

SPECIAL ADOPTION

TRANSPORTATION

OFFICE OF THE COMMISSIONER

Toll Collection and Enforcement System

Special Adopted New Rules and Concurrently Proposed Readoption of Specially Adopted New

Rules: N.J.A.C. 16:3

Specially Adopted and Concurrently Proposed Readoption of Specially Adopted New Rules

Authorized XXX, 2025, By: Francis K. O'Connor, Commissioner, Department of

Transportation.

Filed: XXX, 2025, as R.2025 d.XXX.

Authority: N.J.S.A. 27:1A-3.1 et seq., N.J.S.A 27:25A-21, 27:23-38, and 27:23-34.2, and 23 CFR Part 129.

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

Concurrent Proposal Number: PRN 2025-xxx.

Effective Date: xxxx, 2025.

Expiration Date: xxxx, 2026.

Francis K. O'Connor, Commissioner
New Jersey Department of Transportation

Dated: _____

Submit written comments by xxxx, 2025, electronically to NJDOTRules@dot.nj.gov

or by regular mail postmarked by XXXX, 2025, to:

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This rule may be viewed or downloaded from the Department's website at:

[http:// www.state.nj.us/transportation/about/rules/proposals.shtm](http://www.state.nj.us/transportation/about/rules/proposals.shtm).

The agency proposal follows:

Summary

This chapter implements N.J.S.A. 27:1A-3.1 (P.L. 2023, c.339, effective January 16, 2024), which authorizes the New Jersey Department of Transportation ("Department") to establish and administer a toll collection and enforcement system on behalf of New Jersey tolling entities and to enter into reciprocal agreements for enforcement of toll violations with toll authorities from other states.

The Department may establish and administer a system of adjudicating and enforcing the collection of motor vehicle tolls imposed by each New Jersey tolling entity that shall include provisions for notice, an opportunity to be heard and appeal, and the suspension and/or denial of motor vehicle registrations.

On behalf of a New Jersey tolling entity, the Department may direct the New Jersey Motor Vehicle Commission ("Commission") to suspend every motor vehicle registration of the owner ("owner") of a motor vehicle that has accumulated: unpaid tolls and fees collectively totaling \$500 or more over the past three years; or six or more unpaid toll violations, with at least one violation having occurred after the effective date of P.L. 2023, c.339.

Before commencing an action to suspend a motor vehicle registration for toll violations, the Department will provide the registered owner with written notice, by first class mail, to the address of the owner. The written notice will advise the owner of the Department's intent to suspend the motor vehicle registration(s) of the owner or deny motor vehicle registration privileges of the owner and shall afford the owner the opportunity to be heard by the Department and appeal protections in a manner sufficient to address whether the suspension is based on a false, mistaken, or unjustified claim.

The New Jersey tolling entities and the Department may enter into inter-agency agreements to permit the New Jersey Turnpike Authority to enter into reciprocity agreements with their counterparts in other states or the Department may do so on the New Jersey tolling entities' behalf. Toll enforcement fees and penalties will be enforced on owners in states that enter into these reciprocity agreements, including as part of the reciprocity agreements to collect unpaid tolls and fees, and suspend the motor vehicle registration of the owner.

Under the reciprocity agreement, written notice will be provided to owners who reside in one of the participating states and owe tolls to an agency located in any of the other states participating in the reciprocity agreement or to owners who reside in New Jersey and owe tolls to the state participating in the reciprocity agreement.

Owners are afforded the opportunity to be heard and appeal protections to address whether a claim pursued against an owner of a motor vehicle registered in this State is false, mistaken, or unjustified. Owners can present evidence to another state's toll authority via mail, telephone, electronically, or they may appear before the Department upon a clear showing of a factual or legal issue as to the outstanding tolls, at the sole discretion of the Department.

A 180-day amnesty program is established to allow for the reduction of 25% of unpaid tolls and fees totaling \$500 or more if all outstanding tolls are otherwise paid in their entirety.

Any unpaid tolls or fees that are collected will be paid directly to the respective tolling entities and the collected tolls and fees are prohibited from being diverted into the State budget's general fund.

