

SUBTITLE M. SOUTH JERSEY TRANSPORTATION AUTHORITY

CHAPTER 75

**SOUTH JERSEY TRANSPORTATION AUTHORITY
RULES OF OPERATION**

Authority

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

Source and Effective Date

R.1999 d.30, effective December 23, 1998.
See: 30 N.J.R. 3396(a), 31 N.J.R. 148(a).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 75, South Jersey Transportation Authority Rules of Operation, expires on June 20, 2004. See: 35 N.J.R. 4613(a).

Chapter Historical Note

Chapter 75, 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, Rules of the Atlantic County Transportation Authority, 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, South Jersey Transportation Authority Rules of Operation, was readopted as R.1994 d.70, effective January 11, 1994, and Subchapter 10, Emergency Management Program, Subchapter 11, Bus Maintenance Facilities, and Subchapter 12, Fee Schedule, were adopted and Subchapter 10, Severability, was recodified as Subchapter 13 by R.1994 d.70, effective February 7, 1994. See: 25 N.J.R. 4874(a), 26 N.J.R. 831(a).

Pursuant to Executive Order No. 66(1978), Chapter 75, South Jersey Transportation Authority Rules of Operation, was readopted as R.1999 d.30, effective December 23, 1998, and Subchapter 3, Casino Bus Intercept, was redesignated Subchapter 3, Activity Centers, Subchapter 4, Discharge and Loading of Passengers, was recodified as N.J.A.C. 19:75-3.4 through N.J.A.C. 19:75-3.8, Subchapter 5, Bus Operations, was recodified as Subchapter 4, Subchapter 6, Parking, was recodified as Subchapter 5, Bus Parking Lots, Subchapter 7, Bus Management Fee, Subchapter 8, Violations and Penalties, Subchapter 9, Variances; Procedure, Subchapter 10, Emergency Management Program, and Subchapter 11, Bus Maintenance Facilities, were recodified as Subchapters 6 through 10, and Subchapter 11, Procedures for Review, was adopted by R.1999 d.30, effective January 19, 1999. See: Source and Effective Date. See, also, section annotations.

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. GENERAL PROVISIONS

- 19:75-1.1 Definitions
- 19:75-1.2 Bus itinerary
- 19:75-1.3 Exempt buses
- 19:75-1.4 Owner responsibility
- 19:75-1.5 Approval required
- 19:75-1.6 Site bus capacity; Bus Management Program

SUBCHAPTER 2. ROUTES OF TRAVEL

- 19:75-2.1 Routes of travel; generally
- 19:75-2.2 Atlantic County and Atlantic City access routes

- 19:75-2.3 Routes of travel to and from casino hotels, Atlantic City Convention Hall (Boardwalk facility), the Atlantic City Rail Terminal/the new Atlantic City Convention Center/Sheraton Hotel, Atlantic City International Airport, Authority approved bus parking facilities, major tourist destinations, and other major traffic generators

SUBCHAPTER 3. ACTIVITY CENTERS

- 19:75-3.1 Activity center motorbus transportation plan; application requirements
- 19:75-3.2 Authority assisted intercept procedures
- 19:75-3.3 Activity center gratuity procedures
- 19:75-3.4 Discharging and loading of passengers; generally
- 19:75-3.5 Activity center site bus capacity; designated discharging and loading areas; certificate of activity center site bus capacity; application requirements; approvals
- 19:75-3.6 Modification of authorized site bus capacity or discharge and loading areas
- 19:75-3.7 Emergency procedures
- 19:75-3.8 Additional site approval; requests by activity centers to increase or modify site bus capacity or discharging or loading areas

SUBCHAPTER 4. BUS OPERATIONS

- 19:75-4.1 Procedure following discharge of passengers
- 19:75-4.2 Speed limit in parking lots
- 19:75-4.3 Engine idling requirements
- 19:75-4.4 Bus safety inspection
- 19:75-4.5 Bus movement directives

SUBCHAPTER 5. BUS PARKING LOTS

- 19:75-5.1 Approved bus parking; bus parking demand
- 19:75-5.2 Bus parking lot application requirements; approvals; renewals

SUBCHAPTER 6. BUS MANAGEMENT FEE

- 19:75-6.1 Mandatory payment of fees; proof of payment
- 19:75-6.2 Modes of payment
- 19:75-6.3 Proof of payment required at Authority approved bus parking lots, bus maintenance facilities, or activity centers
- 19:75-6.4 Manifests

SUBCHAPTER 7. VIOLATIONS AND PENALTIES

- 19:75-7.1 Specific offenses
- 19:75-7.2 All other violations
- 19:75-7.3 Uncorrected violations
- 19:75-7.4 Prosecution of violations
- 19:75-7.5 Affidavits
- 19:75-7.6 Revocation or suspension of Authority approval; permit/medallion revocation
- 19:75-7.7 Appeals

SUBCHAPTER 8. VARIANCES; PROCEDURE

- 19:75-8.1 Variances; minor and major
- 19:75-8.2 Variance applications
- 19:75-8.3 Review of minor variance applications
- 19:75-8.4 Review of major variance applications

SUBCHAPTER 9. EMERGENCY MANAGEMENT PROGRAM

- 19:75-9.1 Declaration of an emergency situation
- 19:75-9.2 Operations during emergency situations
- 19:75-9.3 Direction and control

SUBCHAPTER 10. BUS MAINTENANCE FACILITIES

19:75-10.1 Bus maintenance facility application requirements; approvals; renewals

SUBCHAPTER 11. PROCEDURES FOR REVIEW

19:75-11.1 General procedures for review of applications, appeals

SUBCHAPTER 12. FEE SCHEDULE

19:75-12.1 Activity center
 19:75-12.2 Site bus capacity
 19:75-12.3 Variances
 19:75-12.4 Bus parking lot
 19:75-12.5 Bus maintenance facility
 19:75-12.6 General provisions

SUBCHAPTER 13. SEVERABILITY

19:75-13.1 Severability

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 as a motorbus charter service or on motorbus regular route service as those terms are defined in this chapter.

“Bus management program” means a comprehensive program and/or plan developed by the Authority pursuant to N.J.S.A. 27:25A-22 to regulate all casino related bus activities in Atlantic County, including, but not limited to, bus intercept, bus parking, bus maintenance, bus parking program, site capacities, traffic management, computerized/electronic permit or medallion validation, routes of travel, discharge and loading of passengers, bus operations and activities, enforcement, and maintenance of daily manifest.

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

“Bus parking program” means a comprehensive mandatory bus parking plan for all buses to provide for the orderly management of bus traffic throughout Atlantic County during emergency situations.

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

“Casino” means one or more locations or rooms in a casino, hotel facility that have been approved by the Casino Control Commission for the conduct of casino gaming in accordance with the provisions of the Casino Control Act (N.J.S.A. 5:12-1 et seq.).

“Certificate of Activity Center Site Bus Capacity” means a certificate effective for a period of three years, issued to each approved activity center, setting its 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 required by this chapter which contains all the information required for each particular type of application.

