

**CHAPTER 1A**

**ADMINISTRATION, ORGANIZATION,  
RECORDS MANAGEMENT AND  
INFORMATION REQUESTS**

**Authority**

N.J.S.A. 27:1A-5, 27:1A-6, and 52:14B-1 et seq., particularly 52:14B-3 and 4.

**Source and Effective Date**

R.2010 d.070, effective April 21, 2010.  
See: 41 N.J.R. 4419(a), 42 N.J.R. 952(a).

**Chapter Expiration Date**

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 1A, Administration, Organization, Records Management and Information Requests, expires on April 21, 2017. See: 43 N.J.R. 1203(a).

**Chapter Historical Note**

Chapter 1A, Administration, Organization and Management, was adopted as R.1989 d.366, effective June 16, 1989. See: 21 N.J.R. 2049(a).

Pursuant to Executive Order No. 66(1978), Chapter 1A, Administration, Organization and Management, was readopted as R.1994 d.348, effective June 13, 1994. See: 26 N.J.R. 2797(a).

Chapter 1A, Administration, Organization and Management, was renamed "Administration, Organization, Records Management and Information Requests" by R.1996 d.366, effective August 5, 1996. See: 28 N.J.R. 2510(a), 28 N.J.R. 3807(a).

Pursuant to Executive Order No. 66(1978), Chapter 1A, Administration, Organization, Records Management and Information Requests, was readopted as R.1999 d.206, effective June 10, 1999. See: 31 N.J.R. 840(a), 31 N.J.R. 1950(a).

Chapter 1A, Administration, Organization, Records Management and Information Requests, was readopted as R.2004 d.441, effective November 3, 2004. See: 36 N.J.R. 3233(a), 36 N.J.R. 5370(a).

Chapter 1A, Administration, Organization, Records Management and Information Requests, was readopted as R.2010 d.070, effective April 21, 2010. As a part of R.2010 d.070, Subchapter 1, Operation and Procedures of the Department of Transportation, was renamed General Information; and Subchapter 2, Definitions, Subchapter 3, Rulemaking, and Subchapter 4, Obtaining Government Records, were adopted as new rules, effective May 17, 2010. See: Source and Effective Date. See, also, section annotations.

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**SUBCHAPTER 1. GENERAL INFORMATION**

**16:1A-1.1 Mission statement of the Department**

The Department of Transportation's mission statement is: "Improving Lives by Improving Transportation."

Repeal and New Rule, R.1996 d.366, effective August 5, 1996.  
See: 28 N.J.R. 2510(a), 28 N.J.R. 3807(a).

Rewrote the section.  
Amended by R.1999 d.206, effective July 19, 1999.  
See: 31 N.J.R. 840(a), 31 N.J.R. 1950(a).

Rewrote the section.  
Amended by R.2001 d.457, effective December 3, 2001.  
See: 33 N.J.R. 3412(a), 33 N.J.R. 4149(b).

Rewrote the section.  
Amended by R.2004 d.441, effective December 6, 2004.  
See: 36 N.J.R. 3233(a), 36 N.J.R. 5370(a).  
Rewrote the section.

**16:1A-1.2 Organization of Department**

(a) The Department of Transportation is organized as indicated in the Organizational Chart (see chapter Appendix, incorporated herein by reference) and the functions and responsibilities of its officers are as follows:

1. The Commissioner of Transportation is the Chief Executive Officer of the Department and oversees all functions of the Department of Transportation.
  - i. The Director of Design Services is designated the State Transportation Engineer;
2. The Deputy Commissioner reports to the Commissioner with principal responsibilities in the following areas:
  - i. Capital Program Management—the Assistant Commissioner and the Deputy Assistant Commissioner of Capital Program Management have principal responsibilities in the following areas:
    - (1) Capital Program Support;
    - (2) Project Management;
    - (3) Design Services;
    - (4) Construction Services and Materials;
    - (5) State Transportation Engineer; and
    - (6) Right of Way and Access Management;

ii. Operations—the Assistant Commissioner of Operations has principal responsibilities in the following areas:

- (1) Operations North;
- (2) Operations Central;
- (3) Operations South;
- (4) Traffic Engineering and Safety;
- (5) Operations Support; and
- (6) Office of Transportation Security;

iii. Planning and Development—the Assistant Commissioner of Planning and Development has principal responsibilities in the following areas:

- (1) Environmental Resources;
- (2) Local Aid and Economic Development;
- (3) Statewide Planning; and
- (4) Project Development;

iv. Chief Financial Officer—the Chief Financial Officer has principal responsibilities in the following areas:

- (1) Budget;
- (2) Accounting and Auditing; and
- (3) Procurement;

v. Administration—the Assistant Commissioner for Administration has principal responsibilities in the following areas:

- (1) Employee Support;
- (2) Human Resources; and
- (3) Support Services;

vi. Capital Investment Strategy—the Executive Director of Capital Investment Strategy has principal responsibilities in the following areas:

- (1) Capital Investment Planning and Development;

vii. Legal Services;

viii. Civil Rights and Affirmative Action;

ix. Statewide Traffic Operations—the Executive Director of Statewide Traffic Operations has principal responsibilities in the following areas:

- (1) Traffic Operations; and

x. Information Technology;

3. The Chief of Staff reports to the Commissioner with principal responsibilities in the following areas:

i. Government and Community Relations—the Assistant Commissioner of Government and Community Relations has principal responsibilities in the following areas:

- (1) Communications; and
- (2) Community Relations; and

ii. Legislation, Regulation and Multimodal Services—the Assistant Commissioner of Legislation, Regulation and Multimodal Services has principal responsibilities in the following areas:

- (1) Policy, Legislative and Regulatory Actions;
- (2) Multimodal Services; and
- (3) Authorities Coordination;

4. The Director of Smart Growth reports to the Commissioner with principal responsibilities to provide for the expedition of certain permits in smart growth areas and for the creation of expedited permit mechanisms, such as permits-by-rule; and

5. The Inspector General reports to the Commissioner with principal responsibilities to provide the Commissioner and the Department's senior leadership with independent and responsive assistance relating to oversight of special investigative services and annually assess internal controls over operations.

Amended by R.1994 d.348, effective June 13, 1994.

See: 26 N.J.R. 2797(a).

Amended by R.1994 d.453, effective August 12, 1994.

See: 26 N.J.R. 3740(a).

Amended by R.1999 d.206, effective July 19, 1999.

See: 31 N.J.R. 840(a), 31 N.J.R. 1950(a).

Rewrote (a).

Amended by R.2001 d.457, effective December 3, 2001.

See: 33 N.J.R. 3412(a), 33 N.J.R. 4149(b).

Rewrote the section.

Amended by R.2003 d.50, effective December 30, 2002.

See: 35 N.J.R. 621(a).

Rewrote the section.

Amended by R.2004 d.441, effective December 6, 2004.

See: 36 N.J.R. 3233(a), 36 N.J.R. 5370(a).

Rewrote the section.

Amended by R.2010 d.070, effective May 17, 2010.

See: 41 N.J.R. 4419(a), 42 N.J.R. 952(a).

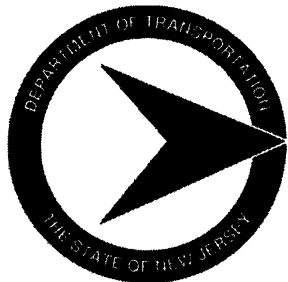
In (a)1i, substituted a semicolon for a period at the end; rewrote (a)2i(1), (a)2i(6), (a)2ii(6), (a)2iii(1), (a)2iii(3), (a)2iii(4), (a)2iv, (a)2vi, (a)2ix, (a)2x and (a)3; in (a)2i(5), inserted "and" at the end; deleted former (a)2i(7) and (a)4; recodified former (a)5 as (a)4; in (a)4, substituted "; and" for a period at the end; and added new (a)5.

### 16:1A-1.3 Department logo

(a) The official logo of the Department of Transportation is proprietary to the Department and may not be used by persons, firms, partnerships, corporations, cooperatives, organizations, or other entities for any purpose without the written permission of the Commissioner.

(b) The logo is described as follows: A blue right-facing plain arrowhead which appears within a circular white field.

Surrounding the white circle is a circular red ring which contains letters. The upper half of the ring shows the words "Department of Transportation." The lower half of the ring shows the words "The State of New Jersey." The letters are shown in white. It appears below in black and white.



Recodified to N.J.A.C. 16:1A-3.1 by R.2010 d.070, effective May 17, 2010.

