25 South New York Avenue, Atlantic City, New Jersey 08401, or Farley Service Plaza, P.O. Box 351, Hammonton, New Jersey 08037, no later than three business days prior to the date for which the variance is requested. In approving or disapproving the application for a variance, the Authority shall consider the impact of such variance on all phases of the Bus Management Program, as contained in this chapter.

(c) The Director of Operations or his or her designee shall review all applications for minor variances. The application shall be approved upon a showing of special reasons and only if the variance can be granted without substantial detriment to the public good or substantial impairment to the intent and purpose of the provisions of this chapter.

(d) If the Director of Operations or his or her designee shall grant any minor variance, he or she shall forthwith notify the applicant and the police department or departments affected in writing. Such notice must be in possession of the applicant and bus operator and displayed to any enforcement official upon request. Failure to possess and display the aforesaid notice of variance may result in the imposition of penalties under N.J.A.C. 19:75-8 notwithstanding the grant of a minor variance.

(e) If the Director of Operations or his or her designee shall deny any minor variance, he or she shall forthwith notify the applicant in writing, setting forth the specific reasons for such denial, and advising the applicant that it may appear before the Board of the Authority at its next scheduled meeting and present testimony or other evidence on behalf of its application. At such board meeting, the Board of the Authority may affirm, reverse, or modify the decision of the Director of Operations or his or her designee.

Amended by R.1986 d.472, effective January 5, 1987.
See: 18 N.J.R. 1688(a), 19 N.J.R. 143(a).

"Five business days" changed to "three".

Amended by R.1989 d.81, effective February 6, 1989.
See: 20 N.J.R. 1680(a), 21 N.J.R. 314(c).

Amended by R.1994 d.70, effective February 7, 1994.
See: 25 N.J.R. 4874(a), 26 N.J.R. 831(a).

19:75-9.3 Application for major variance

(a) An application for a major variance shall be in writing and set forth the following:

1. Name and address of applicant;
2. Narrative statement describing exact nature of variance requested, the special reasons why such variance should be granted, and the impact such variance, if granted, will have on the neighborhood and traffic conditions;
3. Citation of specific subchapters from which variance is sought;
4. Period for which variance is requested; and

5. Legal description and scale drawing of property for which variance is requested, if applicable.

(b) All applications shall be filed in original and eight copies with the Director of Planning and Development or his or her designee of the Authority, 25 South New York Avenue, Atlantic City, N.J. 08401, or Farley Service Plaza, P.O. Box 351, Hammonton, New Jersey 08037 and an additional copy with the police department of the municipality or municipalities affected by the variance. Proof of service of the application on the police department or departments so affected shall be filed with the Authority by way of affidavit or certified mail return receipt requested prior to a determination on the application.

Amended by R.1989 d.81, effective February 6, 1989.
See: 20 N.J.R. 1680(a), 21 N.J.R. 314(c).

Substituted "shall" for "must"; added "original".
Amended by R.1994 d.70, effective February 7, 1994.
See: 25 N.J.R. 4874(a), 26 N.J.R. 831(a).

19:75-9.4 Hearing procedure for issues relating to the Authority's Bus Management Program, major variances, bus parking lot and maintenance facilities approvals, additional activity center on-site approvals, and other hearings

(a) All applications for major variance (N.J.A.C. 19:75-9.1(a)2 and 9.3), bus parking lot approvals (N.J.A.C. 19:75-6.2), bus maintenance facility approvals (N.J.A.C. 19:75-11.1) and additional site approvals (N.J.A.C. 19:75-4.3) shall be reviewed by the Planning and Development Division of the Authority.

1. Within 45 days following receipt of application, the Authority, through the Planning and Development Division, shall notify the applicant in writing by certified mail regarding the completeness of the filing. The Authority may declare the application to be complete for filing or shall notify the applicant of specific deficiencies. The Authority shall, within 30 days following the receipt of additional information to correct filing deficiencies, notify the applicant of the completeness of the amended filing, or shall specify the unaddressed deficiencies. An application shall not be considered duly filed until it has been declared complete by the Authority.

