

OTHER AGENCIES

SOUTH JERSEY TRANSPORTATION AUTHORITY

Atlantic City International Airport

Proposed Readoption with Amendments: N.J.A.C. 19:76

Proposed Repeal: N.J.A.C. 19:76-6.5

Authorized By: South Jersey Transportation Authority, Stephen F. Dougherty, Executive Director.

Authority: N.J.S.A. 27:25A-7.q, 21.g, and 24.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2025-146.

Submit written comments by January 16, 2026, to:

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The agency proposal is as follows:

Summary

The South Jersey Transportation Authority (Authority) is proposing to readopt its rules governing the operations of the Atlantic City International Airport (Airport), at N.J.A.C. 19:76. In accordance with N.J.S.A. 52:14B-5.1.c, these rules were scheduled to expire on October 15, 2025. As the Authority filed this notice of readoption with the Office of Administrative Law prior to that date, the expiration date was extended 180 days to April 13, 2026, pursuant to N.J.S.A. 52:14B-5.1.c(2). These rules have served over an extended period of time in the regulation of Airport operations, subject to the jurisdiction of the Authority, in such areas as aeronautical operations, vehicle operations, and ground transportation services. The rules are necessary in that they relate

directly to the ability of travelers to safely and efficiently use the Airport. The substantial provisions of the rules proposed to be readopted by the Authority are summarized below. It should be noted that, throughout the chapter, amendments are proposed to revise, clarify, and modernize requirements operations at the Airport.

Subchapter 1 provides general provisions, which include definitions and general conditions governing the use of the Airport. General conditions include such topics as a permission system for the use of the Airport, conditions governing commercial and noncommercial activity, advertising at the Airport, identification and badging, personal conduct, tenant obligations, emergency actions, solicitation, picketing, and the use of the paging system.

Subchapter 2 concerns general aeronautical operations at the Airport. This subchapter provides, among other things, for the proper operation of aircraft at the Airport and responsibility for the lack of such proper operation. Topics included within the operation of aircraft are provisions concerning radio communications, cleaning, maintenance and repair of aircraft, certification of aircraft, licensing of pilots, parking and taxiing of aircraft, and the operation of aircraft engines. The Authority is also provided with the authority to control the use of Airport ramps. Provisions are also provided to deal with derelict and disabled aircrafts.

Subchapter 3 concerns vehicle operation procedures. This subchapter chiefly concerns the operation of vehicles within Airport areas not generally open to the public. Topics included are authorization to operate a vehicle in such areas, traffic control, manner of vehicle operation, vehicle accidents, safety, identification, permits, parking, and abandonment. This subchapter also provides rules governing public parking at the Airport.

Subchapter 4 deals with fire and safety at the Airport. This subchapter includes detailed provisions concerning fueling operations at the Airport. Also included are safety provisions

concerning such topics as smoking, open flame operations, storage of materials, hazardous materials, fire extinguishers, heating of hangars, doping, and cleaning operations.

Subchapter 5 concerns general commercial ground transportation services at the Airport. This subchapter provides for the efficient, convenient, and safe movement of passengers to and from the Airport by buses, limousines, vans, taxicabs, and transportation network companies, such as Uber®. Fees are imposed on the use of the Airport by these businesses. These fees are discussed in detail in the Economic Impact Statement provided below.

Subchapter 6 includes various miscellaneous provisions, including penalties, conflicts, no grant of rights, appeals, requests for permission or approval, and severability.

The amendments at Subchapter 1 would remove/update outdated language, add to and clarify certain provisions of behavior impacting use of the Airport by travelers, and update contact information requirements. Travelers with animals would now be required to keep the animals in a cage and travelers with a service animal must present the registration for the service animal and such animal would be required to be caged. An amendment is proposed to add “boarding instructions” to the allowable uses of the paging system. Clarification would be provided regarding animals in the terminal and commercial photography of Transportation Security Administration (TSA) and Customs and Border Patrol (CBP) equipment. The amendments include the addition of a penalty for tenants who fail to properly preserve the property of the Airport, including properly disposing of trash and include administrative costs for certain actions/inactions of tenants. Finally, the proposed amendments contain the removal of inapplicable terms or job titles/positions within the Airport and update the personal conduct section. Unclaimed items left at the Airport, including cash, which are not claimed within 30 shall be disposed of at the discretion

of the Airport Director, who shall have the ability to dispose of the items as he or she deems necessary.

The amendments at Subchapter 2 amend the requirements for removing disabled aircrafts and removal of derelict equipment.

The amendments at Subchapter 3 include the addition of a \$50.00 administrative fee to account for the Authority's costs for relocation of a vehicle parked in an improper location at the Airport.

The amendments at Subchapter 5 remove references to the leasing of an information kiosk. Additionally, the subchapter is amended to require commercial vehicles operating at the Airport to have the insurance requirements, as determined by the Authority. Further, the fees for motorbus service or a limousine to enter the Airport are increased. Subchapter 5 would be amended to require taxicabs to offer a rate of fare equivalent to the rate established by the ordinances of Egg Harbor Township and requires such operators to undergo a background check pursuant to the Airport's security regulations. Transportation network companies (TNC) are removed from the subchapter due to TNCs' having specific contracts with the Airport regulating their operations at the Airport. Additionally, the last sentence at N.J.A.C. 19:76-5.4(o) is removed to better reflect operations and the orderly process for taxis at the Airport. Taxicab operators should be aware of the addition of N.J.A.C. 19:76-5.4(bb), requiring badging and background checks for all taxicab operators.

