

## SUBTITLE E. NEW JERSEY TURNPIKE AUTHORITY

## CHAPTER 9

## NEW JERSEY TURNPIKE AUTHORITY

## Authority

N.J.S.A. 27:23-1, 27:23-29.

## Source and Effective Date

R.1993 d.496, effective September 13, 1993.  
See: 25 N.J.R. 2839(b), 25 N.J.R. 3685(a), 25 N.J.R. 4605(a).

## Executive Order No. 66(1978) Expiration Date

Chapter 9, New Jersey Turnpike Authority, expires on September 13, 1998.

## Chapter Historical Note

All provisions of this chapter were filed and became effective December 3, 1963. Amendments became effective May 18, 1973 as R.1973 d.130. See: 5 N.J.R. 206(a).

1972 Revisions: Amendments became effective February 25, 1972 as R.1972 d.37. See: 4 N.J.R. 14(b), 4 N.J.R. 56(a). Further amendments became effective July 27, 1972 as R.1972 d.146. See: 4 N.J.R. 109(c), 4 N.J.R. 199(c).

1973 Revisions: Amendments became effective June 4, 1973 as R.1973 d.145. See: 5 N.J.R. 172(a), 5 N.J.R. 247(d). Subchapter 9 became effective June 29, 1973 as R.1973 d.173. See: 5 N.J.R. 205(b), 5 N.J.R. 295(b).

1974 Revisions: Amendments became effective October 1, 1974 as R.1974 d.227. See: 6 N.J.R. 209(c), 6 N.J.R. 370(c).

1975 Revisions: Amendments became effective January 1, 1975 as R.1974 d.227. See: 6 N.J.R. 209(c), 6 N.J.R. 370(c). Further amendments became effective February 7, 1975 as R.1975 d.25. See: 7 N.J.R. 122(d). Further amendments became effective February 28, 1975 as R.1975 d.41. See: 7 N.J.R. 77(c), 7 N.J.R. 185(a). Further amendments became effective August 1, 1975 as R.1975 d.221. See: 7 N.J.R. 351(a), 7 N.J.R. 447(c).

1977 Revisions: Amendments became effective March 1, 1977 as R.1977 d.63. See: 9 N.J.R. 56(a), 9 N.J.R. 203(a).

1978 Revisions: Amendments became effective July 31, 1978 as R.1978 d.258. See: 10 N.J.R. 310(a), 10 N.J.R. 408(c). Further amendments became effective December 5, 1978 as R.1978 d.412. See: 9 N.J.R. 497(c), 10 N.J.R. 53(b).

1979 Revisions: Amendments became effective May 7, 1979 as R.1979 d.181. See: 11 N.J.R. 309(a).

1981 Revisions: Amendments became effective February 4, 1981 as R.1981 d.37. See: 13 N.J.R. 49(b), 13 N.J.R. 165(c).

1982 Revisions: Amendments became effective January 18, 1982 as R.1981 d.520. See: 13 N.J.R. 751(b), 14 N.J.R. 106(a). Further amendments became effective December 20, 1982 as R.1982 d.448. See: 14 N.J.R. 1087(a), 14 N.J.R. 1464(c).

1983 Revisions: Amendments became effective July 5, 1983 as R.1983 d.263. See: 15 N.J.R. 687(b), 15 N.J.R. 1105(c). This chapter was readopted pursuant to Executive Order 66(1978) effective July 13, 1983 with amendments thereto effective August 1, 1983, as R.1983 d.301. See: 15 N.J.R. 886(a), 15 N.J.R. 1257(a). Further amendments became effective July 5, 1983 as R.1983 d.263. See: 15 N.J.R. 687(b), 15 N.J.R. 1105(c). Further amendments became effective December 5, 1983 as R.1983 d.555. See: 15 N.J.R. 1638(b), 15 N.J.R. 2046(c). Subchapter 9 was repealed and new rules adopted effective December 5, 1983 as R.1983 d.556. See: 15 N.J.R. 1639(a), 15 N.J.R. 2046(d).