See: 41 N.J.R. 4419(a), 42 N.J.R. 952(a).

Section was "Procedure for filing a rulemaking petition".

New Rule, R.2012 d.151, effective September 4, 2012.

See: 44 N.J.R. 1592(a), 44 N.J.R. 2196(a).

Section was "Reserved".

#### 16:1A-1.4 (Reserved)

Recodified to N.J.A.C. 16:1A-3.2 by R.2010 d.070, effective May 17, 2010.

See: 41 N.J.R. 4419(a), 42 N.J.R. 952(a).

Section was "Extension of the public comment period".

#### 16:1A-1.5 (Reserved)

Recodified to N.J.A.C. 16:1A-3.3 by R.2010 d.070, effective May 17, 2010.

See: 41 N.J.R. 4419(a), 42 N.J.R. 952(a).

Section was "Conducting a public hearing".

#### 16:1A-1.6 (Reserved)

Recodified to N.J.A.C. 16:1A-3.4 by R.2010 d.070, effective May 17, 2010.

See: 41 N.J.R. 4419(a), 42 N.J.R. 952(a).

Section was "Notice of rulemaking proposals".

#### 16:1A-1.7 (Reserved)

Recodified to N.J.A.C. 16:1A-4.1 by R.2010 d.070, effective May 17, 2010.

See: 41 N.J.R. 4419(a), 42 N.J.R. 952(a).

Section was "Public information requests".

#### 16:1A-1.8 (Reserved)

New Rule, R.1996 d.366, effective August 5, 1996.

See: 28 N.J.R. 2510(a), 28 N.J.R. 3807(a).

Amended by R.1999 d.206, effective July 19, 1999.

See: 31 N.J.R. 840(a), 31 N.J.R. 1950(a).

In (d), substituted "for" for "or" following "record" in the first sentence of the introductory paragraph.

Recodified from N.J.A.C. 16:1A-1.5 and amended by R.2001 d.457, effective December 3, 2001.

See: 33 N.J.R. 3412(a), 33 N.J.R. 4149(b).

In (c), added third sentence; in (d), added 15 and 16.

Repealed by R.2010 d.070, effective May 17, 2010.

See: 41 N.J.R. 4419(a), 42 N.J.R. 952(a).

Section was "How to obtain NJDOT public records".

#### 16:1A-1.9 (Reserved)

New Rule, R.1996 d.366, effective August 5, 1996.

See: 28 N.J.R. 2510(a), 28 N.J.R. 3807(a).

Amended by R.1999 d.206, effective July 19, 1999.

See: 31 N.J.R. 840(a), 31 N.J.R. 1950(a).

In (a), substituted a reference to the Bureau of Traffic Engineering and Safety Programs for a reference to the Bureau of Electrical Engineering.

Recodified from N.J.A.C. 16:1A-1.6 and amended by R.2001 d.457, effective December 3, 2001.

See: 33 N.J.R. 3412(a), 33 N.J.R. 4149(b).

In (c), amended the N.J.A.C. reference.

Amended by R.2004 d.441, effective December 6, 2004.

See: 36 N.J.R. 3233(a), 36 N.J.R. 5370(a).

In (a), added address.

Repealed by R.2010 d.070, effective May 17, 2010.

See: 41 N.J.R. 4419(a), 42 N.J.R. 952(a).

Section was "Release traffic signal information".

## SUBCHAPTER 2. DEFINITIONS

### 16:1A-2.1 Definitions

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

"Custodian of records" or "custodian" means the Director, Division of Support Services or other officer officially designated by formal action of the Department.

"Department" means the New Jersey Department of Transportation.

"Government record" or "record" means any paper, written or printed book, document, drawing, map, plan, photograph, microfilm, data processed or image processed document, information stored or maintained electronically or by sound-recording or in a similar device, or any copy thereof, that has been made, maintained or kept on file in the course of the Department's official business by any officer or employee or that has been received in the course of the Department's official business. The term shall not include inter-agency or intra-agency advisory, consultative or deliberative material or any other information deemed to be confidential or privileged pursuant to N.J.S.A. 47:1A-1 et seq.

"Traffic camera video record" or "video record" means the image or images of traffic information captured and recorded by a video camera on the Department's closed circuit television video system operated and maintained by the Department to manage and monitor traffic operations and to identify traffic operational issues.