N.J.A.C. 19:76-6.3(e) is proposed for amendment to extend the period from six months to two years, for the Airport to review prior commercial operator or employee operator violations. N.J.A.C. 19:76-6.5 is proposed for repeal, as it is no longer being utilized by the Airport because similar language is included within agreements between the Airport and its vendors. The repeal of N.J.A.C. 19:76-6.5 will remove confusion about whether the regulation or the language of the

agreement is applicable. Additionally, the proposed amendments clarify the ability of the Airport Director, or his or her designee, to revoke and/or suspend the operation of commercial vehicles by the Airport's commercial operators at the Airport. The proposed amendments update language related to penalties.

As the Authority has provided a 60-day comment period on this notice of proposal, this notice is excepted from the rulemaking calendar requirement pursuant to N.J.A.C. 1:30-3.3(a)5.

Social Impact

The rules proposed for readoption will have a positive social impact by providing a concise organized set of rules for the internal operations of the Airport. The chapter will better enable the Authority to fulfill its statutory function as the entity with responsibility for the operation of the Airport and, thereby, benefit the public, which utilizes this public transportation facility.

The chapter, to a large degree, continues the rules that have been in effect since the last promulgation of the chapter in 2007. The chapter will have limited impact on the businesses that currently exist at the Airport. The rules will not affect existing contracts with the Authority.

In short, this chapter should have limited impact on existing businesses at the Airport and will benefit the public at large by enabling the Authority to ensure a safe and efficiently operated public transportation facility.

The proposed amendments will have a positive social impact by providing the Authority with the ability to effectively monitor and control the Airport. The proposed amendments do not propose any substantive changes to the existing rules, other than as discussed in the Summary and Economic Impact.

Economic Impact

The rules proposed for readoption will have an economic impact on the Authority, providers of ground transportation services, and to a limited degree, the general public. The existing rules impose an annual permit fee of \$350.00 per taxicab and \$100.00 per courtesy vehicle. Motor buses are subject to a \$5.00 entry fee and limousines, limousine vans, and transportation network companies are subject to a \$2.00 entry fee, or as otherwise contracted with the Authority. The Authority has expended considerable sums of money on expanding and renovating the Airport. These improvements result in greater utilization of the Airport and subsequently increase the revenue opportunities for the providers of ground transportation services. In addition, the Authority continues to maintain the Airport and provide adjunct services, such as lighting, other utilities, and security. The fees represent a reasonable contribution towards the costs incurred by the Authority. The Authority believes the fees are necessary for the management, use, maintenance, and operation of the Airport and are expressly permitted pursuant to N.J.S.A. 27:25A-7.q.

Other businesses that operate at the Airport are not adversely economically impacted. All businesses shall operate at the Airport pursuant to an agreement with the Authority. The rules do not alter these existing contractual agreements. Future contracts will be negotiated between the parties with full knowledge of the chapter. Thus, costs, if any, are imposed by virtue of contract and not this chapter. No fees are imposed for such approvals, permissions, and permits, except as noted above for ground transportation permits.

There are also few indirect compliance costs associated with this chapter. Each airline is required to post a sign at its interline baggage receiving center, which indicates the hours when the bags may be received. The minimal sign cost is offset by the necessity to provide such information to customers. Tenants are required to file a construction/alteration application with the Airport Manager before changing their leased property. Drawings are required with the application. Such drawings

would be necessary for the proper completion of construction in any event and, therefore, the cost for additional drawing copies is negligible. Access to restricted areas requires an Airport identification badge. A reasonable cost is imposed to offset Authority costs for badge production, including replacement of lost badges. Tenants are also responsible for internal security of their leased premises. The costs of such security is justified by both the protection of the tenants' own property and the safety provided for the public at large. Federal rules also require such security. If the Airport is assessed a fine due to the action or inaction of a tenant, said tenant must reimburse the Authority the amount of the fine together with legal costs. Tenants are also assigned housekeeping responsibilities. Keeping the leased premises clean benefits both the tenant and the Airport.

As noted above, the rules proposed for readoption contain a specific process for requests for permission or approval. The nature of the request may result in some professional and/or administrative costs. Requirements include a drawing, which indicates the location for which the request is made and a detailed explanation of the reasons for the request, and the impact of the request on efficient and safe air travel. Obviously, a complex request may result in some professional and/or administrative costs to meet these requirements.

Furthermore, many of the activities at the Airport are subject to Federal regulations. The rules expressly state that the intent is for the chapter to operate in conjunction with Federal rules and not to supersede said rules. In this vein, the Authority has received, and hopefully will continue to receive, Federal monies to support Airport improvements. The Master Agreement with the United States Department of Transportation specifically states that the Authority will maintain a fee and rental structure for the facilities and services being provided to Airport users, which will make the Airport as self-sustaining as possible taking into account the volume of traffic and economy of collection. The proposed ground transportation fees are in accord with this Federal mandate.