2. The Planning and Development Division of the Authority shall recommend approval or disapproval of all completed applications to the Executive Director who shall grant or deny the application within 30 days of the recommendation of the Planning and Development Division. The determination of the Executive Director, setting forth the reasons for the grant or denial of the application, shall be forwarded to the applicant by certified mail, return receipt requested.

3. In the event of an adverse determination by the Executive Director, the applicant may request a hearing within 10 days of receipt of the determination, which request shall be in writing to the Executive Director sent registered mail, return receipt requested.

4. The hearing shall be conducted in accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq. and 52:14F-1 et seq., and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1.

5. The applicant shall be notified in writing of the date, time and place of the Board meeting at which the Board shall act upon the decision of the hearing officer.

6. Any applicant who fails to obtain Authority approval may resubmit a revised application at any time.

(b) All approvals shall be conditioned where applicable upon compliance with the following:

1. Municipal zoning or planning board approval;
2. Maintenance of the affected property, if any, if the condition set forth in the application or any amended application approved by Authority;
3. On-site posting in a conspicuous place of Authority-approved bus routes and regulations;
4. Submission of reports on forms supplied by the Authority, at the Authority's request.

(c) All police departments affected by the application determined pursuant to the procedure set forth in this subchapter shall receive prior written notice of any hearing at which such applications shall be heard. Representatives of such police departments may appear and give testimony pertinent to the applications. All police departments will be notified immediately in writing of the decision of the hearing officer and Board of the Authority.

Amended by R.1986 d.472, effective January 5, 1987.
See: 18 N.J.R. 1688(a), 19 N.J.R. 142(a).

Amended by R.1989 d.81, effective February 6, 1989.
See: 20 N.J.R. 1680(a), 21 N.J.R. 314(c).

Substituted "application" for "applicant" and "conditioned" for "considered".

Amended by R.1994 d.70, effective February 7, 1994.
See: 25 N.J.R. 4874(a), 26 N.J.R. 831(a).

SUBCHAPTER 10. EMERGENCY MANAGEMENT PROGRAM

19:75-10.1 Declaration of an emergency situation

(a) When an emergency situation is declared by a Federal, State, county, or local governmental entity or State police, and notification is made, the Authority shall initiate an emergency management plan. The Authority has identified three levels of response under which emergency management procedures would be initiated. These three levels are as follows:

1. Condition I: A basic state of preparedness when communication levels with other entities are initiated and

when the need for on-going communications exist in the anticipation of upgrading the response to Condition II.

2. Condition II: Under a declared emergency, the initial level of response (Condition I) has already been surpassed, and the Authority personnel are specifically assigned to participate in active interaction at emergency management control centers or designated locations to take specific action in response to changing conditions.

3. Condition III: This level of this action plan is the highest level of staffing and implementation of emergency procedures in response to a worsening condition up to and including evacuation. Full-time, 24 hour manning and full organizational participation is required during Condition III.

(b) In addition to actions taken by the Authority, similar response efforts are assumed to take effect by other public safety entities. Minimum extra staffing is initiated under Condition II, and Condition III requires full representation and participation, including emergent communication networking during a full state of declared emergency.

19:75-10.2 Operations during emergency situations

(a) Under emergency conditions at the Condition I level, the Authority Duty Supervisor will handle Condition I procedures and activities. The Supervisor shall interact with Authority headquarters to communicate conditions to management and to receive directions from the executive staff through the Director of Operations or his or her designee.

(b) Under Condition II situations, a second Authority Duty Supervisor is called in to be assigned to an emergency management control desk located at either the Atlantic City office or the County of Emergency Management Office in Northfield. This second Supervisor is assigned to the control desk for the duration of the emergency, or for 12 hour shifts as needed.

(c) The Authority Executive Director or his or her designee shall oversee all Authority procedures and coordinate casino patron transportation in conjunction with casino personnel.

(d) The Authority's Director of Operations or his or her designee shall execute directives from the Executive Director in consort with directives and advice from the emergency management offices.

