

**SOUTH JERSEY TRANSPORTATION AUTHORITY**

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**BUS MANAGEMENT PROGRAM**

**RULES AND REGULATIONS**

**New Jersey Administrative Code  
N.J.A.C. 19:75-1 et seq.**

**EFFECTIVE NOVEMBER 16, 2009**

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**REGULATIONS OF THE SOUTH JERSEY TRANSPORTATION  
AUTHORITY (SJTA)  
NEW JERSEY ADMINISTRATIVE CODE 19:75-1 et seq.**

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## SUBCHAPTER 1      GENERAL PROVISIONS

### **19:75-1.1 Definitions**

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

“Approved facility” means a bus activity center, bus maintenance facility or bus parking facility approved by the Authority.

“Authority” means the South Jersey Transportation Authority.

“Bus” or “buses” means and includes all autobuses, of whatever size or configuration, under the jurisdiction of the Motor Vehicle Commission; all autobuses, of whatever size or configuration, that are subject to Federal Motor Carrier Safety Regulations, 49 CFR Part 571, operated on public highways or in public places in this State; and all autobuses operated on public highways or in public places in this State under the authority of the Interstate Commerce Commission, or its successor agency, the Federal Highway Administration. The term “bus” or “buses” shall not include:

1. Any and all autobuses of NJ Transit and its contract carriers, which are under the inspection jurisdiction of the Motor Vehicle Commission; and
2. School buses as defined pursuant to N.J.S.A. 39:1-1.

“Bus activity center” or “activity center” means a facility approved by the Authority at which location bus passengers are loaded or discharged.

“Bus maintenance facility” means a facility approved by the Authority to maintain buses.

“Bus Management Program” means rules set forth in this chapter and policies and procedures adopted by the Authority pursuant to this chapter, including, but not limited to, bus itinerary, bus intercept, bus parking, bus maintenance, 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 a manifest.

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

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

“Casino” means a casino hotel facility that has 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” means a document evidencing the approval by the Authority of an approved facility.

“Chapter” means N.J.A.C. 19:75.

“Impact statement” means a statement as provided in N.J.A.C. 19:75-3.3 which is included within an application for approved facility.

“Intercept” means any procedures approved by the Authority for either holding or staging buses at Authority-approved locations for the purpose of regulating movement of bus traffic to activity centers.

“Manifest” means a record of daily bus activity in a format approved by the Authority which is prepared on behalf of an approved facility pursuant to N.J.A.C. 19:75-4.5.

“Medallion” means an annual or daily permit for unlimited bus entry into Atlantic City as set forth in N.J.A.C. 19:75-3.12.

“Motorbus charter service” means subscription, tour and other special motorbus services.

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

“NJDOT” means New Jersey Department of Transportation.

“Permit” means a single trip permit for a bus to enter Atlantic City as set forth in N.J.A.C. 19:72-3.12.

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

“Variance” means an approval by the Authority which waives, or modifies a requirement of any provision of this chapter or any condition of a certificate for an approved facility if the Authority determines that the imposition of the requirement or procedure is impractical or burdensome, and that the grant of a variance from the requirement is consistent with the public interest and the purposes of this chapter.

### **19:75-1.2 Exempt buses**

The provisions of this chapter shall apply to all motor bus charter 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 NJDOT, 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 bus authorized activity center.

**19:75-1.3 (Reserved)**

**19:75-1.4 (Reserved)**

**19:75-1.5 (Reserved)**

**19:75-1.6 (Reserved)**

**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. Routes 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) Primary bus routes in the City of Atlantic City are Atlantic Avenue and Delaware Avenue. 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.

viii. Exit 1 via tunnel/connector to marina area.

#### **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.

#### **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 Atlantic Avenue, left on Atlantic Avenue to Providence Avenue, right on Providence Avenue, turn left 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 on Arkansas Avenue 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 Borgata:

1. Arrival: Via Atlantic City Expressway to Exit 1 to tunnel/connector, tunnel/connector to Exit H. Follow roadway around Borgata to Bus Transportation Center.

i. Alternate Arrival: Route 30 eastbound to tunnel/connector to Exit H. Follow roadway around Borgata to Bus Transportation Center.