“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 or on-site bus 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.

"Intercept" means the procedure of either holding or staging buses at Authority approved locations for the purpose of regulating the flow of bus traffic to activity centers.

"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 activity by an approved activity center, bus maintenance facility, and/or bus parking lot which includes, at a minimum, bus company names, bus numbers, arrival and departure times, origins, destinations, the Authority permit or medallion number, combinations, number of passengers, zip code 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 a service, other than 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.

"Motorbus transportation plan" means the activity centers method of receiving and dispatching motorbuses at their intercept location.

"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.

"Violator" means the owner and/or operator found by a court of competent jurisdiction to be in violation 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.91, 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".
Amended by R.1999 d.30, effective January 19, 1999.
See: 30 N.J.R. 3396(a), 31 N.J.R. 148(a).

Rewrote the section.

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).

19:75-1.4 Owner responsibility

(a) The owner of an approved activity center, approved bus maintenance facility, or approved bus parking lot retains ultimate responsibility for compliance with this chapter, even if the owner does not occupy or operate the center, facility or lot.

(b) A lease, sublease or other legal mechanism shall not be used to alter the use of an approved activity center, approved bus maintenance facility or approved bus parking lot. Such changes in use shall only be implemented by application to the Authority pursuant to this chapter.

(c) The owner of an approved activity center, approved bus maintenance facility or approved bus parking lot shall notify the Authority's Director of Tourist Services or his or her designee, in writing, return receipt requested, of any change in lot ownership or occupancy.

New Rule, R.1999 d.30, effective January 19, 1999.
See: 30 N.J.R. 3396(a), 31 N.J.R. 148(a).

19:75-1.5 Approval required

(a) No activity center, bus maintenance facility, or bus parking lot shall initiate any operation governed by this chapter unless the approval required by this chapter for such operation has been granted by the Authority.

(b) Conditional approvals which permit operation of an applicant facility pending actual approval shall not be issued by the Authority.

(c) Approvals required by this chapter shall not be granted by the Authority unless the applicant facility is fully operational and in conformance with this chapter.

New Rule, R.1999 d.30, effective January 19, 1999.
See: 30 N.J.R. 3396(a), 31 N.J.R. 148(a).

19:75-1.6 Site bus capacity; Bus Management Program

(a) A bus maintenance facility, bus parking facility or activity center shall not exceed the site bus capacity approved by the Authority, except that the Executive Director or his or her designee may issue an emergency order in accordance with the procedures in N.J.A.C. 19:75-3.7.

(b) All Authority approved activity centers, bus maintenance facilities, and bus parking lots shall participate in the Authority's Bus Management Program.

New Rule, R.1999 d.30, effective January 19, 1999.
See: 30 N.J.R. 3396(a), 31 N.J.R. 148(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 (White Horse Pike) U.S. Route 30, (Black Horse Pike) 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. Jimmie Leeds Road (County Route 633 to County Route 561): Access from U.S. Route 30 at Pomona for travel to and from U.S. Route 9.

iv. Delilah Road (County Route 646) from U.S. Route 40/322 to U.S. Route 30: To be used by traffic transferring from one major access roadway to another and for transfer of airport-destined traffic.

(1) If temporary weight restriction on bridge is in effect, the following alternate route shall be used: Delilah Road to U.S. Route 9, left on Route 9 U.S. Route 30, right on U.S. Route 30 to Atlantic City.

v. Tilton Road (County Route 563) from U.S. Route 30 to U.S. Route 40.

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

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

Amended by R.1999 d.30, effective January 19, 1999.
Sec: 30 N.J.R. 3396(a), 31 N.J.R. 148(a).

In (b), inserted references to White Horse Pike and Black Horse Pike in the introductory paragraph, changed a reference to Jimmie Leeds Road in 3iii, inserted 3iv(1), and substituted "U.S. Route 30 to U.S. Route 40" for "Egg Harbor City U.S. Route 30 to Renault Winery" in 3v.

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.

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

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

Sec: 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 (Boardwalk facility), the Atlantic City Rail Terminal/the new Atlantic City Convention Center/Sheraton Hotel, Atlantic City International Airport, Authority approved bus parking facilities, major tourist destinations, and other major traffic generators

(a) Routes to and from the Atlantic City Hilton Casino Resort:

1. Arrival: Via the Atlantic City Expressway to Exit 2 onto Albany Avenue (Route 40), follow Albany Avenue to Pacific Avenue, left on Pacific Avenue to Providence

Avenue, left on Providence Avenue, turn right into the Hilton Transportation Center.

2. Departure: Exit the Transportation Center, left onto Boston Avenue to Captain O'Donnell Parkway/Atlantic Avenue, right or left on Atlantic Avenue to Authority approved bus parking or left to Albany Avenue (Route 40), right to the Atlantic City Expressway (Exit 2).

(b) Routes to and from Bally's Park Place, a Hilton Casino Resort; and The Wild Wild West Casino at Bally's Park Place:

1. Arrival: Via the Atlantic City Expressway to Atlantic Avenue, left on Atlantic Avenue to Ohio Avenue, right on Ohio Avenue to Transportation Center.

2. Departure: Exit the Transportation Center onto Michigan Avenue, right to Atlantic Avenue, left on Atlantic Avenue to Arkansas Avenue, right to the Atlantic City Expressway or right or left on Atlantic Avenue to Authority approved bus parking.

i. Alternate Departure: Exit the Transportation Center onto Michigan Avenue, follow Michigan Avenue to Baltic Avenue, turn left on Baltic Avenue to Arkansas Avenue, right to the Atlantic City Expressway.

(c) Routes to and from Caesar's-Atlantic City:

1. Arrival: Via the Atlantic City Expressway to Caesar's Transportation Center, left into the Center.

2. Departure: Exit left onto Arkansas Avenue to Atlantic Avenue, right or left on Atlantic Avenue to Authority approved bus parking, or straight to the Atlantic City Expressway.

(d) Routes to and from Claridge Casino Hotel:

1. Arrival: Via the Atlantic City Expressway to Atlantic Avenue, left on Atlantic Avenue to Ohio Avenue, right on Ohio Avenue to Claridge Transportation Center, left into Center.

2. Departure: Exit right onto Park Place, go around Brighton Park to Indiana Avenue to Atlantic Avenue, right or left on Atlantic Avenue to Authority approved bus parking, or left to Arkansas Avenue, right on Arkansas Avenue to the Atlantic City Expressway.

(e) Routes to and from Harrah's-Atlantic City:

1. Arrival: Via Route 30/Absecon Boulevard to Dr. Martin Luther King, Jr. Boulevard, right on Dr. Martin Luther King, Jr. Boulevard, use turn around onto Huron Avenue, follow Huron Avenue to Brigantine Boulevard, left on Brigantine Boulevard and bear right under bridge to the stop sign, make a right onto Harrah's Boulevard and loop around under the porte-cochere. All motorbus passengers will exit and board buses curbside.

