

P.L.2013, CHAPTER 265, *approved January 17, 2014*
Assembly, No. 3445 (*Second Reprint*)

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

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

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7 1. (New section) a. For the purposes of this act:
8 “Domestic companion animal” means ²[a dog, cat, bird, fish
9 or]² any animal commonly referred to as a pet ²[¹which does not
10 constitute a health or safety hazard and¹]² that ¹[has been] was¹
11 bought, bred, raised or otherwise acquired, in accordance with local
12 ordinances and State and federal law ¹,¹ for the primary purpose of
13 providing companionship ²to the owner², rather than for ²[an]
14 business or² agricultural ²[purpose] purposes. “Domestic
15 companion animal” does not include livestock as defined in
16 N.J.A.C. 2:2-1.1².

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

21 b. In the event that a state of emergency has been declared and
22 an evacuation of any region of the State is in progress, the owner of
23 a domestic companion animal shall be permitted to board any public
24 transportation or public transportation service with the domestic
25 companion animal so long as that animal is under the owner’s
26 control by use of a leash or tether, or is properly confined in an
27 appropriate container or by other suitable means ², provided that
28 such boarding is authorized by and consistent with the provisions of
29 the State Emergency Operations Plan developed pursuant to
30 paragraph (1) of subsection a. of section 18 of P.L.1989, c.222
31 (C.App.A.:9-43.1) pertaining to the needs of animals and
32 individuals with an animal under their care². The provisions of this
33 act shall only apply to the owners of domestic companion animals
34 who are evacuating from a region of the State affected by the
35 emergency or local disaster emergency as defined in section 3 of
36 P.L.1953, c. 438 (C.App.A:9-33.1). ²A domestic companion animal

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AAN committee amendments adopted March 14, 2013.

²Assembly amendments adopted in accordance with Governor's
recommendations January 13, 2014.

1 may be refused permission to board any public transportation or
2 public transportation service, even if the animal is under the
3 owner's control or properly confined in accordance with this
4 subsection if there is reasonable cause to believe that, due to
5 attendant circumstances, permitting the animal to board would pose
6 a health or safety hazard.

7 c. All passengers with service animals shall be given priority
8 seating on all means of transportation regulated by this act in
9 accordance with the federal "Americans with Disabilities Act of
10 1990" (42 U.S.C. s.12101 et seq.). For the purposes of this act,
11 "service animal" shall have the same meaning as set forth in the
12 federal "Americans with Disabilities Act of 1990" (42 U.S.C.
13 s.12101 et seq.) and any regulations under the act.²

14 ²['c.] d.² All passengers on any public transportation or public
15 transportation service shall be provided seating before a domestic
16 companion animal may be placed in a seat.¹

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

20 1. The Port ¹Authority¹ of New York ¹**['Authority]** and New
21 Jersey¹ (hereinafter called the "Port Authority") having duly
22 adopted the following rules and regulations, hereinafter set forth in
23 this section, in relation to conduct within the territorial limits of the
24 State of New Jersey and at, on or in the Hudson Tubes and Hudson
25 Tubes extensions operated by its wholly-owned subsidiary the Port
26 Authority Trans-Hudson Corporation (hereinafter called "PATH"),
27 the penalties and procedures for their enforcement prescribed in
28 section 2 shall apply to violations thereof.

30 RULES AND REGULATIONS

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

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

47 (3) No person, who is unable to give satisfactory explanation of
48 his presence, shall loiter about any car, or other rolling stock, area,

1 building or appurtenance of the Hudson Tubes or Hudson Tubes
2 extensions, or sleep therein or thereon.

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

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

14 (6) **【No】** Except as provided under section 1 of
15 P.L. , c. (C.) (pending before the Legislature as this bill), no
16 person shall enter any car or other rolling stock, area, building or
17 appurtenance of the Hudson Tubes or Hudson Tubes extensions
18 with any animal, except an animal properly confined in an
19 appropriate container or a guide dog properly harnessed and
20 muzzled, accompanying a blind person carrying a certificate of
21 identification issued by a guide dog school.

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

29 (cf: P.L.1964, c.64, s.1)

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31 3. This act shall take effect immediately ¹, provided section 2
32 shall remain inoperative until the enactment into law of legislation
33 substantially similar by the State of New York, but if such
34 legislation has already been enacted, section 2 of this act shall take
35 effect immediately¹.

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40 Permits pet owners to board public transportation with
41 domesticated animals during emergency evacuation.