(e) The Duty Supervisor shall initiate and receive communications with casino emergency management coordinators, private bus parking lot operators and local bus companies.

(f) The Authority Supervisors shall staff emergency management control desks as assigned and communicate with the Authority's Director of Operations or his or her designee for coordination of procedures and provision of status reports between the emergency management offices and the Authority.

19:75-10.3 Direction and control

(a) Under Condition I emergencies, the Authority shall initiate communication procedures, and notifications are made by Authority staff to all Atlantic City casino hotels and bus parking lot operators that emergency conditions exist or are anticipated.

(b) Under Condition II emergencies, the Authority personnel would initiate communiques to all casino hotels, non-casino hotels, private bus parking lots and other activity centers to inform appropriate contacts of emergency conditions and status reports, which shall be by telephone and facsimile. When Condition II is reached, the Authority shall assign a Duty Supervisor to the designated emergency management control center, and initiate up-dating reports as under Condition I above. Other public safety entities shall initiate actions and casino bus management departments should communicate pertinent information to client bus companies that operate bus equipment into Atlantic City. Casino staff at this time should have an assessment of the number of buses arriving at individual properties, and shall provide the Authority with an assessment of these numbers in order that a proper inventory of bus equipment can be made.

(c) Under a Condition III situation, the Authority shall coordinate bus equipment to central staging areas in anticipation of a dispatch for the transportation of casino patrons from Atlantic City. The Authority shall notify private bus lot operators and local bus companies to mobile motorbuses at this time. The Authority field personnel shall work in concert with the Atlantic City Police Department, and coordinate and establish the best marshalling area(s). Casino bus managers and casino emergency management offices shall participate in the coordinative assignment of buses to marshalling areas and communicate transportation requirements to the Authority Duty Supervisor desk. This dispatch of motorbuses shall be communicated by radio among the Authority field personnel and casino personnel.

SUBCHAPTER 11. BUS MAINTENANCE FACILITIES

19:75-11.1 Bus maintenance facility approval

(a) Any and all existing and proposed bus maintenance facilities not exempted under N.J.A.C. 19:75-6.2(d) shall submit an application to the Authority to participate in the Authority's bus management and maintenance program, in addition to any and all other required municipal, county, state or federal approvals. All applicants for a maintenance facility must meet the following criteria:

1. The facility must file an impact statement acceptable to the Authority, and which complies with OSHA standards for safety and disposal of chemical, petrochemical, acids, adequate ventilation and related standards as dictated.

2. The facility must be within a driving distance of five miles of that portion of Atlantic Avenue between Maine and Albany Avenues within the corporate limits of Atlantic City;

3. The facility shall be full service and able to accommodate heavy maintenance, unit overhaul, dumping, routine service and inspection. Additionally, fuel, tires and washing capabilities shall also be available;

4. Buses shall not be parked overnight beyond the number of bus bays available to accommodate them;

5. The facility shall contain signs conforming to the standards of the municipality, county or state in which the facility is located;

6. The facility shall possess two-way radio or telephone equipment compatible with, and sufficient to participate in, the Authority's bus intercept and dispatch activities;

7. The facility shall demonstrate that it complements the Authority's bus management and maintenance program and does not adversely affect any portion of the program, as contained in this chapter.

8. The facility shall be located only along designated transportation corridors approved by the Authority;

9. The facility shall submit a monthly manifest in a format to be determined by the Authority; and

10. The facility shall submit to the Authority a detailed site plan, operating plan, implementation schedule, and safety plan which addresses the criteria set forth in this section.

Amended by R.1995 d.535, effective October 2, 1995.
See: 27 N.J.R. 2128(b), 27 N.J.R. 3800(b).

SUBCHAPTER 12. FEE SCHEDULE

19:75-12.1 Activity center

(a) A fee of \$100.00 shall be paid for an activity center pre-application conference.

(b) An application fee of \$400.00 shall be paid for the review of an activity center application plus all costs, fees and expenses incurred by the Authority for review by its staff and/or professionals. The initial review includes the initial site capacity review, at no additional charge.