2. Departure: Exist Transportation Center, right turn, follow roadway to Huron Avenue, right onto Huron Avenue to tunnel/connector to Atlantic City Expressway westbound, or tunnel/connector to Exit B onto Bacharach Boulevard to Ohio Avenue, right onto Ohio Avenue to Atlantic Avenue, right on Atlantic Avenue to bus parking facility.

i. Alternate Departure: Exit Transportation Center, right turn, follow roadway to Huron Avenue, right onto Huron Avenue to Route 30 westbound.

(d) 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.

(e) 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 on Atlantic Avenue to Arkansas Avenue, right on Arkansas Avenue to the Atlantic City Expressway.

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

1. Arrival: Via Route 30/Absecon Boulevard to tunnel/connector to Exit 1 and bear right under bridge to the stop sign, make a right onto Harrah's Boulevard and loop around under the portecochere. All motorbus passengers will exit and board buses curbside.

i. Alternate Arrival: Via the Atlantic City Expressway Exit 1 via tunnel/connector to marina area.

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 or onto tunnel/connector to Atlantic City Expressway southbound.

(g) 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 on Arkansas Avenue 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.

(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 or to Arkansas Avenue, right on Arkansas Avenue to Atlantic City Expressway.

(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 Morris Avenue, left on Morris Avenue to the Tropicana Transportation Center, left into the Transportation Center.

2. Departure: Exit the Transportation Center, right onto Brighton Avenue to Pacific Avenue to Montpelier Avenue, right onto Montpelier 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 tunnel/connector to Exit G, 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 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).
  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 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).
  - ii. Arrival: Via the Atlantic City Expressway to Exit 1 to tunnel/connector to Exit E, left lane to Brigantine Boulevard, right on Brigantine Boulevard to Route 30 East, left on Route 30 East to Delaware Avenue, right on Delaware Avenue to Atlantic Avenue, right on Atlantic Avenue to Maryland Avenue, left on 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.

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 or Borgata, 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 or Borgata must use Atlantic Avenue to Delaware Avenue or tunnel/connector.

(m) 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.

(n) 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/Borgata:

i. Arrival: Tunnel/connector to Exit B onto Bacharach Boulevard to Ohio Avenue, right on Ohio Avenue to Baltic Avenue to Michigan Avenue, right into Convention Center.

ii. Departure: Via Michigan Avenue to Baltic Avenue, right on Baltic Avenue to tunnel/connector (Mississippi Avenue), right on tunnel/connector to:

(1) Borgata via Exit H;

(2) Trump Marina via Exit G; or

(3) Harrahs via Exit I.

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. 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.

6. 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 Morris Avenue, left on Morris Avenue to Tropicana Transportation Center or left on Providence Avenue to The Hilton Transportation Center.

(o) 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.

(p) 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.

(q) 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.

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

### SUBCHAPTER 3      APPLICATIONS, APPROVALS AND FEES

#### **19:75-3.1 Approval required**

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

(b) Conditional or temporary approvals which would permit operation of an applicant facility pending issuance of a certificate shall not be issued by the Authority.

(c) Certificates required by this chapter shall not be granted by the Authority unless the applicant demonstrates that its proposed bus activity center, bus maintenance facility or bus parking facility is capable of complying with all conditions set forth in this chapter and in its certificate.

#### **19:75-3.2 Applications; general requirements; fees**

(a) Applications for approved facilities shall be required for each proposed bus activity center, bus maintenance facility and bus parking facility.