N.J.S.A. 27:25A-21 allows for the assessment of fines for certain violations on Authority projects and penalties may be imposed pursuant to rules adopted pursuant to the broad powers granted at N.J.S.A. 27:25A-7.q. The Authority believes efficient management of its affairs requires violators to be subject to an administrative fee of \$50.00 in addition to any court-imposed penalty. If rule violations are unsuccessfully contested in court, the administrative fee is \$150.00. The purpose of this administrative fee is to recover the costs associated with pursuing rule violations. The additional amount for contested cases represents an attempt to recover costs associated with work time lost testifying in court. Obviously, such costs can be avoided through rule compliance.

The proposed amendments include a penalty of \$100.00 for a first-time violation, \$200.00 for a second-time violation, and \$300.00 for all subsequent violations within a 12-month period for tenants who violate the Authority's requirements for tenants to preserve property at the Airport due to ongoing issues with tenants at the Airport preserving Airport property.

N.J.S.A. 27:25A-21 allows for the assessment of fines for certain violations on Authority projects, and penalties may be imposed pursuant to rules adopted under the broad powers granted at N.J.S.A. 27:25A-7.q. The Authority believes efficient management of its affairs requires violators to be subject to an administrative fee of \$50.00, in addition to any court-imposed penalty. The purpose of this administrative fee is to recover the costs associated with pursuing rule violations. The Authority proposes an administrative cost directly related to the actual cost of the removal of a disabled aircraft at the Airport.

The Authority proposes a revision to N.J.A.C. 19:76-3.2(d) to include a \$50.00 administrative fee, in addition to the actual costs for removal, to be paid by the owner of a vehicle for a vehicle parked in the wrong area at the Airport to be relocated by the Authority.

Federal Standards Statement

This chapter is intended to complement Federal standards governing Airport operations, particularly the Code of Federal Regulations (CFR) and Transportation Security Administration (TSA) as described below.

14 CFR Part 13 - Investigation and Enforcement Procedures

14 CFR Part 16 - Rules of Practice for Federally Assisted Airport Enforcement Proceedings

14 CFR Part 36 - Noise Standards: Aircraft Type and Airworthiness Certification

14 CFR Part 77-Safe, Efficient Use, and Preservation of the Navigable Airspace

14 CFR Part 91 - (Subpart I) - Operating Noise Limits

14 CFR Part 93 - Special Air Traffic Rules

(Subpart K) - High Density Traffic Airports

(Subpart S) - Allocation of Commuter and Air Carrier IFR Operations at High
Density Traffic Airports

14 CFR Part 103 - Ultralight Vehicles

14 CFR Part 121 - Operating Requirements: Domestic, Flag and Supplemental Operations

14 CFR Part 129 - Operations: Foreign Air Carriers and Foreign Operators of U.S.-Registered
Aircraft Engaged in Common Carriage

14 CFR Part 135 - Operating Requirements: Commuter and On Demand Operations and Rules
Governing Person On Board Such Aircraft

14 CFR Part 139 - Certification of Airports

14 CFR Part 150 - Airport Noise Compatibility Planning

14 CFR Part 152 - Airport Aid Program

14 CFR Part 153 - Airport Operations

14 CFR Part 155 - Release of Airport Property from Surplus Property Disposal Restrictions

14 CFR Part 156 - State Block Grant Pilot Program

14 CFR Part 157 - Notice of Construction, Alteration, Activation, and Deactivation of Airports

14 CFR Part 158 - Passenger Facility Charges (PFC's)

14 CFR Part 161 - Notice and Approval of Airport Noise and Access Restrictions

14 CFR Part 170 - Establishment and Discontinuance Criteria for Air Traffic Control Services and
Navigational Facilities

14 CFR Part 171 - Non-Federal Navigation Facilities

49 CFR Part 1542-Airport Security

In an attempt to avoid inconsistencies and conflict, the rules occasionally make reference to the Federal rule on a particular topic. The rules do not exceed any Federal standards. N.J.A.C. 19:76-6.2(b) specifically indicates that this chapter shall not supersede or abrogate the regulations established by the Federal Aviation Administration or other Federal agency.

Jobs Impact

The Authority does not anticipate that any jobs will be generated or lost as a result of the rules proposed for readoption with amendments and a repeal.

Agriculture Industry Impact

The rules proposed for readoption with amendments and a repeal will have no impact on the agriculture industry in New Jersey.

Regulatory Flexibility Statement

The rules proposed for readoption with amendments and a repeal do not impose any reporting or recordkeeping requirements, which differ from current practices, however, the rules do impose compliance requirements upon businesses that conduct commercial activities at the Airport, and some of these businesses may qualify as small businesses, as that term is defined in

the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. The employment of professionals should not be necessary and any costs to small businesses should be minimal administrative costs.