2. Departure: Via Brigantine Boulevard to Route 30/Absecon Boulevard, right or left on Route 30/Absecon

Boulevard on approved routes to approved bus parking or Brigantine Boulevard, right to Huron Avenue, right to, Route 30/Absecon Boulevard right on Route 30.

(f) Routes to and from Resorts Casino Hotel-Atlantic City:

1. Arrival: Via the Atlantic City Expressway, to Atlantic Avenue, left on Atlantic Avenue to Pennsylvania Avenue, right on Pennsylvania Avenue to Resorts Casino Hotel bus area.

2. Departure: Via Pennsylvania Avenue down thru tunnel, and exit tunnel onto Maryland Avenue to Atlantic Avenue, right on Atlantic Avenue to Delaware Avenue, left on Delaware Avenue to Route 30/Absecon Boulevard, or left or right on Atlantic Avenue to Authority approved bus parking or exit the City via Arkansas Avenue, right to the Atlantic City Expressway.

3. Alternate route:

i. Arrival: Via Route 30/Absecon Boulevard to Delaware Avenue to Atlantic Avenue, right on Atlantic Avenue to Pennsylvania Avenue, left on Pennsylvania Avenue to facility.

ii. Departure: Exit the facility onto Maryland Avenue to Atlantic Avenue, right on Atlantic Avenue to Delaware Avenue, left onto Delaware Avenue to Route 30/Absecon Boulevard or left on Atlantic Avenue to Authority approved bus parking.

(g) Routes to and from Sands Hotel and Casino-Atlantic City:

1. Arrival: Via the Atlantic City Expressway to Atlantic Avenue, left on Atlantic Avenue to Dr. Martin Luther King, Jr. Boulevard, right on Dr. Martin Luther King, Jr. Boulevard to Pop Lloyd Boulevard, right on Pop Lloyd Boulevard to the Sands bus area.

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

(h) Routes to and from Showboat Casino Hotel-Atlantic City:

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

2. Departure: Exit the Transportation Center onto Delaware Avenue to Route 30/Absecon Boulevard or to Atlantic Avenue, left on Atlantic Avenue to Authority approved bus parking.

(i) Routes to and from Tropicana Casino and Resort-Atlantic City:

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

2. Departure: Exit the Transportation Center, right onto Morris Avenue to Atlantic Avenue, right or left on Atlantic Avenue to Authority approved bus parking, or left to Captain O'Donnell Parkway to Albany Avenue (Route 40), right to the Atlantic City Expressway.

(j) Routes to and from Trump Marina Hotel and Casino:

1. Arrival: Via Route 30/Absecon Boulevard to Dr. Martin Luther King, Jr. Boulevard, right on Dr. Martin Luther King, Jr. Boulevard, use turn around onto Huron Avenue, follow Huron Avenue to Trump Marina Transportation Center, first left after Brigantine Boulevard into entrance of Transportation Center.

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

(k) Routes to and from Trump Plaza Hotel and Casino:

1. Arrival: Via the Atlantic City Expressway to Trump Plaza Transportation Center, turn right into Center.

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

(l) Routes to and from Trump Taj Mahal Casino Resort:

1. Arrival: Via U.S. Route 30/Absecon Boulevard to Delaware Avenue to Atlantic Avenue, right on Atlantic Avenue to Maryland Avenue, left on Maryland Avenue to Trump Taj Mahal Transportation Center (bays on right hand side).

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

3. Alternate Route A:

i. Arrival: Via U.S. Route 30/Absecon Boulevard, right to Delaware Avenue to Atlantic Avenue, right on Atlantic Avenue to Pennsylvania Avenue, left on Pennsylvania Avenue into tunnel and exit tunnel onto Maryland Avenue, left to Trump Taj Mahal Transportation Center (bays on right hand side).

ii. Arrival: Via the Atlantic City Expressway to Atlantic Avenue, left on Atlantic Avenue to Pennsylvania Avenue, right on Pennsylvania Avenue to tunnel, exit tunnel onto Maryland Avenue, right to Trump Taj Mahal Transportation Center (bays on right hand side).

iii. Departure: Via Maryland Avenue to Atlantic Avenue, right on Atlantic Avenue to Delaware Avenue, left on Delaware Avenue to U.S. Route 30/Absecon Boulevard, or (off hours) Maryland Avenue to Atlantic Avenue, left on Atlantic Avenue to Arkansas Avenue, right on Arkansas Avenue to the Atlantic City Expressway.

(m) Routes to and from Trump World's Fair:

1. Arrival: Via the Atlantic City Expressway to Exit 2 onto Albany Avenue (Route 40) to Atlantic Avenue, left on Atlantic Avenue to Iowa Avenue, right on Iowa Avenue to Pacific Avenue, left on Pacific Avenue to Florida Avenue, right on Florida Avenue to Trump World's Fair Casino Intercept Lot entrance, right into Intercept Lot, thru Intercept Lot, left onto Bellevue Avenue, then left into facility.

2. Departure: Exit the facility, onto Florida Avenue to Pacific Avenue, left on Pacific Avenue to Iowa Avenue, right on Iowa Avenue to Atlantic Avenue, right or left on Atlantic Avenue to Authority approved bus parking or left on Atlantic Avenue to Albany Avenue (Route 40) right on Albany Avenue (Route 40) to the Atlantic City Expressway (Exit 2).

3. Alternate route:

i. Arrival: Via the Atlantic City Expressway to Atlantic Avenue, right on Atlantic Avenue to Mississippi Avenue, left on Mississippi Avenue to Pacific Avenue, right on Pacific Avenue to Florida Avenue, left to facility.

ii. Departure: Exit the facility onto Florida Avenue to Pacific Avenue, right on Pacific Avenue to Mississippi Avenue, left on Mississippi Avenue to Atlantic Avenue, right on Atlantic Avenue to Arkansas Avenue, left on Arkansas Avenue to the Atlantic City Expressway.

4. All buses entering Atlantic City via Route 30/Absecon Boulevard are to use Delaware Avenue to Atlantic Avenue following designated bus routes to destinations. Buses destined to the marina area and after dropping off at either Trump Marina, or Harrah's Casino Hotel, while enroute to the bus parking facilities, must use Brigantine Boulevard to Route 30, left to Delaware Avenue to Atlantic Avenue.

5. All buses entering or exiting the Route 30/Absecon Boulevard corridor either en route to casino destination, noncasino, activity center or deadheading are restricted from using Dr. Martin Luther King, Jr. Blvd./Illinois Avenue, Pennsylvania Avenue, North Carolina and South Carolina Avenues and Virginia Avenue.

6. Any casino combo trips with Trump Marina and Harrah's must use Atlantic Avenue to Delaware Avenue.

(n) Routes to and from Atlantic City Convention Hall (Boardwalk facility):

1. Arrival: Via the Atlantic City Expressway to Atlantic Avenue, right on Atlantic Avenue to Mississippi Avenue, left on Mississippi Avenue to tunnel staying right into tunnel to loading area.