## SUBCHAPTER 3. RULEMAKING

**16:1A-3.1 Procedure for filing a rulemaking petition**

(a) Any interested person may petition the Department of Transportation for the promulgation, amendment or repeal of any rule of the Department of Transportation. Such petition shall be in writing, signed by the petitioner and must state clearly and concisely:

1. The full name and address of the petitioner;
2. The substance or nature of the rulemaking which is requested;
3. The reasons for the request;
4. The petitioner's interest in the request, including any economic interests;
5. The statutory authority under which the Department of Transportation may take the requested action; and
6. Existing Federal and State statutes and rules which the petitioner believes may be pertinent to the request.

(b) The petition shall be addressed to:

New Jersey Department of Transportation  
Administrative Practice Officer  
PO Box 600  
Trenton, NJ 08625-0600.

(c) Upon acceptance of a petition which satisfies the requirements of (a) above, the Department shall file a notice of receipt of the petition within 15 days with the Office of Administrative Law for publication in the New Jersey Register.

(d) Within 60 days following receipt of a petition, the Department shall either:

1. Deny the petition, in which case the Department shall provide a written statement of its reasons to the petitioner, and include such reasons in its notice of action;
2. Grant the petition and initiate a rulemaking proceeding within 90 days of the granting of the petition; or
3. Refer the matter for further deliberations, the nature of which shall be specified to the petitioner and in the notice of action and which shall conclude within 90 days of such referral. Upon conclusion of such further deliberations, the Department shall either deny the petition or grant the petition and initiate a rulemaking proceeding within 90 days. The Department shall mail the results of these further deliberations to the petitioner and submit the results to the Office of Administrative Law for publication in the New Jersey Register.

(e) Within 60 days of receiving the petition, the Department shall mail to the petitioner, and file with the Office of Administrative Law for publication in the New Jersey Register, a notice of action on the petition, which shall include:

1. The name of the petitioner;
2. The New Jersey Register citation for the notice of petition;
3. The signature of the Commissioner, or his or her designee, signifying that the petition was duly considered pursuant to law;
4. The nature or substance of the Department's action upon the petition; and
5. A brief statement of reasons for the Department's action.

(f) The procedures outlined in this section to petition the Department for the promulgation, amendment or repeal of a rule shall apply to all Department rules, except in those cases where a special or alternative petition procedure is specifically designated.

New Rule, R.1989 d.525, effective October 16, 1989.

See: 21 N.J.R. 2233(b), 21 N.J.R. 3312(a).

Amended by R.1996 d.366, effective August 5, 1996.

See: 28 N.J.R. 2510(a), 28 N.J.R. 3807(a).

Amended by R.2001 d.457, effective December 3, 2001.

See: 33 N.J.R. 3412(a), 33 N.J.R. 4149(b).

Rewrote (d); inserted new (e) and recodified former (e) as (f).

Recodified from N.J.A.C. 16:1A-1.3 and amended by R.2010 d.070, effective May 17, 2010.

See: 41 N.J.R. 4419(a), 42 N.J.R. 952(a).

In (b), substituted a colon for "the Commissioner," following "to"; and in the address in (b), inserted "New Jersey", deleted a comma following "Transportation", "Officer" and "600", deleted "ATTN:" preceding and "1035 Parkway Avenue," following "Administrative Practice Officer", and substituted "NJ" for "New Jersey" in the final line.

**16:1A-3.2 Extension of the public comment period**

(a) The Department, in accordance with the New Jersey Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and the Office of Administrative Law Rules for Agency Rule-making, N.J.A.C. 1:30, may extend the time for submission of public comments on a proposed rulemaking at its discretion without the need for a specific request or the demonstration of sufficient public interest.

(b) The Department, in accordance with the New Jersey Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and the Office of Administrative Law Rules for Agency Rule-making, N.J.A.C. 1:30, shall extend the time for submission of public comments for an additional 30-day period, if, within 30 days of the publication of a notice of proposal, sufficient public interest is demonstrated in an extension of time to submit comments.

(c) Sufficient public interest is demonstrated in an extension of the comment period when 10 or more individuals have expressed the need for the extension of the comment period.

New Rule, R.2001 d.457, effective December 3, 2001.

See: 33 N.J.R. 3412(a), 33 N.J.R. 4149(b).