1984 Revisions: Amendments became effective October 1, 1984 as R.1984 d.447. See: 16 N.J.R. 2075(a), 16 N.J.R. 2689(b). December 17, 1984 as R.1984 d.547. See: 16 N.J.R. 2517(a), 16 N.J.R. 3458(a).

1986 Revisions: Amendments became effective July 7, 1986 as R.1986 d.271. See: 18 N.J.R. 935(a), 18 N.J.R. 1402(b).

1988 Revisions: This chapter expired pursuant to Executive Order 66(1978) on July 13, 1988 and new rules became effective October 17, 1988 as R.1988 d.483. See: 20 N.J.R. 1338(a), 20 N.J.R. 2591(a).

Subchapter 7 was adopted as R.1989 d.444, effective July 24, 1989. See: 21 N.J.R. 2528(b). Subchapter 6 was adopted as R.1989 d.580, effective November 20, 1989. See: 21 N.J.R. 2440(a), 21 N.J.R. 3675(a).

Pursuant to Executive Order No. 66(1978), Chapter 9 was readopted as R.1993 d.496. See: Source and Effective Date. Administrative Correction. See: 25 N.J.R. 4927(c). See, also, section annotations for specific rulemaking activity.

## CHAPTER TABLE OF CONTENTS

## SUBCHAPTER 1. TRAFFIC CONTROL ON NEW JERSEY TURNPIKE

- 19:9-1.1 Definitions
- 19:9-1.2 Speed limits
- 19:9-1.3 Traffic control
- 19:9-1.4 Uniform direction of traffic
- 19:9-1.5 "U" turns prohibited
- 19:9-1.6 Parking, standing or stopping on Turnpike prohibited, except in case of emergency
- 19:9-1.7 Use of medial strip prohibited
- 19:9-1.8 (Reserved)
- 19:9-1.9 Limitations on use of Turnpike
- 19:9-1.10 Waste and rubbish
- 19:9-1.11 Loose cargo; discharges
- 19:9-1.12 Damaging of Turnpike property
- 19:9-1.13 Hitch-hiking, loitering, soliciting, and distributing prohibited
- 19:9-1.14 Repairs and towing
- 19:9-1.15 Transportation of hazardous materials
- 19:9-1.16 Intoxicating beverages
- 19:9-1.17 Operation of vehicles on Turnpike projects; care required
- 19:9-1.18 Noise limits
- 19:9-1.19 Tolls; payment required
- 19:9-1.20 Records
- 19:9-1.21 Other regulations
- 19:9-1.22 through 19:9-1.23 (Reserved)
- 19:9-1.24 Lane usage; Interchanges 11 to 14

## SUBCHAPTER 2. PURCHASING AND CONTRACTING

- 19:9-2.1 General provisions
- 19:9-2.2 Purchases for amounts requiring public advertising
- 19:9-2.3 Purchases under amount requiring public advertising
- 19:9-2.4 Termination of contract
- 19:9-2.5 Purchases under or in combination with State or other agency contracts
- 19:9-2.6 Sale of surplus personal property
- 19:9-2.7 Procedure for prequalification and award of construction contracts
- 19:9-2.8 Procedure to resolve protested solicitations and awards
- 19:9-2.9 Licenses to cross
- 19:9-2.10 Procedure to resolve protested applications for, and awards of, licenses to cross

## SUBCHAPTER 3. FEES

- 19:9-3.1 Towing rates
- 19:9-3.2 Road service rates
- 19:9-3.3 Questions and disputes

## SUBCHAPTER 4. INSPECTION AND OBTAINING OF AUTHORITY RECORDS

- 19:9-4.1 General provisions
- 19:9-4.2 Nonpublic information
- 19:9-4.3 Procedures for obtaining Authority records
- 19:9-4.4 Fees