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

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

1. Route from the Atlantic City Expressway:

i. Arrival: Via the Atlantic City Expressway to Atlantic Avenue, left on Atlantic Avenue to Michigan Avenue, left on Michigan Avenue to Ocean Way to facility.

ii. Departure: Via the facility exit to Michigan Avenue to Baltic Avenue, right on Baltic Avenue to Arkansas Avenue to exit City via the Atlantic City Expressway or Michigan Avenue to Atlantic Avenue, right or left on Atlantic Avenue to Authority approved bus parking.

2. Trump Taj Mahal/Showboat/Resorts:

i. Arrival: Exit Showboat via Delaware Avenue to Atlantic Avenue, left on Atlantic Avenue to Michigan Avenue, right on Michigan Avenue to Ocean Way, left on Ocean Way to facility.

ii. Departure: Ocean Way 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. After unloading at Resorts proceed through tunnel to Trump Taj Mahal Transportation Center, then exit via Maryland Avenue to Pacific Avenue, right on Pacific Avenue to entrance of Showboat to load/unload area.

3. Harrah's/Trump Marina:

i. Arrival: Via Harrah's exit or Trump Marina exit to Brigantine Boulevard to Route 30, left on Route 30 to Delaware Avenue to Atlantic Avenue, right on Atlantic Avenue to Michigan Avenue, right on Michigan Avenue to facility.

ii. Departure: Via Ocean Way to Michigan Avenue, right to Atlantic Avenue, left on Atlantic Avenue to Delaware Avenue, left on Delaware Avenue to Route 30 to Brigantine Boulevard, right on Brigantine Boulevard to:

(1) Huron Avenue to Trump Marina;

(2) Continue on Brigantine Boulevard to bridge underpass to Harrah's (follow signs).

4. Brighton Park Casinos—Bally's Park Place and the Wild Wild West Casinos and Claridge:

i. Arrival: Around Brighton Park to Indiana Avenue to Atlantic Avenue, left on Atlantic Avenue to Michigan Avenue, right on Michigan Avenue to Ocean Way, left on Ocean Way to facility.

ii. Departure: Via Ocean Way to Michigan Avenue to Atlantic Avenue, left on Atlantic Avenue to Ohio Avenue, right on Ohio Avenue to Pop Lloyd Boulevard, left on Pop Lloyd Boulevard to Park Place, right on Park Place to load/unload area.

5. Sands:

i. Arrival: Via right on Indiana Avenue to Atlantic Avenue, left on Atlantic Avenue to Michigan Avenue, right on Michigan Avenue to Ocean Way to facility.

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

6. Caesar's/Trump Plaza:

i. Arrival: Exit the Transportation Center to Atlantic Avenue, make a right on Atlantic Avenue to Michigan Avenue, left on Michigan Avenue to Ocean Way to facility.

ii. Departure: Via Ocean Way 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 Caesar's bus center.

7. Tropicana/The Hilton:

i. Arrival: Exit the Transportation Center to Atlantic Avenue, right on Atlantic Avenue to Michigan Avenue, left on Michigan Avenue to Ocean Way to facility.

ii. Departure: Via Ocean Way to Michigan Avenue, right on Michigan Avenue to Atlantic Avenue, right on Atlantic Avenue to Brighton Avenue, left on Brighton Avenue to Tropicana Transportation Center or left on Providence Avenue to The Hilton Transportation Center.

8. Trump World's Fair:

i. Arrival: Exit Florida Avenue to Pacific Avenue, right on Pacific Avenue to Mississippi Avenue, left on Mississippi Avenue to Atlantic Avenue, right on Atlantic Avenue to Michigan Avenue, left on Michigan Avenue to Ocean Way to facility.

ii. Departure: Via Ocean Way to Michigan Avenue, right on Michigan Avenue to Atlantic Avenue, right on Atlantic Avenue to Iowa Avenue, left on Iowa Avenue to Pacific Avenue, left on Pacific Avenue to Florida Avenue, right on Florida Avenue to load/unload area.

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

1. Arrival: Via the Atlantic City Expressway to Exit 9, left or right on Delilah Road (Route 646) to Airport Circle follow signs to Airport terminal building.

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

(q) Routes to and from Authority approved Bus Parking Facilities:

1. Routes to and from Atlantic City Transportation Center:

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

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

iii. Alternate route: Arrival: Via the Atlantic City Expressway, use Exit 2 onto Albany Avenue (Route 40) to u-turn, follow u-turn to Albany Avenue (Route 40) to facility.

2. Routes to and from Ruffu Ford:

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

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

iii. Alternate route: Arrival: Via the Atlantic City Expressway, use Exit 2 onto Albany Avenue (Route 40) to West End Avenue (Route 629), make u-turn to Albany Avenue (Route 40) to facility.

3. Routes to and from John King:

i. Use of this facility is restricted to only those noncasino hotels/motels which have received prior approval by the Authority to park their overnight buses.

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

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

iv. Alternate route; Departure: Exit lot onto St. James Place to Pacific Avenue, right on Pacific Avenue, to Tennessee Avenue, left on Tennessee Avenue to Atlantic Avenue.

4. Routes to and from Ray Hart's Bus Parking:

i. Arrival: Via Atlantic Avenue to Delaware Avenue, left on Delaware Avenue to Route 30/Absecon Boulevard, left on Route 30/Absecon Boulevard to Brigantine Boulevard, right on Brigantine Boulevard to North Carolina Avenue, left on North Carolina Avenue to Huron Avenue, left on Huron Avenue to entrance of facility.

ii. Departure: Via right on Huron Avenue to Route 30/Absecon Boulevard, make u-turn via service road to Gramercy Avenue onto Route 30/Absecon Boulevard to Delaware Avenue, follow approved routes to destination.

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

(s) 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).

Amended by R.1999 d.30, effective January 19, 1999.
See: 30 N.J.R. 3396(a), 31 N.J.R. 148(a).

Rewrote the section.

SUBCHAPTER 3. ACTIVITY CENTERS

19:75-3.1 Activity center motorbus transportation plan; application requirements

(a) All activity centers shall submit to the Authority for review and approval prior to implementation, a motorbus transportation plan.

(b) In evaluating motorbus transportation plans the Authority shall consider site bus capacity, peak hour bus vol-

umes, over-all impact on traffic, safety, staffing levels, corridor location and the various functions performed at the intercept location.

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).

Amended by R.1999 d.30, effective January 19, 1999.
See: 30 N.J.R. 3396(a), 31 N.J.R. 148(a).

Rewrote the section.

19:75-3.2 Authority assisted intercept procedures

(a) Activity centers that do not have on-site intercept capabilities shall intercept at an Authority approved location.

(b) If on street loading/unloading is required and/or an Authority approved location is needed for intercept, assistance shall be obtained from the Authority for the periods of operation required by the activity center.

(c) Activity centers which require Authority intercept assistance shall follow the procedures in (c)1 and 2 below.