Former N.J.A.C. 16:1A-1.4, Public information requests, recodified to N.J.A.C. 16:1A-1.7.

Amended by R.2004 d.441, effective December 6, 2004.

See: 36 N.J.R. 3233(a), 36 N.J.R. 5370(a).

Rewrote (c).

Recodified from N.J.A.C. 16:1A-1.4 by R.2010 d.070, effective May 17, 2010.  
See: 41 N.J.R. 4419(a), 42 N.J.R. 952(a).

### 16:1A-3.3 Conducting a public hearing

(a) The Department, in accordance with the New Jersey Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and the Office of Administrative Law Rules for Agency Rule-making, N.J.A.C. 1:30, may conduct a public hearing on a proposed rulemaking at its discretion without the need for a specific request or the demonstration of sufficient public interest.

(b) The Department, in accordance with New Jersey Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and the Office of Administrative Law Rules for Agency Rule-making, N.J.A.C. 1:30, shall conduct a public hearing on a proposed rulemaking at the request of a Legislative Committee, a State agency, or a county, local, or municipal governmental entity, if the request is made to the Department within 30 days following publication of the proposed rulemaking, or if sufficient public interest is demonstrated.

(c) Sufficient public interest is demonstrated with regard to the conducting of a public hearing when 50 or more individuals have expressed either the need for a public hearing on the rule proposal or disagreement with one or more substantive provisions of the rule proposal.

(d) The Department shall not consider, in the calculation of the number of comments received under (c) above, those comments that relate to specific recommended changes in the rule that the Department has agreed to make or does not have the legal authority to make.

New Rule, R.2001 d.457, effective December 3, 2001.  
See: 33 N.J.R. 3412(a), 33 N.J.R. 4149(b).

Former N.J.A.C. 16:1A-1.5, How to obtain NJDOT public records, recodified to N.J.A.C. 16:1A-1.8.

Amended by R.2004 d.441, effective December 6, 2004.

See: 36 N.J.R. 3233(a), 36 N.J.R. 5370(a).

Rewrote (c).

Recodified from N.J.A.C. 16:1A-1.5 by R.2010 d.070, effective May 17, 2010.

See: 41 N.J.R. 4419(a), 42 N.J.R. 952(a).

### 16:1A-3.4 Notice of rulemaking proposals

(a) When the Department makes a rulemaking proposal in the New Jersey Register, the Department shall distribute a notice of the rulemaking proposal to the news media maintaining a press office in the State House Complex.

(b) When the Department makes a rulemaking proposal in the New Jersey Register, the notice will also be available on the Department's website at [www.state.nj.us/transportation/about/rules/](http://www.state.nj.us/transportation/about/rules/).

New Rule, R.2001 d.457, effective December 3, 2001.

See: 33 N.J.R. 3412(a), 33 N.J.R. 4149(b).

Former N.J.A.C. 16:1A-1.6, Release of traffic signal information, recodified to N.J.A.C. 16:1A-1.9.

Recodified from N.J.A.C. 16:1A-1.6 and amended by R.2010 d.070, effective May 17, 2010.

See: 41 N.J.R. 4419(a), 42 N.J.R. 952(a).

In (b), substituted "the notice will also be available on the Department's website at [www.state.nj.us/transportation/about/rules/](http://www.state.nj.us/transportation/about/rules/)" for "the Department shall make available on its internet website ([www.state.nj.us/transportation](http://www.state.nj.us/transportation)) a notice of the rulemaking proposal"; and deleted (c).

## SUBCHAPTER 4. OBTAINING GOVERNMENT RECORDS

### 16:1A-4.1 General information

General information may be obtained from the Department by telephone or by request in writing to:

New Jersey Department of Transportation  
P.O. Box 600  
Trenton, NJ 08625-0600  
(609) 530-2000

or on the Department's website at:

[www.state.nj.us/transportation](http://www.state.nj.us/transportation).

Amended by R.1996 d.366, effective August 5, 1996.

See: 28 N.J.R. 2510(a), 28 N.J.R. 3807(a).

Recodified from N.J.A.C. 16:1A-1.4 by R.2001 d.457, effective December 3, 2001.

See: 33 N.J.R. 3412(a), 33 N.J.R. 4149(b).

Amended by R.2004 d.441, effective December 6, 2004.

See: 36 N.J.R. 3233(a), 36 N.J.R. 5370(a).