It is believed that most of the businesses upon which the rules impose compliance requirements employ more than 100 full-time employees and, thus, do not constitute small businesses. In some cases, however, affected businesses may possibly include small businesses. Specific compliance requirements are imposed upon baggage handling operators, personal baggage cart concessionaires, loading bridge operators, commercial photographers, businesses distributing materials at the Airport, Airport tenants, tour operators, tug and trailer operators, operators of limousines and limousine vans, and motor buses, courtesy vehicle operators, taxicab operators, and air cargo operators.

Baggage handling operators are required to comply with the provided procedures for the actual operation of their business at the Airport. In addition, their employees must wear an identification card issued by the Operations Department. Use of personal baggage carts is restricted to rented units. Competition with, or hindrance of, the services provided by the Airport skycaps is expressly prohibited. The personal baggage cart concessionaire is required to collect unreturned units. In addition, other safety-related procedures are imposed. Air cargo operators are required to designate a security officer and all employees must wear an identification badge. Apron or ramp employees must wear a reflective color-coded vest-type garment. The air cargo operator must also establish a barrier or paint a yellow line, which is distinguishable from a taxi-way line, beyond which no unescorted individual is permitted. Air cargo rules must be conspicuously posted within the Air Operations Area. Missing cargo valued at \$100.00 or more must be reported to the Operations Department. Escorts are required for certain high-value cargo valued in excess of \$25,000. Finally, each air cargo operator must designate a high value cargo storage area and

maintain a log for this area. Loading bridges may only be operated by personnel who have completed an Authority-approved training program. Operators must provide evidence of insurance to the Authority. All other loading bridge rule provisions relate to safe operation. Commercial photography is prohibited, except by written permission of the Operations Department. Photography of TSA and Customs and Border Patrols equipment is strictly prohibited. The prohibition on commercial photography does not apply to bonafide news coverage by the media in authorized areas. No business can sell or distribute materials without a Certificate of Registration. The process to obtain a Certificate of Registration is included at N.J.A.C. 19:76-1.4. Tour operators are also required to obtain an identification badge and conduct activities in areas designated by the Operations Department. Tour operators must also provide a greeter/coordinator for each flight. Safety requirements are imposed upon tug and trailer operators. In addition, such operators may not tow a train in excess of four baggage or cargo carts without Authority or Operations Department approval.

Airport tenants are largely governed by the terms and conditions of their agreement with the Authority. The rules do, however, impose certain general safety, public health, and welfare requirements. In addition, tenants who desire to alter, repair, or change their leased space must file a construction/alteration application. The application requirements include a description of the work, names of any professionals and six drawings. Specific security obligations are also imposed upon tenants for their leased area. Tenants are also liable to the Authority for any penalty imposed upon it for a violation of Federal Aviation Administration regulations due to the tenant's failure to provide appropriate security. The rules also impose specified housekeeping and storage requirements upon tenants.

Subchapter 5 is entirely devoted to the regulation of ground transportation services. Many of the requirements are related to the safety and efficiency of operations. Ground transportation providers are prohibited from cruising and solicitation of business is prohibited, except by arrangement with the Authority. Insurance coverage is required to be in accordance with the ordinances of the Township of Egg Harbor. Specific rules for limousines, limousine vans, and motor buses require that rates must be posted and available to the customer. The operator must also provide an individual to perform meet and greet functions, handle baggage, and any special assistance needed by disabled customers. Only pre-arranged customers may be picked up. Motor bus operators must pay an entry fee of \$7.00 and limousine/limousine van operators must pay a \$3.00 fee. Courtesy vehicle operators and taxicabs must obtain an annual permit. Taxicab operators must display the license, permit, fares, and insignia issued by Egg Harbor Township and the Authority. Specific operation procedures are imposed upon taxicab operators at the Airport to ensure the safe, orderly, and efficient flow of vehicles and pedestrians and also to avoid disruption of Airport services.

The Economic Impact discusses, in detail, the limited compliance costs that may be imposed upon small businesses. In addition, the Economic Impact statement specifically discusses the fees imposed on the providers of ground transportation services. While many large companies are involved with such services, some of the businesses providing these services are likely to qualify as small businesses pursuant to the Regulatory Flexibility Act. Obviously, these fees will constitute a direct cost to such businesses and not an indirect cost, such as professional fees or administrative costs associated with recordkeeping, reporting, or other compliance requirements. As previously noted, the large sums of money expended on Airport improvements have resulted in increased Airport traffic. Thus, business has increased for the providers of ground transportation

services. A small annual fee of \$350.00 per taxicab should easily be absorbed within this increased revenue. Similarly, the entry fee of \$7.00 per bus and \$3.00 per limousine should also be absorbed. Additionally, the entry fees are only payable upon commencement of a profit opportunity and should be an extremely small portion of the total revenue realized per bus or limousine/car pick up.

It is doubtful that compliance will require small businesses to employ outside professional services. Generally, applications for permits, certificates of registration, or Authority permission are not very complex. In addition, such matters are already being handled routinely without outside professionals. It is possible that a particular matter would be complex enough to require outside assistance. For instance, tenant alteration plans to be submitted with a construction application may require the services of an engineer or architect. It is, however, believed that such complex situations are not likely to involve small businesses.

As noted above, the Authority has minimized the direct costs that may be imposed upon small businesses. The fees are only payable upon the commencement of a profit seeking opportunity. Such opportunities have been greatly enhanced by the increased traffic generated by large Authority expenditures for Airport improvements. Certainly, such fees represent a small fraction of the revenues generated through these improvements.