1. Buses subject to on street loading and unloading, and/or intercept at Authority approved locations and so notified by the activity center and/or the Authority, shall proceed to the approved on street loading and unloading area and/or approved intercept location provided by the activity center and/or the Authority, and shall be dispatched by the activity center in accordance with their site bus capacity, or as otherwise directed by the Authority or its designee.

2. Authority intercept assistance shall be provided at the activity center's expense and the activity center shall reimburse the Authority for all utility, capital, maintenance and unavoidable operating costs incurred for its intercept assistance upon receipt of a monthly or quarterly invoice.

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).

Amended by R.1999 d.30, effective January 19, 1999.
See: 30 N.J.R. 3396(a), 31 N.J.R. 148(a).

Rewrote the section. Former N.J.A.C. 19:75-3.2(d) recodified to N.J.A.C. 19:75-3.3(a).

19:75-3.3 Activity center gratuity procedures

(a) Upon 30 days written notice from the Authority, all 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 activity center at the on street loading/un-

loading area and/or intercept location to carry out these activities, to ensure that the activities do not adversely affect traffic flow at either the loading/unloading area, intercept location or the activity center.

(b) On or before the fifth day of each month, activity centers shall send to the Authority a written projection of total bus activity per month and a daily average. If the activity center anticipates or projects an increase of 20 percent or more in the daily average, the Authority shall be sent written notice one week prior to effectuation of the increase. The notice shall include the new total bus projection, and, if appropriate, a revised staffing plan.

Recodified from N.J.A.C. 19:75-3.2(d) and amended by R.1999 d.30, effective January 19, 1999.

See: 30 N.J.R. 3396(a), 31 N.J.R. 148(a).

Rewrote the section.

19:75-3.4 Discharging and loading of passengers; 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).

Amended by R.1999 d.30, effective January 19, 1999.

See: 30 N.J.R. 3396(a), 31 N.J.R. 148(a).

19:75-3.5 Activity center site bus capacity; designated discharging and loading areas; certificate of activity center site bus capacity; application requirements; approvals

(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 "site bus capacity" for the activity 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 bus 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 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 three years with periodic reviews and annual updates unless earlier modified by the Authority pursuant to N.J.A.C. 19:75-3.6.

(c) Any activity center which submits an application in accordance with (a) above shall do so on a form provided by the Authority and shall include in the application a statement of physical capabilities, the type of service provided, staffing plan, evidence of compliance with all applicable State and municipal laws, rules and regulations, site plan and layout, traffic circulation plan, hours of operation, security plan, telecommunications available and a traffic mitigation plan. Upon receipt of a completed application, the Authority shall review it in accordance with the procedures contained in N.J.A.C. 19:75-11. Such activity center shall also participate in the Authority's Bus Management Program, in accordance with the provisions of this chapter.

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

(e) All revisions to the staffing plan provided in accordance with this section shall be submitted to the Authority.

(f) A violation of this subchapter shall subject the affected activity center to penalties as provided for in N.J.A.C. 19:75-7.

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.1999 d.30, effective January 19, 1999.

See: 30 N.J.R. 3396(a), 31 N.J.R. 148(a).

Rewrote the section.

19:75-3.6 Modification of authorized site bus capacity or discharge and loading areas

(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 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 appeal 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 appeal shall be conducted in accordance with the procedures set forth in N.J.A.C. 19:75-7.7.

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

6. Failure to make timely written request for such appeal 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. 19:75-3.5(b).

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).

Amended by R.1999 d.30, effective January 19, 1999.

See: 30 N.J.R. 3396(a), 31 N.J.R. 148(a).

In (a), substituted "appeal" for "oppose" in 3, substituted "appeal" for "hearing" in 4 through 6, and changed N.J.A.C. reference in 6.

19:75-3.7 Emergency procedures

(a) When, in the opinion of the Executive Director 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 site bus operations at the activity centers, the Executive Director or his or her designee may issue an emergency order reducing site bus 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.

3. Any reduction or modification of site bus capacity by the Authority after cessation of the emergency shall be in accordance with N.J.A.C. 19:75-3.6.

4. 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.

5. Such emergency orders shall be in accordance with the Authority's Emergency Management Plan as set forth in N.J.A.C. 19:75-9.

6. Any emergency orders issued in accordance with this section shall be at the sole discretion of the Executive Director or his or her designee.

Amended by R.1999 d.30, effective January 19, 1999.

See: 30 N.J.R. 3396(a), 31 N.J.R. 148(a).

Rewrote the section.

19:75-3.8 Additional site approval; requests by activity centers to increase or modify site bus capacity or discharging or loading areas

(a) Additional sites may be approved at activity centers with 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 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;
7. Description of staffing plan, and
8. Evidence of compliance with all applicable State and municipal laws.

(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 under the procedure set forth in N.J.A.C. 19:75-11, and thereafter the Authority shall issue a certificate, pursuant to N.J.A.C. 19:75-3.5(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).
Amended by R.1999 d.30, effective January 19, 1999.
See: 30 N.J.R. 3396(a), 31 N.J.R. 148(a).

In (a), substituted "site" for "on-site" throughout, and added 7 and 8; and in (b), changed N.J.A.C. references.

SUBCHAPTER 4. BUS OPERATIONS

19:75-4.1 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. 19:75-5.2(f). 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.1999 d.30, effective January 19, 1999.
See: 30 N.J.R. 3396(a), 31 N.J.R. 148(a).
Changed N.J.A.C. reference.

19:75-4.2 Speed limit in parking lots

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

19:75-4.3 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).

19:75-4.4 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).

19:75-4.5 Bus movement directives

The Authority, at its discretion, may temporarily direct buses to locations to ease traffic movements in congested areas.

New Rule, R.1999 d.30, effective January 19, 1999.
See: 30 N.J.R. 3396(a), 31 N.J.R. 148(a).

SUBCHAPTER 5. BUS PARKING LOTS

19:75-5.1 Approved bus parking; bus parking demand

(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. 19:75-5.2(f).

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

(c) 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 hour of the peak parking month shall be as determined by the Authority.

(d) If approval of a bus parking lot application causes bus parking demand during the peak parking hour of the peak parking month to be less than 85 percent of the existing number of Authority approved bus parking spaces as provided in (c) above, then each additional application shall be denied until bus parking demand during the peak parking hour of the peak parking month again exceeds 85 percent of the existing number of Authority approved bus parking spaces.

(e) The Authority shall consider applications for bus parking lot approval in order of receipt.

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)liii 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).
Amended by R.1999 d.30, effective January 19, 1999.
See: 30 N.J.R. 3396(a), 31 N.J.R. 148(a).

Rewrote the section.

19:75-5.2 Bus parking lot application requirements; approvals; renewals

(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 90 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 the program;
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 between each row of buses 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 this chapter.

(b) The requirements of (a)15, 16, 17 above shall not apply to bus parking lots approved or conditionally approved as of October 2, 1995, nor shall the 90 space requirement of (a)3 apply to parking lots approved prior to January 19, 1999.