Recodified from N.J.A.C. 16:1A-1.7 and amended by R.2010 d.070, effective May 17, 2010.

See: 41 N.J.R. 4419(a), 42 N.J.R. 952(a).

Section was "Public information requests". Rewrote the section.

### 16:1A-4.2 Record requests

(a) Department records shall be accessible for on-site inspection by private citizens during the regular business hours of the custodian of records or the particular office having custody of the record. Every person shall also have the right to copy such records by hand or to purchase copies. The right to copy or duplicate a record or document shall not apply to records, documents or software that may be subject to copyrights, licensing or other such restrictions. The right of inspection or copying of Department records may be denied by the custodian pursuant to N.J.S.A. 47:1A-1 et seq., and this chapter. If the request is denied, the requestor will be notified of the reasons for such denial.

(b) All requests for on-site inspection or copying of the Department's records, except as set forth in (c) and (d) below, shall be made in writing on the State of New Jersey's Government Records Request form and hand-delivered, mailed, or transmitted electronically to the custodian of records. The records request form may be obtained by written request to:

New Jersey Department of Transportation  
 Custodian of Records  
 C/O Office of Inspector General  
 1035 Parkway Avenue  
 PO Box 600  
 Trenton NJ 08625-0600  
 Phone: 609-530-8045  
 Fax: 609-530-6694

or online at <http://www.state.nj.us/transportation/refdata/opra/>.

The request form shall include, but is not limited to, the following:

1. The name, address and telephone number of the requestor;
2. A description of the government record(s) requested;
3. Request for on-site inspection;
4. If copies are requested, the medium preferred;
5. Mode of delivery; and
6. Maximum cost for copies, as authorized by the requestor.

(c) Requests for traffic control signal operation and maintenance records shall be made in accordance with N.J.A.C. 16:1A-4.5(a).

(d) Requests for traffic camera video records shall be made in accordance with N.J.A.C. 16:1A-4.6(a).

Amended by R.2012 d.151, effective September 4, 2012.  
 See: 44 N.J.R. 1592(a), 44 N.J.R. 2196(a).

In the introductory paragraph of (b), inserted a comma following "mailed"; in the address in (b), substituted "C/O Office of Inspector General" for "C/O Director, Division of Support Services", and inserted "1035 Parkway Avenue", "Phone:" and "Fax: 609-530-6694".

### 16:1A-4.3 Exempt records

(a) The following Department records shall be exempt from public access:

1. Future construction projects in terms of specific amounts or locations;
2. Any information provided to the Department by construction or professional services contractors for the purposes of becoming prequalified or classified;
3. Research and tests required in the development of highway materials, design and construction;
4. Consultants' draft and final reports, Department draft and final preliminary planning and engineering studies and assessment prior to disclosure at public hearings;
5. Preliminary aircraft accident investigative reports;
6. Reports and records of aeronautical surveillance or investigation;

7. Personnel and pension records, with the exception of the following information:

i. An individual's name, title, position, salary, payroll record, length of service in the instrumentality of government and in the government, date of separation from government service and the reason for the separation and the amount and type of pension he or she is receiving; and

ii. Data contained in information, which disclose conformity with specific experimental, educational or medical qualifications required for government employment or for receipt of a public pension, but in no event shall detailed medical or psychological information be released;

8. Police and driver reports of accidents on file with the Bureau of Accident Records;

9. All records that are part of any work papers, memoranda or reports that are made, maintained or kept by the Office of the Inspector General in the Department of Transportation;

10. Bridge Survey Reports;

11. Research documents pertaining to ongoing studies for the operational areas of the Department prior to disclosure to the public;

12. Audit reports performed by Department personnel or outside agency personnel for the Department;

13. Inspection records of signalized equipment;

14. New Jersey Highway Defense Requirements Bridge Records;

15. Work papers, memoranda or reports that are made, maintained or kept as part of any investigation by the Department into a matter involving any potential violation of civil or criminal law;

16. Work papers, memoranda or reports that are determined by the Department to be a draft or work in progress;

17. For the preservation of the "attorney-client privilege," all records that are part of any case file maintained by a Deputy Attorney General acting for the Department;

18. Appraisal review analyses; and

19. Estimates, appraisals and costs of acquiring right-of-way prior to the completion of a project, unless the requestor is a party to a Departmental eminent domain proceeding, in which case, disclosure of the records is subject to the provisions of the Eminent Domain Act, N.J.S.A. 20:3-1 et seq., and New Jersey Court Rules, R. 4:73-11.