Obviously, the overwhelming majority of compliance requirements discussed above are not monetary in nature. Rather, they relate to the security, safety, and orderly flow of pedestrian/vehicle traffic and efficiency of operation. Thus, employees and vehicles are required to wear identification, and specified activities are limited to certain areas. Certificates of Registration or permits are required to regulate the use of the Airport for obvious security and

safety reasons. In short, such requirements are typical of any airport and are imposed for the protection of public health, safety, and welfare.

Housing Affordability Impact Analysis

The rules proposed for readoption with amendments and a repeal will have no impact on the affordability of housing and there is an extreme unlikelihood that the rules proposed for readoption with amendments and a repeal would evoke a change in the average costs associated with housing, since the rules proposed for readoption with amendments and a repeal pertain to the operation of the Airport.

Smart Growth Development Impact Analysis

The Authority does not anticipate that the rules proposed for readoption with amendments and a repeal will have an impact on smart growth as there is an extreme unlikelihood that they would evoke a change in the housing production within Planning Areas 1 or 2, or within designated centers, pursuant to the State Development and Redevelopment Plan, since the rules proposed for readoption with amendments and a repeal pertain to the operation of the Airport.

Racial and Ethnic Community Criminal Justice and Public Safety Impact

The rules proposed for readoption with amendments and a repeal will have no impact on pretrial detention, sentencing, probation, or parole policies concerning adults and juveniles in the State, as the rules pertain solely to the operations of the Airport. Accordingly, no further analysis is required.

Full text of the rules proposed for readoption may be found in the New Jersey Administrative Code at N.J.A.C. 19:76.

Full text of the proposed amendments and repeal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

SUBCHAPTER 1. GENERAL PROVISIONS

19:76-1.3 Use of Airport

(a)-(b) (No change.)

(c) This chapter sets forth limitations on the times, places, and manner of noncommercial expression at the Airport to ensure that the orderly and safe flow of persons is not obstructed and that normal operation of the Airport are not unduly disrupted. The limitations in this chapter are not intended to apply, nor do they apply, to talking, reading, wearing political [buttons] **clothing and accessories**, or other similar private forms of expression, all of which are permitted throughout the public areas of the Airport.

(d) (No change.)

19:76-1.5 Validity of Certificates of Registration

(a)-(l) (No change.)

(m) Certificate of Registration holders assume all liability for any and all damage or injury arising out of the Certificate holder's noncommercial expressive activity, on or about the Airport, and by accepting the Certificate of Registration, agree to release the Authority and any of its [servants,] employees[,], or agents from any liability or damages resulting from the Certificate holder's use or occupancy of the Airport in connection with the Certificate of Registration.

19:76-1.6 Registration of aircraft

All general aviation aircraft based at the Airport shall be registered with a fixed-base operator. The registration shall include type and make of aircraft, aircraft registration number, and the owner's name, address, **email address**, and telephone number.

19:76-1.12 Discrimination prohibited

No concessionaire or other person engaged in commercial activity at the Airport shall discriminate against any person or group of persons in any manner prohibited by [FAR Part 2, or any other] **any** applicable Federal, State, or local laws, rules, or regulations.

19:76-1.14 Commercial photography

(a)-(b) (No change.)

(c) Photography of TSA **and Customs and Border Patrol (CBP)** equipment is prohibited.

19:76-1.16 Animals; general

(a) No person shall enter any part of the Airport grounds with an animal, domestic or otherwise, unless such animal is kept [restrained by a leash or is] confined **in a cage**, so as to be completely [under] **within the** control, other than a person with a [disability accompanied by a] service animal **registration** or the authorized handlers of guard and search animals present at the Airport, as authorized and approved by the Airport Director, or designee.

(b)-(d) (No change.)

(e) Animals may urinate or defecate only [in] **inside of the terminal in the designated area or outside of the terminal in the** designated area[s].

(f) Any person bringing an animal to the Airport agrees to fully indemnify, defend, save, and hold harmless, the Authority [Operations Department] and [their] **its** officers, agents, and employees from and against all losses, damages, claims, liability, and causes of action of every kind or character and nature, as well as costs and fees, including reasonable attorneys fees connected

therewith and expenses of the investigation thereof, based upon, or arising out of, damages or injuries to third persons or property caused by the negligence of the person. The Authority [or Operations Department] shall give the person prompt and reasonable written notice of any claims or action and the person shall have the right to investigate, compromise, and defend same to the extent of the person's interest.

19:76-1.17 Animals in the terminal

(a) No person shall enter the terminal with a domestic animal, unless such animal is to be, or has been, transported by air and kept restrained in a cage or otherwise confined, so as to be completely under control, other than:

1. A person with a [disability accompanied by a] service animal **registration**; or

2. (No change.)

(b) No person shall, either willfully or through failure to exercise due care or control, permit any animal to urinate or defecate in the terminal or any other building used by the public, **except in designated pet-relief areas**. Persons in control and/or owners of animals shall be responsible for cleanup costs, as assessed by the Operations Department.