(c) Applicants for Authority approval of any bus parking lot shall complete and submit an original and eight copies of an application form provided by 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 on-site lavatory dumping facilities;
5. Evidence of on-site radio/telecommunications equipment and valid licenses, if required, for the same;
6. Impact statement as defined in N.J.A.C. 19:75-1.1;
7. Number of on-site bus capacity parking spaces;
8. Provide a proposed drainage plan;
9. Provide a proposed striping and signage plan and the minimum parking space dimensions;
10. Identify how many parking spaces will be made available for bus employee parking and the minimum parking space dimensions;
11. Parking rates;
12. Staffing plan;
13. Bus driver amenities;
14. Site signage;
15. Evidence of compliance with applicable State and municipal laws and regulations; and
16. Site plan and layout.

(d) The requirement for on-site lavatory dumping facilities shall not apply to bus parking lots approved prior to January 19, 1999.

(e) 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 must 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. 19:75-11.

(f) 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.

(g) All approvals shall be subject to 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, permit or medallion number, number of passengers and whether or not it is a combination bus.

(h) The Executive Director or his or her designee may issue an emergency order reducing or increasing on-site bus parking capacity in accordance with the procedures set forth in N.J.A.C. 19:75-3.7.

(i) 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.

(j) All approvals granted by the Authority pursuant to this subchapter shall be for a period of three years. Any renewal or extension of any approval shall only be granted pursuant to the provisions of (k) 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 three year period; or
2. The approval by the Authority is withdrawn pursuant to (j) above, or N.J.A.C. 19:75-7.

(k) 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 three 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 19:75-11. 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 three years 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 (j) above at any time.

(l) All bus parking lots approved as of January 19, 1999 shall have their approvals extended to equal a total approved period of three years.

(m) The owner/operator of an approved bus parking lot shall on or before December 31 of the first two years of the three year approval period submit to the Authority a report which indicates all revisions from the original bus parking lot application. The Authority shall be notified by the owner/operator of all revisions prior to the expiration date. The Authority shall determine, in its sole discretion, whether such revisions require the submission of a new bus parking lot approval application. The failure of the owner/operator to submit a new application, if required, shall result in revocation of approval.

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).

Amended by R.1999 d.30, effective January 19, 1999.
See: 30 N.J.R. 3396(a), 31 N.J.R. 148(a).

Rewrote the section.

SUBCHAPTER 6. BUS MANAGEMENT FEE

19:75-6.1 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 may 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. There shall be no refunds of bus management fees.

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, 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 unlimited bus entry annual medallion fee is \$550.00 per each company fleet bus with a \$50.00 discount available if purchased before October 1. The unlimited bus entry annual company fleet medallion fee is \$30,000. The daily medallion fee is \$4.00 per bus.

4. A bus company may apply for annual medallions by filing an application with the Authority which includes the company name, address, PO box/suite, city, state, zip code, telephone number with area code, number of medallions requested and, a complete list of company bus numbers.

5. There shall be no prorating of the annual medallions provided in (a)3 above. The annual bus or fleet medallions shall remain effective from October 1 to September 30, regardless of date of purchase. There shall be no refunds on purchases of fleet or bus medallions.

6. 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.

7. A bus company fleet shall not include subsidiaries which operate under different names, but under the ownership of the same parent company and/or display these other names on their buses.

8. A daily permit or annual medallion as issued by the Authority shall be visibly displayed and completely filled out with current information or a company wide approval certificate provided upon demand.

9. Permit order forms are available from the Authority upon request.

(b) Casino oriented buses that do not display or have a valid permit or medallion or do not purchase a valid permit or medallion are subject to a fine in accordance with N.J.A.C. 19:75-7:

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).
Amended by R.1999 d.30, effective January 19, 1999.
See: 30 N.J.R. 3396(a), 31 N.J.R. 148(a).

Rewrote the section.

19:75-6.2 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, Ferry Service Plaza, PO 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. For purchases of permits/medallions greater than \$5,000, handling fees shall be waived.

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

Amended by R.1986 d.472, effective January 5, 1987.
See: 19 N.J.R. 1948(a), 19 N.J.R. 2128(a).

Added (a)2(a); renumbered old (a) to (b).
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.1999 d.30, effective January 19, 1999.
See: 30 N.J.R. 3396(a), 31 N.J.R. 148(a).

Rewrote (a).

19:75-6.3 Proof of payment required at Authority approved bus parking lots, bus maintenance facilities, or activity centers

No owner or operator of an approved bus parking lot, bus maintenance facility or activity center operating under the provisions of this chapter shall permit any bus to park/load/unload thereon unless such bus properly exhibits proof of payment of the Bus Management Fee.

Amended by R.1999 d.30, effective January 19, 1999.
See: 30 N.J.R. 3396(a), 31 N.J.R. 148(a).

Inserted a reference to bus maintenance facilities, changed N.J.A.C. references, and deleted "subject to the provisions of this chapter" following "any bus".

19:75-6.4 Manifests

(a) Each casino activity center shall maintain a daily bus activity manifest, in accordance with the format determined and provided by the Authority, for review by Authority staff, and participate in the Authority's computerized/ electronic manifest program.

(b) All non-casino activity centers, bus parking lots and bus maintenance facilities shall maintain a written manifest, in accordance with the format determined by the Authority, for review by Authority staff upon request or may, at their option, participate in the Authority's computerized/electronic manifest program.

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

(d) Manifests and other statistics and data, in the format determined by the Authority, from activity centers, bus parking lots, and bus maintenance facilities shall be submitted to the Authority by the fifth day of the month, unless otherwise specified by the Authority.

(e) Any activity center, bus parking lot or bus maintenance facility which fails to comply with this section may have its approval revoked or suspended, or on-site bus capacity reduced and/or suspended, by the Executive Director or his or her designee. The decision of the Executive Director or his or her designee may be appealed pursuant to N.J.A.C. 19:75-7.7 and the revocation, reduction, or suspension shall be stayed pending a final determination.

Amended by R.1999 d.30, effective January 19, 1999.
See: 30 N.J.R. 3396(a), 31 N.J.R. 148(a).
Rewrote the section.

SUBCHAPTER 7. VIOLATIONS AND PENALTIES**19:75-7.1 Specific offenses**

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

Failure to file combination bus itinerary, subchapter 1.

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

Failure of an owner of an approved activity center, approved bus maintenance facility, or approved bus parking lot to comply with these rules and regulations, subchapter 1.

Failure of an approved activity center, bus maintenance facility, or bus parking lot to participate in the Authority's Bus Management Program, subchapter 1.

Traveling on unapproved routes, subchapter 2.

Failure to intercept when required, subchapter 3.

Discharge/load passengers at nonapproved location, subchapter 3.

Activity center exceeding capacity, subchapter 3.

Failure to continue to meet criteria for an approved activity center, subchapter 3.

Operating bus for driver's convenience, subchapter 4.

