

CHAPTER 265

AN ACT concerning emergency evacuation, supplementing chapter 9 of Appendix A, and amending P.L.1964, c.64.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

C.App.A:9-43.15 Definitions relative to emergency evacuation.

1. a. For the purposes of this act:

“Domestic companion animal” means any animal commonly referred to as a pet that was bought, bred, raised or otherwise acquired, in accordance with local ordinances and State and federal law, for the primary purpose of providing companionship to the owner, rather than for business or agricultural purposes. “Domestic companion animal” does not include livestock as defined in N.J.A.C. 2:2-1.1.

“Public transportation or public transportation service” means rail passenger service, motorbus regular route service, paratransit service, motorbus charter service, and ferry passenger service as defined in section 3 of P.L.1979, c.150 (C.27:25-3).

b. In the event that a state of emergency has been declared and an evacuation of any region of the State is in progress, the owner of a domestic companion animal shall be permitted to board any public transportation or public transportation service with the domestic companion animal so long as that animal is under the owner’s control by use of a leash or tether, or is properly confined in an appropriate container or by other suitable means, provided that such boarding is authorized by and consistent with the provisions of the State Emergency Operations Plan developed pursuant to paragraph (1) of subsection a. of section 18 of P.L.1989, c.222 (C.App.A:9-43.1) pertaining to the needs of animals and individuals with an animal under their care. The provisions of this act shall only apply to the owners of domestic companion animals who are evacuating from a region of the State affected by the emergency or local disaster emergency as defined in section 3 of P.L.1953, c.438 (C.App.A:9-33.1). A domestic companion animal may be refused permission to board any public transportation or public transportation service, even if the animal is under the owner’s control or properly confined in accordance with this subsection if there is reasonable cause to believe that, due to attendant circumstances, permitting the animal to board would pose a health or safety hazard.

c. All passengers with service animals shall be given priority seating on all means of transportation regulated by this act in accordance with the federal “Americans with Disabilities Act of 1990” (42 U.S.C. s.12101 et seq.). For the purposes of this act, “service animal” shall have the same meaning as set forth in the federal “Americans with Disabilities Act of 1990” (42 U.S.C. s.12101 et seq.) and any regulations under the act.

d. All passengers on any public transportation or public transportation service shall be provided seating before a domestic companion animal may be placed in a seat.

2. Section 1 of P.L.1964, c.64 (C.32:1-146.8) is amended to read as follows:

C.32:1-146.8 Rules and regulations.

1. The Port Authority of New York and New Jersey (hereinafter called the "Port Authority") having duly adopted the following rules and regulations, hereinafter set forth in this section, in relation to conduct within the territorial limits of the State of New Jersey and at, on or in the Hudson Tubes and Hudson Tubes extensions operated by its wholly-owned subsidiary the Port Authority Trans-Hudson Corporation (hereinafter called "PATH"), the

penalties and procedures for their enforcement prescribed in section 2 shall apply to violations thereof.

RULES AND REGULATIONS

(1) No person shall smoke, carry or possess a lighted cigarette, cigar, pipe, match or any lighted instrument causing naked flame in or about any area, building or appurtenance or in any cars or other rolling stock of the Hudson Tubes or Hudson Tubes extensions where smoking has been prohibited by PATH and where appropriate signs to that effect have been posted.

(2) No person, unless duly authorized by PATH, shall in or upon any area, building, appurtenance, car or other rolling stock of the Hudson Tubes or Hudson Tubes extensions sell or offer for sale any article of merchandise or solicit any business or trade, including the carrying of bags for hire, the shining of shoes or bootblacking, or shall entertain any persons by singing, dancing or playing any musical instrument or solicit alms. No person, unless duly authorized by PATH, shall post, distribute or display commercial signs, circulars or other printed or written matter in or upon the Hudson Tubes or Hudson Tubes extensions.

(3) No person, who is unable to give satisfactory explanation of his presence, shall loiter about any car, or other rolling stock, area, building or appurtenance of the Hudson Tubes or Hudson Tubes extensions, or sleep therein or thereon.

(4) No person not authorized by PATH shall be permitted in or upon any car or other rolling stock or station or platform or parking facility within the Hudson Tubes or Hudson Tubes extensions, except upon payment in full of such fares, fees and other charges as may from time to time be prescribed by PATH. No person shall refuse to pay or evade or attempt to evade the payment in full of such fares, fees and other charges.

(5) No person shall spit upon, litter or create a nuisance or other insanitary condition in or on any car or other rolling stock, area, building or appurtenance of the Hudson Tubes or Hudson Tubes extensions.

(6) Except as provided under section 1 of P.L.2013, c.265 (C.App.A:9-43.15), no person shall enter any car or other rolling stock, area, building or appurtenance of the Hudson Tubes or Hudson Tubes extensions with any animal, except an animal properly confined in an appropriate container or a guide dog properly harnessed and muzzled, accompanying a blind person carrying a certificate of identification issued by a guide dog school.

(7) No person shall get on any car or other rolling stock of the Hudson Tubes or Hudson Tubes extensions while it is in motion for the purpose of obtaining transportation thereon as a passenger nor shall any person willfully obstruct, hinder or delay the passage of any such car or rolling stock. No person not authorized by PATH shall walk upon or along any right-of-way or related trackage of the Hudson Tubes or Hudson Tubes extensions.

3. This act shall take effect immediately, provided section 2 shall remain inoperative until the enactment into law of legislation substantially similar by the State of New York, but if such legislation has already been enacted, section 2 of this act shall take effect immediately.

Approved January 17, 2014.