19:76-1.21 Lost and found

(a)-(e) (No change.)

(f) All articles, including cash, which are not claimed in 30 days shall be [donated to charity] **disposed of at the discretion of the Airport Director, as he or she deems necessary, after the 30-day period.**

(g)-(h) (No change.)

19:76-1.22 Tenant Construction/Alteration application

(a)-(d) (No change.)

(e) The application will be reviewed for operational safety considerations, security requirements, electrical, heating ventilation/air conditioning, fire suppression, fire safety code, and applicable environmental issues **by the Authority, the State of New Jersey, and/or other State or Federal agencies**. Upon completion of the construction/alteration, the Authority will conduct a final inspection to ensure compliance with building codes and conformance with the submitted application.

(f)-(g) (No change.)

19:76-1.23 Use of paging system

(a)-(b) (No change.)

(c) Announcements of **boarding instructions**, flight cancellations, and gate changes shall be topics considered to be acceptable and appropriate for the paging system.

(d) (No change.)

19:76-1.25 Firearms and weapons

(a)-(c) (No change.)

(d) For the purposes of this section, a weapon means any [dirk] **knife**, metallic knuckles, slingshot, billy club, tear gas gun, or chemical weapon or device.

(e)-(f) (No change.)

19:76-1.27 Identification and badging

(a)-(f) (No change.)

(g) Unless in accordance with 49 CFR 1542, applicants who are denied issuance of an Airport identification badge may appeal within 30 days by filing a written notice of appeal with the Airport **Operations and Security** Manager. The Airport **Operations and Security** Manager will review the appeal and render a decision within seven days. Applicants may appeal the decision of the Airport **Operations and Security** Manager to the Airport Director who shall make the final determination. The final appeal must be made in writing and filed with the office of the Airport Director within 10 days of the Airport **Operations and Security** Manager's decision.

(h)-(l) (No change.)

19:76-1.28 Personal conduct

(a) The following conduct shall be prohibited:

1.-8. (No change.)

9. Drinking, or carrying an open container of, any alcoholic beverage other than in an area, in which alcoholic beverages are served for on-premises consumption, **in accordance with New Jersey laws, rules, and regulations;**

10. Consumption of narcotics or other drugs, as classified by the State of New Jersey or Federal government;

[10.] **11. Sleeping overnight** in the terminal or parking lots:

i. (No change.)

[11.] **12. Skating, roller-skating, segwaying, or bicycle riding, including the use of suitcases or luggage with automatic rolling capabilities;**

i. (No change.)

[12.] **13. Fire:**

i. No person shall cook, light a fire, or otherwise create fire in any part of the Airport, **except for employees of concessions in designated concession areas;**

Recodify existing 13.-14. as **14.-15.** (No change in text.)

19:76-1.32 Environmental pollution and sanitation

(a)-(i) (No change.)

(j) All tenants, including concessionaires and air carriers, will abide by the Airport New Jersey Pollution Discharge Elimination [System] **System** Permit for storm water including, but not limited to, Best Management Practices listed in the Storm Water Pollution Prevention Plan. 7 CFR Part 330.400, 7 CFR Part 330.403, and 9 CFR 94.5.

(k) All tenants of the Airport who fail to comply with this section shall be subject to a penalty of \$100.00 for a first-time violation, \$200.00 for a second-time violation, and \$300.00 for all subsequent violations within a 12-month period.

19:76-1.33 Tenant security obligations

(a)-(c) (No change.)

(d) If a violation of Federal regulations occurs as the result of a [tenant] **tenant's** or authorized employer's action or inaction, and such action or inaction results in the imposition of a fine or penalty on the Authority or contract manager, the tenant or authorized employer responsible for the violation shall reimburse the Authority or contract manager the amount of the fine or penalty together with any legal **and administrative** costs within 30 days of written notice.

19:76-1.34 Operating directives

The Authority shall be empowered to issue written guidance materials to assist compliance with this chapter and pertinent Federal regulations. [The Authority may consult with the contract manager in the formulation of such operating procedures.]

19:76-1.35 Emergency actions

(a) (No change.)

(b) During an emergency, the Authority, its designated representative, [contract manager,] or an LEO may suspend this chapter, or any part of it, at its discretion and judgment, and may, in addition, issue such orders or rules as may be necessary, including an evacuation of the terminal.

(c) The Authority [or contract manager] shall, in situations which may affect health, safety, or welfare, have the authority to take such reasonable action as may be necessary for the proper handling of the conduct and management of the public in attendance at the Airport.

SUBCHAPTER 2. AERONAUTICAL OPERATIONS – GENERAL

19:76-2.7 Disabled aircraft

(a)-(c) (No change.)

