

CHAPTER 73

**REDUCED FARE TRANSPORTATION PROGRAM
FOR SENIOR CITIZENS AND PEOPLE
WITH DISABILITIES**

Authority

N.J.S.A. 27:1A-68 and 27:25-5(e).

Source and Effective Date

R.2006 d.180, effective May 15, 2006.
See: 37 N.J.R. 2298(a), 38 N.J.R. 2197(a).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 73, Reduced Fare Transportation Program for Senior Citizens and People with Disabilities, expires on November 11, 2013. See: 43 N.J.R. 1507(a).

Chapter Historical Note

Chapter 73, Reduced Fare Transportation Program for the Elderly and Handicapped, was originally adopted as N.J.A.C. 16:51-4, Delegation of Powers for Senior Citizens Half-Fare Bus Program, by R.1975 d.113, effective April 30, 1975. See: 7 N.J.R. 63(b), 7 N.J.R. 280(b). N.J.A.C. 16:51, Reduced Fare Transportation Program, was adopted as R.1977 d.224, effective June 23, 1977. See: 9 N.J.R. 97(a), 9 N.J.R. 349(a). N.J.A.C. 16:51, Reduced Fare Transportation Program, was recodified to N.J.A.C. 16:73, and N.J.A.C. 16:51-4 was repealed by R.1982 d.40, effective February 16, 1982. See: 13 N.J.R. 881(a), 14 N.J.R. 209(a).

Pursuant to Executive Order No. 66(1978), Chapter 73 was readopted as R.1987 d.121, effective January 30, 1987. See: 18 N.J.R. 2437(a), 19 N.J.R. 410(a). Pursuant to Executive Order No. 66(1978), Chapter 73, Reduced Fare Transportation Program for the Elderly and Handicapped, expired on January 30, 1992.

Chapter 73, Reduced Fare Transportation Program for the Elderly and Handicapped, was adopted as R.1992 d.217, effective May 18, 1992. See: 24 N.J.R. 556 (b), 24 N.J.R. 1905(b). Pursuant to Executive Order No. 66(1978), Chapter 73 expired on May 18, 1997.

Chapter 73, Reduced Fare Transportation Program for Senior Citizens and People with Disabilities, was adopted as R.1998 d.54, effective January 20, 1998. See: 29 N.J.R. 1683(a), 30 N.J.R. 377(a). Chapter 73, Reduced Fare Transportation Program for Senior Citizens and People with Disabilities, expired on January 20, 2003.

Chapter 73, Reduced Fare Transportation Program for Senior Citizens and People with Disabilities, was adopted as new rules by R.2006 d.180, effective May 15, 2006. See: Source and Effective Date.

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 73, Reduced Fare Transportation Program for Senior Citizens and People with Disabilities, was scheduled to expire on May 15, 2013. See: 43 N.J.R. 1203(a).

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SUBCHAPTER 1. INTRODUCTION

16:73-1.1 Definitions

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

“Carrier” means any individual, partnership, association, corporation, joint stock company, public agency or public authority, trustee or receiver operating or controlling motor buses or rail/light rail passenger service on established routes within the State of New Jersey (State) or between points in the State and points in adjacent states.

“Commissioner” means the New Jersey Commissioner of Transportation, or his or her designee.

“Demand responsive” means surface transportation that is not operated on a fixed route system.

“Established routes” means all regular intrastate routes of the participating carriers authorized by the Office of Regulatory Affairs of the New Jersey Motor Vehicle Commission, municipality, or any other regulatory agency, and interstate routes authorized by the Surface Transportation Board (or its predecessor, the Interstate Commerce Commission), or any other regulatory agency. “Established routes” does not include those trips to and from Atlantic City locations when the passenger receives from any source, money or other gratuities in addition to the transportation purchased.

“Interstate” means between points in the State and points in adjacent states.

“Intrastate” means points within the State.

“Motor bus” means “autobus” as defined in N.J.S.A. 48:4-1, and includes those autobuses, commonly called jitneys, as described in N.J.S.A. 48:16-23.

