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TRANSPORTATION &gt; DIVISION OF CAPITAL PROGRAM MANAGEMENT &gt; DIVISION OF OPERATIONS

**Text**

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**Notice of Permit Extensions**

**Take notice** that the Department of Transportation is filing a revised notice relating to permit extensions.

**Take further notice** that, pursuant to the Permit Extension Act of 2020, P.L. 2020, c. 53, and subject to the limitations therein set forth, the running of the approval period under any permit approval granted by the Department of Transportation in compliance with N.J.S.A. 27:7-1 et seq., 27:1A-5, and 27:1A-6, and N.J.A.C. 16:41 and 16:47 in existence during the COVID-19 extension period beginning March 9, 2020, and continuing for as long as a public health emergency, pursuant to the Emergency Health Powers Act, P.L. 2005, c. 222 (N.J.S.A. 26:13-1 et seq.), or a state of emergency, pursuant to P.L. 1942, c. 251 (N.J.S.A. App.A.9-33 et seq.), or both, that has been declared by the Governor in response to COVID-19, is in effect, is tolled for the duration of the extension period. The approval period under any permit approval that, but for the tolling, would have expired prior to, or within six months after the end of the extension period, shall be extended at least six months beyond the conclusion of the COVID-19 extension period. The tolling of the running of the approval period for the duration of the extension period shall apply to:

1. The following Highway Access Permits issued pursuant to N.J.A.C. 16:47:

- a. Single Family Residential Driveway;
- b. Residence and Business Driveway;
- c. Minor permits;
- d. Major permits;
- e. Major with Planning permits; and

[page=1687] f. Lot Consolidation /Lot Subdivision.

2. The following Highway Occupancy Permits issued pursuant to N.J.A.C. 16:41:

- a. Utility Openings;
- b. Poles;
- c. Curb, Sidewalk, or Handicapped Ramp;
- d. Drainage Facilities;
- e. Landscaping, Tree Trimming, Vegetation Control, and Unclassified Landscaping;
- f. Pedestrian Overpass or Underpass;
- g. Grading;
- h. Guiderail;
- i. Test Holes or Borings;
- j. Crosswalks;
- k. Vegetation Canopy Management Site Investigation; and
- l. Vegetation Canopy Management Plan.

3. Agreements in lieu of or as a condition of a permit issued by the Department of Transportation related to physical development and concerning access to State highways or improvements to the State highway system.

When the running of the approval period under a permit approval by the Department of Transportation is tolled pursuant to the provisions of the Permit Extension Act of 2020, P.L. 2020, c. 53, all terms and conditions of the original approval shall continue; that is, the exclusions, limitations, and restrictions of the original permit continue to apply.

Any government approval subject to the automatic suspension of the running period of such approval for the COVID-19 extension period shall be registered with the Department of Transportation and the Department of Environmental Protection within 30 days of the notice in the New Jersey Register. The running period of any approval not registered pursuant to this section shall not be suspended for the COVID-19 extension period.

A government approval subject to the automatic suspension of the running period of that approval for the COVID-19 extension period shall be registered with the Department of Transportation by submitting a written request for that extension within 30 days of the publication of this notice.

For Highway Occupancy Permits, written requests for extensions shall be forwarded to the Operations Permit Office. The request shall be sent to the following address:

Operations Permit Office  
New Jersey Department of Transportation  
1035 Parkway Avenue  
PO Box 600  
E&O Bldg., 4th Floor  
Trenton, NJ 08625

For Highway Access Permits, written requests for extensions shall be forwarded to the Operations Permit Office. The request shall be sent to the following address:

New Jersey Department of Transportation  
Manager, Bureau of Major Access Permits  
PO Box 600  
Trenton, NJ 08625-0600

In addition to registering with the Department of Transportation, a government approval subject to the automatic suspension of the running period of that approval for the COVID-19 extension period shall be registered with the Department of Environmental Protection within 30 days of the publication of this notice in the New Jersey Register. Inquiries regarding registration shall be directed to the following address:

New Jersey Department of Environmental Protection  
Office of Permit Coordination and Environmental Review  
401 East State St.  
PO Box 420  
Trenton, NJ 08625

The Department of Transportation reserves the right to require that the permittee ensures that, prior to the start of construction, the conditions upon which the permit or agreement is based have not changed.

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