(b) Applications shall be on a form provided by the Authority and may require the applicant to provide the following information:

1. The name and address of company;
2. The name and address of shareholders or partners with 10 percent or more stock or interest in company;
3. The name and address of property owner;
4. Evidence of ownership of interest in property by applicant;
5. The name, telephone number, fax number and e-mail address of contact person;
6. The location of the facility;
7. The number of buses proposed to be on site at any one time;
8. The type of radio/telecommunication equipment on site;

9. A proposed staffing plan;
10. A site plan and layout;
11. A proposed security plan;
12. The hours of operation;
13. An Impact Statement pursuant to N.J.A.C. 19:75-3.3;
14. Evidence of compliance with applicable Federal, State; and municipal laws and regulations; and
15. Any additional information as set forth in this subchapter.

(c) A fee of \$300.00 shall be paid for each approved facility pre-application conference.

(d) An application fee of \$400.00 shall be paid for the review of a new, renewal or amended approved facility application for all costs, fees and expenses incurred by the Authority for review by its staff.

(e) An application escrow fee of \$2,500, toward all costs, fees and expenses incurred by the Authority for review by its attorney, engineer and other professional consultants, shall be paid for a new, renewal or amended application for an approved facility. The escrow fee shall be applied pursuant to policies and procedures to be established by the Authority.

(f) Each applicant shall submit an original and six copies of each application. 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.

(g) Upon receipt of a completed application, the Authority shall review it in accordance with the procedures set forth in this subchapter and shall grant a certificate if it determines that the application complies with the requirements of this chapter.

### **19:75-3.3 Impact Statement**

(a) An Impact Statement shall accompany each application for an approved facility and shall be certified by an engineering or planning professional.

(b) The Impact Statement shall include such facts and analysis necessary to evaluate the potential benefits and adverse effects of the proposed facility. The Impact Statement shall include the following 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 potential beneficial and adverse impacts of the facility on the environment. On site as well as off site impact of the proposed facility shall be assessed, including factors deemed necessary to maintain air quality and mitigate any adverse impacts. Impacts 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 potential beneficial and adverse impacts of the proposed facility on Approved Facilities, including proximity to Approved Facilities and possible divergence of traffic from Approved Facilities and economic impacts; and
5. Need: a statement indicating the potential benefits to the Bus Management Program, including increased traffic management efficiency.

#### **19:75-3.4 Certificates for approved facilities; general; renewals**

- (a) Certificates for approved facilities are non-transferable. A certificate for an approved facility shall be void upon a significant change in ownership of the property or the approved facility.
- (b) Certificates for approved facilities shall be issued for a period of one year.
- (c) On or before 120 days prior to the expiration of a certificate for an approved facility, the holder of a certificate for an approved facility shall file with the Authority a written application for renewal of the certificate. Such renewal application shall contain a certification by the certificate holder that the approved facility complies with all the terms and conditions set forth in the certificate for approved facility and with the requirements of this chapter, including any amendments thereto since the Authority's issuance of the current certificate.
- (d) Failure to apply for renewal of a certificate for an approved facility within the time provided for herein shall result in the expiration of such certificate three years from the date of issuance. An owner whose certificate for an approved facility has expired may file a new application for a certificate pursuant to the provisions of N.J.A.C. 19:75-3.2 at any time.
- (e) The holder of a certificate for an approved facility shall on or before December 31 of each year while the certificate is in effect submit to the Authority a certification stating that the approved facility continues to operate in compliance with all terms and conditions of its certificate, or any operational revisions which are not in compliance with all terms and conditions. The Authority shall determine, in its sole discretion, whether such revisions require the submission of an amended application for an amended certificate. The failure of the holder of a certificate to submit an amended application, if required, shall result in revocation of the certificate.

(f) The holder of a certificate for an approved facility shall report any change in its list of shareholders or partners with 10 percent or more of the stock or other interest in the certificate holder to the Authority in writing within 10 days of the effective date of such change.

### **19:75-3.5 Activity center application requirements**

(a) In addition to the requirements set forth in N.J.A.C. 19:75-3.2(b), an application for a bus activity center shall include:

1. A comprehensive operating plan;
2. The type of service provided;
3. A traffic circulation plan;
4. A traffic mitigation plan;
5. Requested site capacity;
6. Projected peak hour bus volumes and over-all impact on traffic; and
7. Proposed intercept plan.