## SUBCHAPTER 5. ADMINISTRATIVE PRACTICES

- 19:9-5.1 Pre-employment screening
- 19:9-5.2 Waivers generally
- 19:9-5.3 Procedure for waiver

## SUBCHAPTER 6. PETITIONS FOR RULES

- 19:9-6.1 Scope
- 19:9-6.2 Procedure for petitioner
- 19:9-6.3 Procedure of the Authority

## SUBCHAPTER 7. ORGANIZATION OF THE NEW JERSEY TURNPIKE AUTHORITY

- 19:9-7.1 Authority responsibilities
- 19:9-7.2 Table of organization
- 19:9-7.3 Functions of departmental units
- 19:9-7.4 Information

## APPENDIX A. SCHEDULE OF CLASSIFICATIONS

## APPENDIX B. TABLE OF ORGANIZATION

## SUBCHAPTER 1. TRAFFIC CONTROL ON NEW JERSEY TURNPIKE

### 19:9-1.1 Definitions

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

“Abandoned vehicles” means any vehicle whose occupants leave the vehicle unattended on the Turnpike for any reason for any period of time.

“Authority” means the New Jersey Turnpike Authority, the body corporate and politic defined in N.J.S.A. 27:23-1 et seq., acting by and through the duly appointed commissioners thereof and their designees.

“Bicycle” means any vehicle with two wheels supported by a frame propelled by the feet acting upon pedals.

“Commercial vehicles” means every type of motor driven vehicle used for commercial purposes on the Turnpike such as the transportation of goods, wares and merchandise, excepting such vehicle of the passenger car type.

“Construction equipment” means all vehicles, machinery and equipment enumerated in N.J.S.A. 39:3-20.

“Gross combination weight rating (G.C.W.R.)” means the value specified by the manufacturer as the loaded weight of a combination vehicle.

“Gross vehicle weight rating (G.V.W.R.)” means the value specified by the manufacturer as the loaded weight of a single vehicle.

“Gross weight” means the combined weight of a vehicle and any load thereon.

“Interstate 95 Extension” means that portion of Interstate Highway 95 previously maintained by the New Jersey Department of Transportation and transferred to the Authority by N.J.S.A. 27:23-23.7, beginning at milepost 117.9+ and thence in a general northerly direction to milepost 122.0+, and all bridges, tunnels, underpasses, interchanges, entrance plazas, approaches, toll houses, service areas, service stations, service facilities, communication facilities, and administration, storage and other buildings which the Authority may deem necessary for the operation of such extension, together with all property, rights, easements and interests which may be acquired by the Authority for the construction or the operation of such extension and all other property within the Interstate 95 Extension right-of-way.

“Motorcycles” means all motor operated vehicles of the bicycle or tricycle type, whether the motor power being a part thereof or attached thereto and having a saddle or seat with driver seat astride or upon it.

“Motor trucks” means every motor vehicle designed, used or maintained primarily for the transportation of property, which property is not affixed to or a necessary part of the design or construction of the vehicle itself.

“Official traffic control devices” means only those signs, signals, markings and devices approved and accepted by the Authority and placed, erected or caused to be placed or erected by the Authority for the purpose of regulating, warning or guiding traffic on the Turnpike.

“Omnibus” means any motor vehicle capable of transporting 10 or more passengers and registered as a bus, as indicated by the letter “O” preceding the registration number or the word “Bus” or “Omnibus” on the vehicle’s license plate. Vehicles with the letters “CV” or the word “Livery” or “Autocab” on the license plate are excluded from this definition.

“Passenger vehicles” means all automobiles used and designed for the transportation of passengers other than omnibuses and school buses, irrespective of whether the vehicle has commercial or noncommercial registration license plates.