(d) In the event of failure or refusal by the aircraft owner or operator to remove the disabled aircraft or parts of the disabled aircraft, removal may be done by the Airport Director at the owner's expense and the owner shall indemnify and hold harmless the Authority, contract manager, Airport Director, and their employees for any damage that may occur as a result of the removal. The Airport

reserves the right to recover all costs related to removal, **including administrative costs directly related to the removal of the disabled aircraft.**

19:76-2.13 Derelict aircraft **and ground equipment**

(a) No person shall park or store any aircraft **or ground equipment** in [non-flyable] **a non-working** condition on Airport property, including leased premises, for a period in excess of 90 days, without [a] written permission from the Airport Director obtained in accordance with [N.J.A.C. 19:76-6.5] **this chapter.**

(b) No person shall store or retain aircraft **or ground equipment** parts or components being held as inventory anywhere on the Airport, other than in an enclosed authorized facility, without written permission from the Airport Director obtained in accordance with [N.J.A.C. 19:76-6.5] **this chapter.**

(c) Whenever an aircraft **or ground equipment** is parked, stored, or left in [non-flyable] **a non-working** condition on the Airport in violation of (a) above, the Airport Director shall notify the owner or operator, by certified or registered mail, to remove the aircraft within 15 days of receipt of notice.

(d) If the owner or operator of a parked, stored, or [non-flyable] **non-usable** aircraft **or ground equipment** is unknown or cannot be located, the Airport Director shall conspicuously post and affix notice to the aircraft **or ground equipment** and the aircraft **or ground equipment** shall be removed within 15 days from **the** date the notice is posted.

(e) Upon failure of the owner or operator to comply with (c) or (d) above, the Airport Director shall remove the aircraft **or ground equipment** from the Airport. The Airport Director may hire any person(s) to effectuate the removal and all costs incurred by the Airport Director shall

become the responsibility and obligation of the aircraft **or ground equipment** owner or operator.

In addition, the owner and operator shall indemnify the Authority, [contract manager,] Airport Director, and their employees for any damage that may occur as a result of the removal.

SUBCHAPTER 3. VEHICLE OPERATION PROCEDURE

19:76-3.1 General requirements

(a) (No change.)

(b) No person shall stop or park a vehicle:

1.-7. (No change.)

8. Unless the vehicle **is owned or operated by a Federal or State agency and** displays proper license plates and inspection stickers; and

9. (No change.)

(c)-(d) (No change.)

(e) Contractors shall be provided access to and use of the Airport provided that:

1. No [personal] **personnel** shall gain access to and egress from a construction site in a vehicle or crane belonging to, or under the supervision of, a contractor doing business at the Airport, except by the routes and gates designated by the [Operations Department] **Airport Director** during particular periods of time;

2.-4. (No change.)

(f)-(h) (No change.)

19:76-3.2 Public parking

(a)-(c) (No change.)

(d) A vehicle parked in the wrong area shall be subject to relocation and the costs of such relocation shall be borne by the vehicle owner, **including a \$50.00 administrative fee payable to the Authority for the actual cost to the Authority for the relocation of the vehicle.**

(e)-(f) (No change.)

19:76-3.3 Operation in restricted areas

(a) (No change.)

(b) No person shall park or operate, or [caused] **cause** to be operated, any vehicle on restricted areas **and employee parking areas**, unless such operation is directly related to an aviation activity at the Airport, to the business of the Authority, contract manager, a tenant, or authorized sub-tenant engaged in a business activity authorized by the Authority or contract manager and such vehicle is registered and permitted in accordance with (k), (l), (m), and (n) below.

(c)-(u) (No change.)

SUBCHAPTER 5. GROUND TRANSPORTATION SERVICES

19:76-5.1 General provisions

(a)-(g) (No change.)

(h) No person engaged in providing ground transportation services at the Airport shall solicit business at the Airport or within the terminal premises, except as authorized by agreement with the Authority. [For purposes of this subsection, the leasing of an information kiosk, by agreement with the Authority, shall not be deemed to constitute solicitation.]

(i)-(k) (No change.)

(l) The insurance coverage for each permitted commercial vehicle shall be in accordance with **all Authority insurance policies and requirements and** Chapter 5A of the revised General Ordinances of the Township of Egg Harbor, incorporated herein by reference, as amended and supplemented. The revised General Ordinance may be examined at the municipal offices of the Township of Egg Harbor, 3515 Bargaintown Road, Egg Harbor Township, NJ 08234-8321.

(m) (No change.)

19:76-5.2 Ground transportation services by limousines, limousine vans, [transportation network companies,] and motor bus services

(a)-(g) (No change.)

(h) The owner/operator of any motorbus service subject to the provisions of this subchapter shall pay to the Authority an entry fee of [\$5.00] **\$7.00** for each bus that it owns or operates and that enters the Airport. The owner/operator of a limousine **or** limousine van[, or TNC] shall pay to the Authority an entry fee of [\$2.00] **\$3.00** for each vehicle that it owns or operates and that enters the Airport, for the purpose of picking up and/or dropping off passengers. These fees shall prevail unless a fee schedule is developed under separate agreement with the Authority.

(i) Payment for the entry fee shall be made for each entry by any motorbus, limousine **or** limousine van[, or TNC] that enters the Airport, for the purpose of picking up and/or dropping off passengers.

(j)-(k) (No change.)

19:76-5.4 Taxicabs

(a)-(g) (No change.)

(h) An operator shall not attempt to charge a rate of fare above or below [\$27.00] **the rates established by the applicable Egg Harbor Township ordinance**, to and from Atlantic City.

(i)-(n) (No change.)