### **19:75-3.6 Certificate for bus activity center**

(a) A certificate for activity center shall, at a minimum, designate the following:

1. The number of buses which may be present at any given time at the bus activity center (the “site capacity”);
2. The specific area or areas on-site where buses may discharge and load passengers at the activity centers;
3. The dimensions of all discharge/loading sites which shall be no less than 45 feet by 12 feet for each bus;
4. The minimum number of supervisory personnel on site during discharging/loading of passengers; and
5. The minimum radio or telecommunication equipment for the purpose of intercept and dispatch procedures.

(b) 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 buses).

(c) A certificate for bus activity center shall also be conditioned upon compliance with the provisions of N.J.A.C. 19:75-4.2 and any other conditions imposed by the Authority.

(d) A copy of the certificate for bus activity center shall be filed with the police department of the municipality in which such bus activity center is located.

**19:75-3.7 Bus maintenance facility application requirements**

(a) In addition to the requirements set forth in N.J.A.C. 19:75-3.2(b), an application for a bus maintenance facility shall include:

1. The location, dimensions and legal description of the proposed facility;
2. Provision for on-site lavatory dumping facilities;
3. The proposed number of on-site bus capacity parking spaces;
4. A proposed drainage plan;
5. A proposed striping and signage plan and the minimum parking space dimensions;
6. The number of parking spaces proposed to be made available for Bus employee parking and the minimum parking space dimensions;
7. Proposed rates;
8. Bus driver amenities;
9. Site signage;
10. Storage of buses;
11. Proposed maintenance services, including whether any third party maintenance services will be performed for Buses not owned or operated by the applicant or Certificate holder;
12. All equipment to be used in operation of the proposed facility;
13. The number of bays at the proposed facility; and
14. Any other uses of the proposed facility.

**19:75-3.7 Bus maintenance facility application requirements**

(a) In addition to the requirements set forth in N.J.A.C. 19:75-3.2(b), an application for a bus maintenance facility shall include:

1. The location, dimensions and legal description of the proposed facility;
2. Provision for on-site lavatory dumping facilities;
3. The proposed number of on-site bus capacity parking spaces;
4. A proposed drainage plan;
5. A proposed striping and signage plan and the minimum parking space dimensions;
6. The number of parking spaces proposed to be made available for Bus employee parking and the minimum parking space dimensions;
7. Proposed rates;
8. Bus driver amenities;
9. Site signage;
10. Storage of buses;
11. Proposed maintenance services, including whether any third party maintenance services will be performed for Buses not owned or operated by the applicant or Certificate holder;
12. All equipment to be used in operation of the proposed facility;
13. The number of bays at the proposed facility; and
14. Any other uses of the proposed facility.

**19:75-3.9 Bus parking facility application requirements**

(a) In addition to the requirements set forth in N.J.A.C. 19:75-3.2(b), an application for a bus parking facility shall include:

1. The location, dimensions and legal description of the proposed facility;
2. Provision for on-site lavatory dumping facilities;
3. The number of on-site bus parking spaces;
4. A proposed drainage plan;

5. A proposed striping and signage plan and the minimum parking space dimensions;
6. The number of parking spaces which will be made available for bus employee parking and the minimum parking space dimensions;
7. Proposed rates;
8. Bus driver amenities; and
9. Site signage.

(b) 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.

(c) The Authority shall deny an application for a bus parking facility 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 facility 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.

### **19:75-3.10 Certificate for bus parking facility**

(a) A certificate for bus parking facility shall be conditioned upon the following:

1. Municipal zoning or planning board approval;
2. Maintenance of the bus parking facility 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;
4. Submission of monthly reports on forms supplied by the Authority setting forth arrival/departure times and dates, the bus operator's name, the bus number, the point of origin, the destination, the permit or medallion number, the number of passengers, and whether or not it is a combination bus; and
5. Compliance with the provisions of N.J.A.C. 19:75-4.4 and any other conditions imposed by the Authority.