19:75-12.2 Site capacity

(a) An application fee of \$75.00, plus all costs, fees and expenses incurred by the Authority for review by its staff and/or professionals shall be paid for the annual renewal of the site capacity determination.

(b) An application fee of \$150.00 plus all costs, fees and expenses incurred by the Authority for review by its staff and/or professionals shall be paid for a request to modify or increase a site capacity determination.

Amended by R.1995 d.535, effective October 2, 1995.
See: 27 N.J.R. 2128(b), 27 N.J.R. 3800(b).

19:75-12.3 Variances

An application fee of \$250.00 shall be paid for each request for a major variance, plus all costs, fees and expenses incurred by the Authority for review by its staff and/or professionals.

19:75-12.4 Bus parking lot

(a) A fee of \$100.00 shall be paid for a bus parking lot pre-application conference.

(b) An application fee of \$400.00, plus all costs, fees and expenses incurred by the Authority for review by its staff and/or professionals, shall be paid for the review of an application for a bus parking lot.

(c) An application fee of \$250.00, plus all costs, fees and expenses incurred by the Authority for review by its staff and/or professionals, shall be paid for the renewal of a bus parking lot approval.

19:75-12.5 Bus maintenance facilities

(a) A fee of \$100.00 shall be paid for a maintenance facility pre-application conference.

(b) An application fee of \$400.00, plus all costs, fees and expenses incurred by the Authority for review by its staff and/or professionals, shall be paid for the review of an application for any maintenance facility.

(c) An application fee of \$250.00, plus all costs, fees and expenses incurred by the Authority for review by its staff and/or professionals, shall be paid for the renewal of a maintenance facility approval.

19:75-12.6 General provisions

(a) The actual costs incurred for time spent by any professional consultants retained by the Authority for review of any application shall be allocated to each applicant in addition to the application fee set forth in this subchapter.

(b) Any application for an activity center, site capacity, variance, bus parking lot, bus maintenance facility or any other approval subject to the approval of the Authority shall

be accompanied by such fee as shall be specified in this subchapter.

(c) An application shall not be deemed complete until the application fee required has been paid. Every approval granted and every certificate issued shall, whether or not expressly so conditioned, be deemed to be conditioned upon the payment of fees as required by this subchapter. The failure to fully pay any such fee, when due, shall be grounds for denying or revoking any permit, approval or certificate issued with respect to the use to which the unpaid fee pertains.

(d) Whenever a public hearing is required on an application by this chapter, the applicant shall pay the cost of such legal notices as shall be required to be given.

(e) Any single application which encompasses several uses will be subject to the several appropriate fees enumerated in this chapter.

(f) A full refund of fees shall be made by the Executive Director, provided that a written request to withdraw the application is received before the close of the second working day after receipt of the same.

(g) Upon written request from a charitable, philanthropic, fraternal or religious nonprofit organization holding a tax exempt status under the Federal Internal Revenue Code, the Executive Director shall waive the payment of fees required by N.J.A.C. 19:75-12.1 through 12.4.

SUBCHAPTER 13. SEVERABILITY

19:75-13.1 Severability

If any section or provision of this Chapter shall be adjudged invalid, such adjudication shall apply only to that section or provision so adjudged, and the remainder of the Chapter shall continue in full force and effect, and is hereby declared severable.

OFFICE OF ADMINISTRATIVE LAW NOTE: Diagram A, Bus Routes for Casinos Entering and Departing Atlantic County, and Diagram B, Bus Routes for Casinos Entering and Departing Atlantic City, referenced and made a part of this chapter, are not reproducible in the New Jersey Administrative Code. Copies of the diagrams may be obtained from ACTA, 1625 Atlantic Avenue, Atlantic City, New Jersey 08401, or from the Office of Administrative Law, Quakerbridge Plaza, Building 9, CN 301, Trenton, New Jersey 08625.

Amended by R.1989 d.81, effective February 6, 1989.
See: 20 N.J.R. 1680(a), 21 N.J.R. 314(c).

Added OAL Note.