Excessive engine idling, subchapter 4.

Illegal bus parking, subchapter 5.

Bus parking facility exceeding capacity, subchapter 5.

Failure to continue to meet criteria for an approved bus parking lot, subchapter 5.

Non-payment of bus management fee, subchapter 6.

Failure of the motorbus operator to purchase, display or have in possession a completed valid permit or medalion, subchapter 6.

An activity center, bus parking lot, or bus maintenance facility allowing buses on its site which fail to exhibit proof of payment of the bus management fee prior to load/unload of passengers, subchapter 6.

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 6

Failure of a casino activity center to participate in Authority's computerized/electronic manifest program, in accordance with the format determined by the Authority, subchapter 6.

Failure to possess variance if required, subchapter 8.

Failure of a motor vehicle or motorbus to proceed to an authorized bus parking facility in accordance with the Authority's bus parking program, subchapter 9.

Failure to continue to meet criteria for an approved bus maintenance facility, subchapter 10.

Bus maintenance facility exceeding capacity, subchapter 10.

(b) For any violation of the above provisions of this chapter, the violator will be subject to a minimum penalty in the amount of \$250.00 for a first offense, \$400.00 for a second offense, and \$500.00 for a third or subsequent offense.

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).
Amended by R.1999 d.30, effective January 19, 1999.
See: 30 N.J.R. 3396(a), 31 N.J.R. 148(a).

Rewrote (a); and in (b), increased minimum penalties for first and second offenses.

19:75-7.2 All other violations

For the violations of this chapter except those specifically set forth in N.J.A.C. 19:75-7.1, the violator will be subject to a minimum fine of \$150.00 for the first offense, \$300.00 for a second offense, and \$500.00 for any subsequent offense, up to a maximum of \$500.00 for all offenses.

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).
Amended by R.1999 d.30, effective January 19, 1999.
See: 30 N.J.R. 3396(a), 31 N.J.R. 148(a).

Changed N.J.A.C. reference, and increased minimum fines.

19:75-7.3 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. Fines shall be calculated on a per bus or per occasion basis as appropriate for the particular violation.

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.1999 d.30, effective January 19, 1999.
See: 30 N.J.R. 3396(a), 31 N.J.R. 148(a).
Added a second sentence.

19:75-7.4 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).

19:75-7.5 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).

19:75-7.6 Revocation or suspension of Authority approval; permit/medallion revocation

Notwithstanding any provision to the contrary, an owner/operator of an activity center approved pursuant to N.J.A.C. 19:75-3, a bus parking lot, approved pursuant to N.J.A.C. 19:75-5, or a bus maintenance facility, approved pursuant to N.J.A.C. 19:75-10 may have its approval revoked or suspended, or on-site bus capacity reduced and/or suspended, and the owner/operator of a bus may also have its permit/medallion revoked by the Executive Director or his or her designee, upon the recommendation of the Director of Tourist Services, for violations of these rules. The decision of the Executive Director or his or her designee may be appealed in accordance with N.J.A.C. 19:75-7.7, and the revocation, suspension or the reduction shall be stayed pending a final determination.

New Rule, R.1999 d.30, effective January 19, 1999.
See: 30 N.J.R. 3396(a), 31 N.J.R. 148(a).

19:75-7.7 Appeals

(a) Any owner/operator whose approval has been revoked or suspended or reduced by the Authority may file a written appeal with the Executive Director or his or her designee. The appeal shall be filed within five business days after such owner/operator knows or should have known of the facts giving rise to the appeal. Failure to file a timely appeal shall bar any further action.

(b) The written appeal shall set forth in detail the facts upon which the appeal is based and shall define the issues and/or facts in dispute. In addition, the owner/operator may request a hearing, which shall be conducted 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, or an informal conference, pursuant to (f) below.

(c) If the owner/operator has filed an appeal but has not requested a hearing or an informal conference, the Executive Director or his or her designee shall carefully consider all available, relevant information and shall, within 10 business days, determine to confirm, modify or vacate the original finding or determination. The owner/operator shall be notified in writing, of the determination.

(d) The decision rendered after a hearing conducted in accordance with the Administrative Procedure Act, or by the Executive Director or his or her designee pursuant to (c) above, shall be reviewed by the Authority's Board of Commissioners who shall adopt, review or modify the decision within 45 days.

(e) The decision of the Board of Commissioners shall be final and conclusive.

(f) An informal conference may be held before the Board of Commissioners, with or without representation on behalf of the owner/operator. The decision of the Board of Commissioners shall be final and conclusive.

New Rule, R.1999 d.30, effective January 19, 1999.
See: 30 N.J.R. 3396(a), 31 N.J.R. 148(a).

SUBCHAPTER 8. VARIANCES; PROCEDURE

19:75-8.1 Variances; minor and major

(a) The Authority may grant a variance from the strict application of any provisions of this chapter. Such variances shall be designated as minor variances or major variances.

1. A minor variance, if granted, shall permit a short term deviation without penalty from the provisions regarding designated routes, sites and site bus capacity for loading and discharging passengers, parking and/or intercept. A minor variance shall be granted for specified dates.

2. A major variance, if granted, shall permit a permanent or long-term deviation without penalty from all or any provisions of this chapter.

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.1999 d.30, effective January 19, 1999.
See: 30 N.J.R. 3396(a), 31 N.J.R. 148(a).

Rewrote the section.

19:75-8.2 Variance applications

(a) An application for a 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, including undue hardships on the applicant, 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. Dates for which variance is requested.

(b) In addition to the requirements of (a) above, an application for a major variance shall include, if applicable, a legal description and scale drawing of the property for which the variance is requested.

(c) All variance applications shall be filed at the South Jersey Transportation Authority, Tourist Services Department, 25 South New York Avenue, Atlantic City, New Jersey 08401.

(d) Applications for a minor variance shall be filed on a form provided by the Authority no later than three business days prior to the date(s) for which the variance is requested.

(e) All major variance applications shall be filed in original and eight copies and an additional copy shall be filed 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.1999 d.30, effective January 19, 1999.
See: 30 N.J.R. 3396(a), 31 N.J.R. 148(a).

Rewrote the section.

19:75-8.3 Review of minor variance applications

(a) The Director of Tourist Services or his or her designee shall review all minor variance applications. 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 these rules and regulations. The Director of Tourist Services or his or her designee shall also consider the impact of such variance on all phases of the Bus Management Program, as contained in this chapter, traffic conditions, and on the neighborhood.

(b) The Director of Tourist Services or his or her designee shall provide written notification to the applicant, and the affected police department(s), of his or her determination.

(c) Minor variance approvals shall be in the possession of applicants and bus operators and displayed to any enforcement official upon request.

(d) If the Director of Tourist Services or his or her designee shall deny any minor variance, the notification to the applicant shall set forth the specific reasons for such denial, and advise 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 Tourist Services, or his or her designee. The decision of the Board shall be final.

New Rule, R.1999 d.30, effective January 19, 1999.
See: 30 N.J.R. 3396(a), 31 N.J.R. 148(a).