(b) The Authority retains the right to enter upon and inspect all bus parking facilities during hours of operation for the purpose of verifying compliance with the provisions of this chapter. In the event that the holder of a certificate for any bus parking facility shall fail to comply with any provision of this subchapter, the Authority shall notify such certificate holder of the specific violation thereof. The Authority, in addition to any other penalty provided for herein, may revoke such certificate for a bus parking facility unless the enumerated violations have been corrected within 15 days of such notification.

#### **19:75-3.11 Bus operator permits and medallions**

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

1. A permit for each bus it owns or operates which enters Atlantic City; or
2. An annual medallion for unlimited bus entry into Atlantic City for the period set forth in the medallion.

(b) Permit order forms are available from the Authority upon request.

(c) Applications for permits or medallions shall be on a form as approved by the Authority.

(d) Medallions shall be available for a bus or for a fleet of buses.

(e) Medallions shall remain effective from October 1 to September 30 regardless of date of purchase. Medallions may not be prorated.

(f) Upon written notice to the Authority, the bus owner/operator may transfer a medallion from bus to bus within the same company fleet up to four times per year.

(g) 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.

(h) Permits or medallions issued by the Authority shall be visibly displayed in the front windshield of the bus and contain complete information including the name of the company, bus number, and month, day and year of entry.

### **19:75-3.12 Permit and medallion fees**

(a) The fee for a single permit shall be \$2.00 and shall be paid to the Authority by the bus owner/operator. A processing fee shall be assessed for all bulk permit purchases as follows: two to 50 permits-\$3.00, 51 to 200 permits-\$5.00, 201 to 500 permits-\$10.00, and 501 permits and above-\$15.00. These fees 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 permit fee shall be for each such entry by any bus. Such adjustments shall be reflected in this section through a notice of administrative change published in the New Jersey Register.

(b) Fees for medallions shall be:

1. For each annual single bus medallion, \$600.00 for the effective year from October 1, 2004 through September 30, 2005, \$650.00 for the effective year from October 1, 2005 through September 30, 2006, and \$675.00 for the effective year from October 1, 2006 through September 30, 2007 and for each effective year thereafter.

2. For each annual fleet medallion, \$33,500 for the effective year from October 1, 2004 through September 30, 2005, \$37,000 for the effective year from October 1, 2005 through September 30, 2006 and \$40,500 for the effective year from October 1, 2006 through September 30, 2007 and for each effective year thereafter.

(c) Permit and medallion fees are nonrefundable.

### **19:75-3.13 Payment of permit and medallion fees**

Payment of the fee by all bus operators/owners for permits or medallions shall be made in advance by sending a check or money order payable to the Authority, at South Jersey Transportation Authority, Farley 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. Handling fees shall be waived for purchases of medallions greater than \$5,000.

### **19:75-3.14 Proof of payment required at approved facilities**

No owner or operator of an approved facility shall permit any bus to park/load/unload thereon unless such bus properly exhibits proof of payment of the appropriate fee for a permit or medallion.

### **19:75-3.15 Fees for an approved facility; general provisions**

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

(b) Any application for an approved facility, for any variance pursuant to N.J.A.C. 19:75-8 or

any other approval of the Authority under this chapter shall be accompanied by such fee as shall be specified in this chapter.

(c) An application shall not be deemed complete until the required application fee 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 all fees as required by this subchapter. The failure to pay any such fee, when due, shall result in the denial or revocation of any permit, approval or certificate for which such fee is required.

(d) Whenever a public hearing is required in connection with any application under 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) Fees are nonrefundable except that, in the discretion of the Executive Director or his or her designee, fees may be refunded 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 this chapter.

(h) A \$25.00 administrative fee shall be assessed to any applicant or bus owner/operator for each occasion that a check is returned by a depository bank unpaid to the Authority.