“NJ TRANSIT” means the New Jersey Transit Corporation.

“NJ TRANSIT Reduced Fare Identification Card (NJ TRANSIT ID Card)” means an identification card issued by NJ TRANSIT that can be used as proof of eligibility for participation in NJ TRANSIT’s Reduced Fare Transportation Program for Senior Citizens and People with Disabilities.

“NJ TRANSIT Reduced Fare Program” means NJ TRANSIT’s Reduced Fare Transportation Program for Senior Citizens and People with Disabilities.

“Person with a disability” or “people with disabilities” is an individual(s) who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such impairment, or a person who is perceived by others as having such an impairment and is/are unable to utilize mass transportation services as effectively as persons without disabilities.

“Reduced fare” means no more than one half, rounded down to the nearest nickel, of the regular adult one way fare as set forth in the carrier’s tariffs.

“Senior citizen” means any individual 62 years of age or over regardless of residence.

“Tariff” means the document setting forth the fares, rates, charges, and other provisions pertaining to the public transportation services furnished by the carrier. Tariff includes the documents maintained by NJ TRANSIT setting forth the fares for the public transportation services operated directly by NJ TRANSIT or operated for NJ TRANSIT by third party contractors.

16:73-1.2 Purpose

The NJ TRANSIT Reduced Fare Program is designed to provide intrastate and interstate autobus and commuter rail and light rail passenger service for senior citizens and people with disabilities on regular routes of the participating carriers at no more than one half of the regular adult one way fare as set forth in the carrier’s tariffs.

16:73-1.3 Exclusions

Senior citizens and people with disabilities are not permitted to ride at a reduced fare on intrastate and interstate school, charter, demand responsive or special motor bus and commuter rail and light rail passenger service, and trips to or from Atlantic City locations when the user receives, from any source, money or other gratuities in addition to the transportation purchased.

SUBCHAPTER 2. IDENTIFICATION AND REGISTRATION

16:73-2.1 Registration of senior citizens for NJ TRANSIT Reduced Fare Identification Card

(a) Individuals may obtain an NJ TRANSIT ID Card application by writing or calling the NJ TRANSIT Reduced Fare Program at:

NJ TRANSIT Reduced Fare Program
180 Boyden Avenue
Maplewood, NJ 07040
Phone: 973-378-6401
973-378-6327

Applications for the NJ TRANSIT ID Card are available at some banks, savings and loan associations, County Offices on Aging and State offices providing services for senior citizens. The applicant should bring proof of age to these application centers. Any valid legal document will serve as proof of age. Examples are: driver’s license, birth certificate, passport, military discharge papers (DD214), etc.

(b) Authorized personnel of the application centers will examine the required documents and application. The application centers will then forward the completed application to NJ TRANSIT for processing.

(c) NJ TRANSIT shall issue an NJ TRANSIT ID Card to each qualified applicant. The NJ TRANSIT ID Card shall be valid until age 65, at which time most individuals receive a Medicare Card. NJ TRANSIT will not establish an automatic renewal procedure. If a senior citizen does not hold a Medicare Card and wishes to renew the NJ TRANSIT ID Card, he or she may contact the NJ TRANSIT Reduced Fare Program or complete a new application at one of the locations listed in (a) above.

16:73-2.2 Registration of people with disabilities for NJ TRANSIT Reduced Fare Identification Card

(a) Individuals may obtain an application for an NJ TRANSIT ID Card by writing or calling the NJ TRANSIT Reduced Fare Program at:

NJ TRANSIT Reduced Fare Program
180 Boyden Avenue
Maplewood, NJ 07040
Phone: 973-378-6401
973-378-6327

(b) Applicants will complete the first part of the application form and give it to a registered physician or other designee of NJ TRANSIT who will complete and mail the application to NJ TRANSIT.

(c) NJ TRANSIT may request additional information regarding an application from the certifying physician or agency. Incomplete or denied applications will be returned to the applicant with a letter explaining the reason(s) therefore.