19:75-8.4 Review of major variance applications

(a) All major variance applications shall be reviewed in accordance with the criteria set forth in N.J.A.C. 19:75-8.3(a).

(b) The procedures for review of major variance applications shall be those set forth in N.J.A.C. 19:75-11.

New Rule, R.1999 d.30, effective January 19, 1999.
See: 30 N.J.R. 3396(a), 31 N.J.R. 148(a).

SUBCHAPTER 9. EMERGENCY MANAGEMENT PROGRAM

19:75-9.1 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 active 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.

19:75-9.2 Operations during emergency situations

(a) Under emergency conditions at the Condition I level, the Authority Duty Supervisor or designee 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 Tourist Services or his or her designee.

(b) Under Condition II situations, a second Authority Duty Supervisor or designee 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 or designee 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 Tourist Services or his or her designee shall execute directives from the Executive Director or his or her designee in consort with directives and advice from the emergency management offices.

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

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

Amended by R.1999 d.30, effective January 19, 1999.

See: 30 N.J.R. 3396(a), 31 N.J.R. 148(a).

Inserted references to designees and substituted references to the Director of Tourist Services for references to the Director of Operations throughout.

19:75-9.3 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 communiqués 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 or designee to the designated emergency management control center, and (initially) update the status under Condition II. 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 marshaling area(s). Casino bus managers and casino emergency management offices shall participate in the coordinative assignment of buses to marshaling areas and communicate transportation requirements to the Authority Duty Supervisor or designee desk. This

dispatch of motorbuses shall be communicated by radio among the Authority field personnel and casino personnel.

(d) During emergency situations, the Authority shall implement the bus parking program if, in the opinion of the Executive Director, emergency traffic conditions or the concentration of bus parking activities require buses to park at the closest Authority determined location after last point of passenger drop-off.

Amended by R.1999 d.30, effective January 19, 1999.
See: 30 N.J.R. 3396(a), 31 N.J.R. 148(a).

In (b) and (c), inserted references to designees; and added (d).

SUBCHAPTER 10. BUS MAINTENANCE FACILITIES

19:75-10.1 Bus maintenance facility application requirements; approvals; renewals

(a) All bus maintenance facilities not exempted under N.J.A.C. 19:75-5.2(f) must be approved by the Authority and shall submit and complete an Authority provided application form 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, except for those owned or operated by the facility operator, shall not be parked overnight, beyond the approved on-site bus capacity.
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.

(b) In addition to (a) above, applicants for Authority approval or renewal of approval of any bus maintenance facility shall comply with the provisions of N.J.A.C. 19:75-5.2(c) through (m).

(c) In addition to the items required by (a) above, the application form provided by the Authority requires information on the following:

1. Storage of buses;
2. The number of buses on site;
3. Proposed maintenance services;
4. Ownership of buses;
5. Special equipment;
6. The number of bays at facility;
7. Any other uses of facility;
8. Evidence of compliance with all other applicable State and municipal laws and regulations; and
9. Submittal of an impact statement.

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

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

Amended by R.1999 d.30, effective January 19, 1999.

See: 30 N.J.R. 3396(a), 31 N.J.R. 148(a).

Rewrote the section.

SUBCHAPTER 11. PROCEDURES FOR REVIEW

19:75-11.1 General procedures for review of applications, appeals

(a) All applications for major variance approvals (N.J.A.C. 19:75-8.1, 8.2 and 8.4), bus parking lot approvals (N.J.A.C. 19:75-5), bus maintenance facility approvals (N.J.A.C. 19:75-10), activity center approvals (N.J.A.C. 19:75-3) and additional site bus capacity approval (N.J.A.C. 19:75-3.6, and 3.8) shall be reviewed by the Tourist Services Department—Planning Division of the Authority.

1. Within 60 days following receipt of application, the Authority, through the Tourist Services Department—Planning 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 applicant shall have 30 days from the date of notification of deficiencies to complete the application. Failure to complete the application within 30 days shall result in denial of the application. An application shall not be considered duly filed until it has been declared complete by the Authority.

2. The Tourist Services Department—Planning Division of the Authority shall recommend approval or disapproval of all completed applications to the Executive Director or his or her designee who shall grant or deny the application within 45 days after he or she receives the recommendation of the Tourist Services Department—Planning Division. The determination of the Executive Director or his or her designee, 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 or his or her designee, the applicant may file an appeal within 10 days of receipt of the determination, which appeal shall be in writing to the Executive Director or his or her designee sent registered certified mail, return receipt requested.

4. The appeal shall be conducted in accordance with N.J.A.C. 19:75-7.7(b) through (f).

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

(b) All approvals shall be subject to, where applicable, compliance with the following:

1. Municipal zoning or planning board approved;
2. Maintenance of the affected property, if any, 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 the Authority-approved bus routes and regulations;

(c) All police departments affected by the application shall receive prior written notice of any hearing at which such applications shall be considered. 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.

(b) An application fee of \$400.00 shall be paid for the review of a new or amended 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 bus capacity review at no additional charge.

Amended by R.1999 d.30, effective January 19, 1999.
See: 30 N.J.R. 3396(a), 31 N.J.R. 148(a).

In (b), substituted "a new or amended" for "an" following "review of" in the first sentence, and inserted "bus" following "site" in the second sentence.

19:75-12.2 Site bus 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 renewal of the site bus 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 bus capacity determination.

Amended by R.1995 d.533, effective October 2, 1995.
See: 27 N.J.R. 2128(b), 27 N.J.R. 3800(b).

Amended by R.1999 d.30, effective January 19, 1999.
See: 30 N.J.R. 3396(a), 31 N.J.R. 148(a).

Inserted "bus" following "site" throughout; and in (a), deleted "annual" preceding "renewal".

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 a new or amended 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.

Amended by R.1999 d.30, effective January 19, 1999.
See: 30 N.J.R. 3396(a), 31 N.J.R. 148(a).

In (b), substituted "a new or amended" for "an" following "review of".

19:75-12.5 Bus maintenance facility

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

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 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 a new or amended 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.

Amended by R.1999 d.30, effective January 19, 1999.

See: 30 N.J.R. 3396(a), 31 N.J.R. 148(a).

In (b), substituted "a new or amended" for "an" following "review of".

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 or his or her designee 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 or his or her designee shall waive the payment of fees required by N.J.A.C. 19:75- 12.

(h) A \$25.00 fee shall be assessed to any owner/operator who submits an invalid check to the Authority.

Amended by R.1999 d.30, effective January 19, 1999.

See: 30 N.J.R. 3396(a), 31 N.J.R. 148(a).

In (f) and (g), inserted references to designees; in (g), changed N.J.A.C. reference; and added (h).

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, PO Box 301, Trenton, New Jersey 08625-0301.

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:

Amended by R.1999 d.30, effective January 19, 1999.

See: 30 N.J.R. 3396(a), 31 N.J.R. 148(a).