#### SUBCHAPTER 4 OPERATIONS; APPROVED FACILITY REQUIREMENTS

##### **19:75-4.1 Bus operations; general**

(a) Upon discharge of all passengers, buses shall proceed directly via approved bus routes to a bus parking facility or other exempt facility under N.J.A.C. 19:75-3.9(b) in accordance with all traffic regulations. 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 at an activity center more than 15 minutes prior to scheduled departure.

(b) Operating speeds in parking lots will not exceed posted limits.

(c) 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. The holders of certificates for bus parking facilities and bus operators will be jointly and severally responsible for compliance with this rule.

(d) The Authority, in cooperation with the NJDOT, may direct buses, after passengers are unloaded, to an approved facility or other location for a bus safety inspection.

(e) The Authority, at its discretion, may temporarily direct buses to alternate locations to reduce traffic movements in congested areas.

#### **19:75-4.2 Activity center requirements**

(a) When traffic conditions warrant, the Authority, in its discretion, may require activity centers to participate in Authority intercept at an approved location. Authority intercept assistance shall be provided solely 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.

(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) 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 its site capacity, or as otherwise directed by the Authority.

(d) 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/unloading 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.

(e) On or before the fifth day of each month, activity center certificate holders shall send to the Authority a written projection of any changes to total bus activity per month and a daily average. If the activity center certificate holder 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.

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

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

(h) Activity center certificate holders shall permit authority representatives access to the activity center during approved hours of operations.

#### **19:75-4.3 Bus maintenance facility requirements**

(a) A bus maintenance 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.

(b) A bus maintenance facility shall provide full service and be able to accommodate heavy maintenance, unit overhaul, dumping, routine service and inspection. Additionally, fuel, tires and washing capabilities shall also be available. The bus maintenance facility shall not be utilized for parking of buses.

(c) Upon completion of maintenance, buses, except for those owned or operated by the bus maintenance facility certificate holder, shall not be parked overnight.

(d) A bus maintenance facility shall include signs conforming to the standards of the municipality, county or state in which the facility is located.

(e) A bus maintenance facility shall be located only along designated routes approved by the Authority.

(f) A bus maintenance facility shall maintain on file with the Authority a detailed site plan, operating plan, implementation schedule, and safety plan which addresses the criteria set forth in this section.

#### **19:75-4.4 Parking facility requirements**

(a) All buses subject to the provisions of this chapter shall park in bus parking facilities or in an exempt facility under N.J.A.C. 19:75-3.9(f).

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

(c) A bus parking facility shall be located 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.

(d) A bus parking facility shall have a minimum of 90 bus parking spaces, with each space having a minimum dimension of 45 feet by 12 feet.

(e) A bus parking facility shall permit only bus parking at this site.

(f) A bus parking facility shall have lighting and be attended during all hours of operation.

(g) A bus parking facility shall contain signs conforming to the standards of the municipality in which the bus parking facility is located.

(h) A bus parking facility shall be located on an Authority approved bus route.

(i) A bus parking facility shall possess sufficient specific area which is made available when needed to the NJDOT for bus safety inspections.

(j) A bus parking facility shall provide on-site driver services including food services, rest rooms, security, lounge areas, television rooms, recreational areas and communication services.

(k) A bus parking facility shall operate in conformance with the Noise Control Act, N.J.S.A. 13:1G et seq., 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).

(l) A bus parking facility shall have a building or structure setback of 100 feet from any residential use.

(m) A bus parking facility shall have a 25-foot front yard, rear yard, and side yard setback from uses other than residential.

(n) A bus parking facility shall have a 25-foot buffer along the site boundary in accordance with a submitted landscaping plan.

(o) A bus parking facility shall have 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), 2000 Edition (Millennium Edition), published by the Federal Highway Administration (400 Seventh Street, S.W., Washington, DC 20590), incorporated herein by reference, as amended and supplemented.

(p) A bus parking facility shall have a minimum lot depth of 100 feet.

(q) A bus parking facility shall be operated in conformance with municipal land use ordinances to the extent that such conformance is not inconsistent with this chapter.