### 16:1A-4.4 Copying fees

(a) Copies of records will be made available upon full payment, by check or money order made out to "New Jersey

Department of Transportation,” of the copying fees, which are as follows:

1. Page one through 10, \$0.75 per page;
2. Page 11 through 20, \$0.50 per page;
3. All pages over 20, \$0.25 per page;
4. Copying fees for traffic control signal operation and maintenance records shall be in accordance with N.J.A.C. 16:1A-4.5(b); and
5. Copying fees for traffic camera video records shall be in accordance with N.J.A.C. 16:1A-4.6(c).

(b) If a person wishes to copy more than 100 pages of Department records, the custodian of records may permit the use of the person’s own photographic process providing:

1. The photographic process is approved by the custodian;
2. There is no risk of damage, mutilation or loss of the records;
3. The copying of such records would not be incompatible with the economic and efficient operation of the office; and
4. Upon full payment of the fee that will be established by the custodian after consideration of the equipment and time involved, at not less than \$10.00 or more than \$50.00 per day.

(c) If it is not practicable for the Department to copy any document, the document will be copied commercially and the requestor shall be charged a fee equal to the Department’s costs for the commercial copying.

(d) Government agencies are exempt from the copying fees provided that the request is submitted on official letterhead stationery and signed by the agency head.

#### 16:1A-4.5 Traffic control signal records

(a) All requests for traffic control signal records shall be submitted in writing and mailed to:

Bureau of Traffic Engineering and Investigations  
New Jersey Department of Transportation  
PO Box 600  
Trenton, NJ 08625-0600

(b) Requests shall be accompanied by the fee set forth in (c) below.

(c) Copying fees for traffic control signal records are as follows:

1. Timing - \$10.00;
2. Plan - \$15.00; and
3. Certification of operation of signal on a specific date and time - \$100.00.

#### 16:1A-4.6 Traffic camera video records

(a) All requests for traffic camera video records shall be made in writing on the Department’s Video Log Request Form which may be obtained at [www.nj.gov/transportation/business/videolog](http://www.nj.gov/transportation/business/videolog). Completed forms may be sent to:

Executive Director, Statewide Traffic Operations  
New Jersey Department of Transportation  
P.O. Box 600  
Trenton, NJ 08625

or submitted by facsimile to:

Fax: 609-530-2607

(b) All requests for traffic camera video records must be made to and received by the Department within seven calendar days of the date of the requested traffic camera video record.

(c) The copying fee for the first three hours or less of the requested traffic camera video record is \$100.00 per camera. The copying fee for each additional three hours of the requested video record is \$50.00 per camera. Fees shall be paid by check or money order made payable to the “New Jersey Department of Transportation.” Within 30 days of notification by the Department that the video record is available, the requestor must submit the copying fee. After 30 days the video record will not be retained.

### APPENDIX

#### NEW JERSEY DEPARTMENT OF TRANSPORTATION ORGANIZATIONAL CHART

OFFICE OF ADMINISTRATIVE LAW NOTE: Appendix could not be reproduced in the New Jersey Administrative Code but may be reviewed on the Department of Transportation’s website at <http://www.state.nj.us/transportation/about/pdf/orgchart.pdf> or by contacting:

Office of Administrative Law  
9 Quakerbridge Plaza  
PO Box 049  
Trenton, NJ 08625-0049  
609 588-6601

New Rule, R.1999 d.206, effective July 19, 1999.

See: 31 N.J.R. 840(a), 31 N.J.R. 1950(a).

Amended by R.2001 d.457, effective December 3, 2001.

See: 33 N.J.R. 3412(a), 33 N.J.R. 4149(b).

Amended by R.2003 d.50, effective December 30, 2002.

See: 35 N.J.R. 621(a).

Amended by R.2004 d.441, effective December 6, 2004.

See: 36 N.J.R. 3233(a), 36 N.J.R. 5370(a).

Added Department website information.

Amended by R.2010 d.070, effective May 17, 2010.

See: 41 N.J.R. 4419(a), 42 N.J.R. 952(a).

Updated the Department website information and inserted “609 588-6601” following the address.