(c) A license to cross shall be evaluated based on the following:

1. Adherence to the New Jersey Turnpike Authority Standard Specifications, as amended and supplemented;
2. The impact on the traveling public and Turnpike property;
3. The duration of the request;
4. The criteria contained in N.J.S.A. 27:23-1 et seq., in particular, the provisions of N.J.S.A. 27:23-9, which must be taken into consideration concerning utilization of Turnpike property for certain purposes;
5. The general concern exhibited by the applicant for the public health, safety and welfare;
6. The financial health and stability of the applicant; and
7. The effect of the proposed crossing on the financial, economic or engineering aspects of the activities of the Authority, the public or neighboring property owners.

(d) Competing applications will be assessed based upon (a) through (c) above. The award will be based on the application which most closely serves the needs of the Authority and the public.

(e) An application can be rejected based on a violation of, or non-compliance with, any of the requirements of this rule. Competing applications will be addressed based on the requirements of this rule. Appeals of rejected applications will be addressed using the procedure outlined in N.J.A.C. 19:9-2.10.

New Rule, R.1991 d.224, effective May 6, 1991.  
See: 23 N.J.R. 3324(a), 23 N.J.R. 1454(a).  
Amended by R.1993 d.496, effective October 4, 1993.  
See: 25 N.J.R. 2839(b), 25 N.J.R. 4605(a).

#### **19:9-2.10 Procedure to resolve protested applications for, and awards of, licenses to cross**

(a) Any actual or prospective applicant for a license to cross on any Authority property or facility who is aggrieved in connection with the application for and/or award of such a license, may protest to the Authority. The protest shall be submitted in writing to the Director of Law within five business days after such aggrieved party knows or should have known of the facts giving rise to the grievance. Failure to file a timely protest shall bar any further action. The written protest shall set forth in detail the facts upon which the aggrieved applicant bases its protest and shall define, as clearly as the available information permits, those issues or facts in dispute.

(b) Upon the filing of a timely protest, the Authority's Executive Director shall have the authority to conduct a hearing, to settle and resolve a protest of an aggrieved applicant, or prospective applicant, concerning the application for, or award of, a license to cross. This authority shall be exercised in accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq.

(c) If the protest is not resolved by mutual agreement, the Executive Directors shall promptly issue a decision in writing. The Executive Director's decision shall state the determination made and the reasons for the action taken. The Executive Director's decision shall be mailed or furnished promptly to the aggrieved applicant and any other interested party. The members of the Authority shall review the decision of the Executive Director and shall adopt, review or modify the decision of the Executive Director within 45 days of said decision.

(d) A decision rendered pursuant to (c) above shall be final and conclusive, unless any person adversely affected by the decision commences an action in court.

(e) In the event of a timely protest under (a) above, the Authority shall not proceed further with the application for, or with the award of, the license to cross in issue until the decision is rendered pursuant to (c) above.

New Rule, R.1991 d.224, effective May 6, 1991.  
See: 23 N.J.R. 3324(a), 23 N.J.R. 1454(a).  
Amended by R.1993 d.496, effective October 4, 1993.  
See: 25 N.J.R. 2839(b), 25 N.J.R. 4605(a).

### **SUBCHAPTER 3. FEES**

#### **19:9-3.1 Towing rates**

(a) Towing rates charged by Authority-authorized companies shall conform to the following rates or such rates as may be approved and amended by the Commissioners from time to time, in accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and the rules on agency rulemaking, N.J.A.C. 1:30.

1. Class 1 vehicles (24 hours):
  - i. Service charge, \$40.00 or \$50.00 for flatbed; plus
  - ii. \$2.00 per mile on Turnpike to a maximum of \$60.00 or \$70.00 for flatbed plus;
  - iii. Additional charge of \$5.00 for the use of dolly wheels;
  - iv. An additional charge of \$15.00 for disconnecting a drive shaft;
  - v. An additional charge of \$30.00 for removing a chrome bumper; and
  - vi. An additional charge of \$20.00 for removing an axle.
2. Class 2-6 vehicles:

i. Service charge, \$70.00 for straight truck, car with trailer, or trailer without car or \$100.00 for tractor trailer or bus;

ii. \$3.00 per mile on Turnpike to a maximum of \$100.00 for straight truck, car with trailer, or trailer without car or \$5.00 per mile for tractor trailer or bus to a maximum of \$150.00; plus

iii. An additional charge of \$15.00 for connecting air lines;

iv. An additional charge of \$15.00 for disconnecting drive shaft on cars and small trucks or \$30.00 on large trucks;

v. An additional charge of \$30.00 for removing a chrome bumper;

vi. Additional charge of \$20.00 for removing an axle; and

vii. Additional charge of \$45.00 for removing an air scoop.

3. Winching and wrecking (all classes of vehicles):

i. \$50.00 per hour for a light wrecker;

ii. \$100.00 per hour for a heavy wrecker;

iii. \$350.00 per hour, two hour minimum for construction-type cranes in excess of 40,000 pounds; and

iv. \$225.00 per hour, two hour minimum for specialized equipment, including heavy duty underreach, Landoll Hydraulic Trailer, 40 to 45 ton Challenger, Oshkosh, Sterling-type wrecker crane, box trailer with tractor and driver or wrecker with wheel lift.

R.1975 d.221, effective August 1, 1975.

See: 7 N.J.R. 351(a), 7 N.J.R. 447(c).

As amended, R.1981 d.37, effective February 4, 1981.

See: 13 N.J.R. 49(b), 13 N.J.R. 165(c).

Substantially amended.

Amended by R.1993 d.496, effective October 4, 1993.

See: 25 N.J.R. 2839(b), 25 N.J.R. 4605(a).

### 19:9-3.2 Road service rates

(a) Road service rates for Class 1 vehicles charged by Authority-authorized service companies shall conform with the following rates or such rates as may be approved and amended by the Commissioners from time to time, in accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq. and the rules on agency rulemaking, N.J.A.C. 1:30.

1. Road service charge: \$30.00;
2. Gasoline/diesel: Cost of product plus road service charge;
3. Tire change: Road service charge;
4. Tire repair/replacement: Cost of product plus road service charge;

5. Battery service: Road service charge; and

6. Water: Road service charge.

New Rule, R.1993 d.496, effective October 4, 1993.

See: 25 N.J.R. 2839(b), 25 N.J.R. 4605(a).

### 19:9-3.3 Questions and disputes

Questions and disputes concerning the rates or quality of towing or road service provided by Authority-authorized companies may be directed to the Director of Operations.

New Rule, R.1993 d.496, effective October 4, 1993.

See: 25 N.J.R. 2839(b), 25 N.J.R. 4605(a).

## SUBCHAPTER 4. INSPECTION AND OBTAINING OF AUTHORITY RECORDS

### 19:9-4.1 General provisions

(a) Except as otherwise provided by law, all Authority records required by law to be made, maintained, or kept on file shall be available to any individual for the purpose of inspection or hand copying during regular business hours at the Authority's main offices at the Administration Building, Turnpike Interchange 9 at Route 18 North, East Brunswick, New Jersey. Other records within the possession of the Authority may be made available for inspection or hand copying subject to N.J.A.C. 19:9-4.2.

(b) Except as otherwise specified herein, copies of records may be obtained by written request to:

New Jersey Turnpike Authority

Law Department

Records Request

P.O. Box 1121

New Brunswick, New Jersey 08903

(c) Copies of New Jersey State Police Troop D accident reports concerning accidents on the Turnpike may be obtained upon payment of a \$10.00 report charge payable to the New Jersey Turnpike Authority, accompanied by a written request to:

New Jersey Turnpike Authority

Operations Department

Accident Report Request

P.O. Box 1121

New Brunswick, New Jersey 08903

(d) Criminal reports statements, photographs and other evidential reports, if any, attached to accident reports will be furnished only in accordance with applicable laws and the New Jersey court rules.