(r) The requirements of (n), (o) and (p) above shall not apply to bus parking facilities approved or conditionally approved as of October 2, 1995, nor shall the 90 space requirement of (a) above apply to bus parking facilities approved prior to January 19, 1999.

#### **19:75-4.5 Manifests**

(a) Each approved facility shall maintain a manifest, in accordance with the format determined and provided by the Authority, for review by Authority staff, and are encouraged to participate in the Authority's computerized/electronic manifest program.

(b) Any approved facility which the Authority determines has maintained or submitted a fraudulent manifest shall be subject to a penalty as provided in N.J.A.C. 19:75-7.1 and/or revocation of their approval.

(c) Manifests and other statistics and data, in the format determined by the Authority, from approved facilities shall be submitted to the Authority by the fifth day of the month, unless otherwise specified by the Authority.

(d) Any approved facility which fails to comply with this section may have its certificate revoked, suspended or modified pursuant to N.J.A.C. 19:75-7.4.

## SUBCHAPTER 5 SAFETY

### **19:75-5.1 Bus safety inspection**

The Authority, acting in cooperation with the NJDOT, may direct buses to an approved facility or other designated location for the purpose of conducting a bus safety inspection. Such bus safety inspections shall be conducted, whenever it is appropriate in the judgment of an Authority representative, and, whenever possible, after bus passengers have been unloaded at a bus activity center. The bus operator shall comply with the direction of the Authority representative, and shall otherwise cooperate with both Authority and NJDOT representatives in the conduct of the bus safety inspection.

### **19:75-5.2 Temporary re-routing of buses or bus intercept**

An Authority representative, or an authorized law enforcement official, in his or her discretion, may temporarily re-route any bus and require the bus operator to use that alternate route to his or her destination, rather than a route designated as an approved route under N.J.A.C. 19:75-2 or otherwise approved by the Authority, or to provide temporarily for bus intercept when, in the discretion of that Authority representative or authorized law enforcement official, it is in the interest of public safety to do so. In such event, the bus operator shall comply with the direction of the Authority representative or authorized law enforcement official.

### **19:75-5.3 Accident or other emergency procedures**

(a) If any bus shall be involved in a motor vehicle accident, or if there shall be an emergency circumstance, including, but not limited to, a mechanical breakdown of a bus, which requires the bus to be stopped for any length of time along a public roadway within the South Jersey Transportation Authority Service Area, the bus operator, or, if not practical for the bus operator to do so, a representative of the permit or medallion holder, shall promptly notify an Authority representative of such stoppage and provide requested information regarding the motor vehicle accident or other emergency circumstance.

(b) If such a motor vehicle accident or other emergency circumstance shall occur within the jurisdictional limits of Atlantic County, upon receiving notice of such circumstance, an Authority representative may determine if it is appropriate to arrange for emergency transportation of the bus passengers to an approved facility or other designated location and if such emergency transportation service is available, in which event, the Authority representative shall endeavor to arrange for such emergency transportation service.

(c) Permit and medallion holders shall reimburse the Authority for its actual costs reasonably incurred in providing emergency transportation service upon receipt of an invoice for such costs. Any permit or medallion holder which fails to pay such invoice will be responsible for payment

of reasonable collection fees, attorneys' fees and court costs incurred by the Authority should it be necessary to commence collection proceedings.

## SUBCHAPTER 6 EMERGENCY MANAGEMENT PROCEDURES

### **19:75-6.1 Emergency notification**

Upon notice of a declared state of emergency by a Federal, State or local agency which may affect the Authority's Bus Management Program, an Authority representative shall promptly attempt to provide such notice to permit or medallion holders, approved facility certificate holders and the general public, as well as notice of any emergency changes to the Bus Management Program which the Authority determines to be necessary or appropriate under the circumstances.