(d) An applicant may appeal NJ TRANSIT’s decision to return or deny an application by submitting a written request for reconsideration of eligibility for an NJ TRANSIT ID Card to:

NJ TRANSIT
Deputy Treasurer
One Penn Plaza East
Newark, NJ 07105

(e) The final decision on eligibility will be made by NJ TRANSIT.

(f) NJ TRANSIT will process the application, and mail an NJ TRANSIT ID Card to the person with a disability. The NJ TRANSIT ID Card will be valid for four years from date of issue, unless it has been determined that the applicant has a temporary disability in which case the Identification Card's validity will be for a period of time that is commensurate with the duration of the temporary disability.

(g) NJ TRANSIT will establish an automatic renewal system for NJ TRANSIT ID Cards issued to permanently disabled persons.

16:73-2.3 Identification requirements

(a) Senior citizens must present an NJ TRANSIT ID Card, a properly validated Medicare Card or other NJ TRANSIT approved form of identification issued by a government, social service or public transportation agency, and printed with the individual's name and date of birth, to the bus operator, rail conductor, ticket agent or fare enforcement officer as proof of being qualified to participate in the NJ TRANSIT Reduced Fare Program.

(b) People with disabilities must present an NJ TRANSIT ID Card or a properly validated Medicare Card to obtain a reduced fare.

(c) The NJ TRANSIT ID Card, which is not transferable, must be used only by the person to whom it is issued, and must be kept in that person's possession during the entire ride.

(d) If the NJ TRANSIT ID Card is lost or stolen, an application for a replacement card may be made as prescribed in N.J.A.C. 16:73-2.1 and 2.2.

16:73-2.4 Purchase of reduced fare tickets

(a) NJ TRANSIT does not sell books of reduced fare tickets. Senior citizens or people with disabilities who want to utilize NJ TRANSIT bus, rail or light rail transportation may purchase one way reduced fare tickets prior to their travel at NJ TRANSIT ticket windows or ticket vending machines or from commissioned ticket agents (who are contracted by NJ TRANSIT to sell NJ TRANSIT tickets). Reduced fare tickets for bus or rail transportation may also be purchased on the bus or train and the surcharge will be waived.

(b) For reduced fare interstate travel on lines operated by private bus carriers, NJ TRANSIT makes special voucher

booklets available at banks, County Offices on Aging, and State offices that provide services for senior citizens. In addition to paying a reduced cash fare, senior citizens may be required to present a "voucher" removed from these booklets along with such person's appropriate identification.

(c) The Atlantic City Jitney Association does sell ticket books that may be purchased by senior citizens and people with disabilities at a reduced rate.

SUBCHAPTER 3. AGREEMENTS WITH CARRIERS FOR SERVICES AND PAYMENTS

16:73-3.1 Agreements with carriers

(a) NJ TRANSIT may enter into contractual agreements with a carrier that desires to participate in the NJ TRANSIT Reduced Fare Program. Each contract shall contain conditions, terms and provisions as NJ TRANSIT may require, including but not limited to, provisions permitting or relating to:

1. Terms and method of payment;
2. Auditing and settlement of payments;
3. Data and recordkeeping;
4. Service to be performed pursuant to the contract;
5. Applicable tariffs and schedules; and
6. Any such other matters as NJ TRANSIT deems to be in the public interest.

16:73-3.2 Method of payment to carriers

Reimbursement to the participating carriers shall be an amount equal to the senior citizens or people with disabilities reduced fare, multiplied by the number of eligible trips by senior citizens or people with disabilities participating in the NJ TRANSIT Reduced Fare Program, provided that the total payments to all carriers do not exceed the budget of NJ TRANSIT for this program. In cases where the carrier has rounded down the reduced fare to the nearest nickel, NJ TRANSIT shall reimburse an additional nickel per each qualified person. For bus service, eligible trips may be determined by the number of reduced fare tickets submitted by bus carriers, or such other reasonable method as shall be determined by NJ TRANSIT.