(o) A taxicab queue line shall be used by operators on a first-come, first-served basis. An operator entering the stand shall join any waiting taxicabs from the rear and advance forward as the preceding taxicabs depart. [Trips to the Technical Center shall be made by the last taxicab in the holding taxi line, and that taxicab shall resume its place in the taxi hold progression upon return to the taxi hold area.]

(p)-(aa) (No change.)

(bb) All taxicab operators are subject to badging/background checks pursuant to Airport security regulations.

SUBCHAPTER 6. MISCELLANEOUS

19:76-6.3 Suspension or revocation of operation privilege

(a) The [Authority or Operations Department] **Airport Director, or their designee**, shall have the power to suspend or revoke the operation privilege of any **Airport** commercial vehicle operator or employee of an **Airport** commercial vehicle operator, for violation of this chapter.

(b) The [Airport or Operations Department] **Airport Director, or their designee**, may cause, without notice, an immediate suspension or revocation **of the operation privilege of an Airport commercial vehicle operator**, where, **in the sole determination of the Airport Director, or their designee, such** circumstances warrant **the immediate suspension or revocation**. [A letter that outlines] **Written correspondence outlining** the reason(s) for the action shall be forwarded to the **commercial vehicle operator and employee, within 24 hours by email**. The **commercial vehicle**

operator or employee shall have the right to appeal the suspension or revocation within five working days of receipt of the [letter] **notice** of revocation or suspension and present any information desired to the Authority or its designated representative.

(c) In circumstances that do not require immediate suspension or revocation, the **commercial vehicle** operator, or employee shall be [advised of the complaint] **served the written notice within three days of the incident giving arise to the need for the written notice, by email to the email address maintained on file by the Airport**, and shall be given the opportunity to present any information desired to the [Authority or Operations Department] **Airport Director, or their designee, within five days of the written email notice**. The **commercial vehicle** operator's or employee's right to use Airport facilities will not be revoked or suspended until the Authority has issued its determination.

(d) The [Authority's] **Airport Director's, or their designee's**, decision, after the **commercial vehicle** operator or employee has been afforded the opportunity to present information **as set forth in this section**, is binding, unless appealed **by the commercial operator or employee** pursuant to [N.J.A.C. 19:76-6.5] **this chapter**.

(e) Violations that shall result in revocation of a **commercial** operator's or employee's operation privilege include, but shall not be limited to, the following:

1.-4. (No change.)

5. Any violation of this chapter after two suspensions have been imposed within a [six-month] **two-year** period.

19:76-6.4 Penalties

(a) (No change.)

(b) Any person who fails to leave the Airport, or a specified area thereof; or any person who knowingly or willfully violates [this chapter] **applicable State, Federal, or local laws, rules, and regulations**, or refuses to comply therewith. After request by the Authority, or its designated representative, shall be regarded as a trespasser and shall be removed from and denied access to the Airport for such period of time, as may be specified by the Authority or its designated representative.

(c) Any person engaged in [ground transportation services] **any activity or services** at the Airport who violates this chapter may be [deemed guilty of a violation of the applicable ordinance of the Township of Egg Harbor] **subject to punishment pursuant to all applicable State, Federal, or local law or this chapter**, and punished accordingly.

(d) (No change.)

(e) Except as provided [in] **at** (d) above, any violation of N.J.S.A. 27:25A-21 or any provision of this chapter, as determined by the Airport Director, which concerns operation of a vehicle at the Airport, including the failure to pay any required fee, shall constitute an Authority infraction and shall result in the issuance of a citation by the Authority, or its designated representative, and the imposition of a \$50.00 administrative fee. [The violator may request that such violations be tried in a summary way within the jurisdiction of and brought in the Special Civil Part of the Law Division of the Superior Court or any municipal court in the county where the offense was committed. Violations determined by a court are punishable by a fine not exceeding \$500.00 or by imprisonment not exceeding 30 days, or both. In addition, if found guilty by a court, the violator shall pay the Authority an administrative fee of \$150.00.]

(f)-(g) (No change.)

[19:76-6.5 Requests for permission or approval

(a) Unless otherwise specifically provided, any permission or approval required by this chapter shall be applied for as follows:

1. A written request shall be filed with the person from whom permission or approval is required by this chapter;

2. The written request shall include, at a minimum:

i. The applicant's name, address, and telephone number;

ii. The name, address, and telephone number of the organization the applicant represents, if applicable;

iii. The date(s) for which the request is made;

iv. A drawing that indicates the location for which the request is made;

v. A detailed explanation of the reasons for the request; and

vi. A statement on the impact of the request, if granted, on efficient and safe air travel;

3. Consideration will be given whether the request can be granted without substantial detriment to the public good or substantial impairment to the intent and purposes of this chapter. Consideration shall also be given to the impact of the request on efficient and safe air travel;

4. The person with whom the request is filed shall act upon it within 10 business days of receipt, and forward a determination to the applicant by certified mail, return receipt requested.

5. An adverse determination may be appealed in accordance with N.J.A.C. 19:76-6.6.]

Recodify existing 19:76-6.6, 6.7, and 6.8 **as 6.5, 6.6, and 6.7** (No change in text.)