### **19:75-6.2 Emergency changes to Bus Management Program**

Upon notice of a declared state of emergency, as described in N.J.A.C. 19:75-6.1, the Authority's Director of Tourist Services may enact and enforce such emergency changes in the Bus Management Program, including any suspension, limitation, expansion or other changes in the operations of any permit or medallion holder or approved facility certificate holder within the South Jersey Transportation Authority Service Area until the declared state of emergency is ended by action of the declaring authority.

### **19:75-6.3 Notice of emergency contact**

Every medallion holder and approved facility certificate holder shall provide the Authority on a current basis the name or names of those persons who shall be contacted by the Authority in the event of a declared state of emergency, as described in N.J.A.C. 19:75-6.1, as well as the telephone and telefax numbers at which such persons may be contacted and the days and times when such persons may be contacted. Each medallion holder and approved facility certificate holder shall be responsible for the accuracy of such information and the availability of such persons in order to provide notice on a twenty-four hour, year-round basis.

## SUBCHAPTER 7 VIOLATIONS AND PENALTIES; PROCEDURES; REVOCATION, SUSPENSION OR MODIFICATION OF CERTIFICATE, PERMIT OR MEDALLION

### **19:75-7.1 Violations and penalties**

For each and every violation of the provisions of this chapter or the conditions of any certificate, permit or medallion granted under this chapter, the holder of the certificate, permit or medallion shall be subject to a penalty in the amount of \$250.00 for a first offense, \$400.00 for a second offense, and \$500.00 for any subsequent offense.

### **19:75-7.2 Cumulative violations**

The penalties referenced in N.J.A.C. 19:75-7.1 shall be assessed for each calendar day during which the violation exists and continues uncorrected. Violations by the holders of permits or medallions shall be assessed on a per bus basis. The determination to assess a penalty for repetitive violations shall be based upon conviction for the same violation within the calendar year of the violation charged.

### **19:75-7.3 Prosecution of violations**

Any violation as provided under this chapter shall be prosecuted in the municipal court in the municipality in which the violation is alleged to have 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.

### **19:75-7.4 Revocation, suspension or modification of the terms of approval for certificate, permit or medallion**

The Executive Director, upon the written recommendation of the Director of Tourist Services, may determine to revoke, suspend, or modify the terms of a certificate for an approved facility or a permit or medallion upon a finding that the holder of a certificate for an approved facility, permit or medallion has demonstrated, through repetitive convictions for violation of any provision of this chapter, a continued failure to adhere to the provisions of the Bus Management Program or the conditions of any certificate, permit or medallion.

### **19:75-7.5 Appeals**

(a) Any holder of a certificate, permit or medallion whose approval has been revoked, suspended or modified 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 holder of a certificate, permit or medallion 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 holder of a certificate, permit or medallion 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 holder of a certificate, permit or medallion 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 holder of a certificate, permit or medallion 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.

**19:75-7.6 (Reserved)**

**19:75-7.7 (Reserved)**

**SUBCHAPTER 8 VARIANCES; PROCEDURE; FEES**

**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 or major.

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.

**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 provisions of this chapter from which variance is sought; and

4. Date(s) 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.

### **19:75-8.3 Major variance fees**

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

### **19:75-8.4 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 Bus Management Program.

(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 maintained in the possession of approved facilities certificate holders 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 Commissioners 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 Commissioners 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 of Commissioners shall be final.

### **19:75-8.5 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.

SUBCHAPTER 9 (RESERVED)

SUBCHAPTER 10 (RESERVED)

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), Certificates for bus parking facilities, bus maintenance facilities, activity centers (N.J.A.C. 19:75-3) shall be reviewed by the Tourist Services Department—Planning Division of the Authority.

1. Within 60 days following receipt of an 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 file a complete 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 complete 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 after receipt of the determination, which appeal shall be in writing to the Executive Director or his or her designee which shall be sent registered certified mail, return receipt requested.

4. The appeal shall be conducted in accordance with N.J.A.C. 19:75-7.5(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 any property, subject to the approval, in the condition set forth in the application or any amended application approved by the Authority; and

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.

SUBCHAPTER 12 (RESERVED)

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.