The proposed new rules provide the procedures by which the Department will establish and administer a toll collection and enforcement system on behalf of New Jersey tolling entities and to enter into reciprocal agreements for the enforcement of toll violations with toll authorities from other states.

Subchapter 1 provides the purpose and scope of the chapter.

Subchapter 2 provides the definitions which are used throughout the chapter.

Subchapter 3 provides provisions relating to interagency agreements.

Subchapter 4 provides provisions relating to toll reciprocity agreements.

Subchapter 5 provides general provisions relating to the suspension or denial of a motor vehicle registration by the Department.

Subchapter 6 provides provisions relating to the proposed motor vehicle registration suspension.

Subchapter 7 provides provisions relating to a Department hearing.

Subchapter 8 provides provisions relating to a Hearing Officer's powers and duties.

Subchapter 9 provides provisions relating to the determinations of a Hearing Officer.

Subchapter 10 provides provisions relating to appeals.

Subchapter 11 provides provisions relating to the Department's direction to suspend a motor vehicle registration.

Subchapter 12 provides provisions relating to the amnesty program.

Subchapter 13 provides provisions relating to the fees associated with the collection and enforcement of toll violations.

N.J.S.A. 27:1A-3.1. authorizes the Department, each New Jersey tolling entity, and the Commission, to work cooperatively under the direction and coordination of the Department, to specially adopt rules to implement the toll collection and enforcement system, which are to be effective after providing 30 days' notice for the purpose of receiving public comment and for 18 months thereafter, and to promulgate rulemaking in the ordinary course to implement the Act. Pursuant to this authority, the Department hereby specially adopts as new N.J.A.C. 16:3, which authorizes the Department to establish and administer a toll collection and enforcement system on behalf of New Jersey toll entities, to enter into interagency agreements with New Jersey tolling entities, to enter into reciprocal agreements for the enforcement of toll violations with out-of-state tolling entities, interstate toll entities or other states, and to establish standards implementing the portions of the toll collection and enforcement system that are described above.

The Department concurrently proposes to readopt the specially adopted new rules, which are described below. Such readoption extends the new chapter expiration date by an additional 180 days to **X, 202X**, pursuant to N.J.S.A. 52:14B-1 et seq.

N.J.S.A. 27:1A-3.1.1 authorizes the Department to specially adopt rules to implement the toll collection and enforcement system, which are to be effective after providing 30 days' notice for the purpose of receiving public comment, this notice is excepted from the rulemaking calendar requirement pursuant to N.J.A.C. 1:30-3.3(a)2.

Social Impact

The specially adopted new rules will have a positive social impact because they will promote toll payment compliance. Noncompliance with toll payment obligations may result in the suspension of a registered motor vehicle owner's registration and the ability to lawfully operate the vehicle or the denial of motor vehicle registration privileges of the owner.

Economic Impact

The Department anticipates that the administrative procedures set forth herein will have a positive economic impact on the State by establishing predictability and uniformity in toll collection and reciprocity procedures.

The possibility of motor vehicle registration suspension may incentivize motorists to pay their tolls so that suspension does not occur. These rules will also allow for the collection of tolls and fees for violations committed in New Jersey, even if the car is registered in another state.

The Commission currently requires payment of a \$100 restoration fee for the restoration of each registration that has been suspended or revoked pursuant to any law or regulation. Since the Department may seek suspension of the motor vehicle registration, the specially adopted new rules may increase the need for registration restorations, and there may be an increase in the number of restoration fees collected by the Commission.

The Department will incur administrative expenses associated with establishing and administering a toll collection and enforcement system, but it may establish minimum administrative expenses related to the administration of enforcing the collection of tolls and fees that may help offset those expenses.

Federal Standards Statement

The administrative procedures set forth herein are in conformity with the requirements of 23 CFR Part 129. Therefore, a Federal standards analysis pursuant to N.J.S.A.52:14B-23 is not required.

Jobs Impact

The Department does not expect that the concurrently proposed readoption of the specially adopted new rules will result in a significant generation of jobs in the State.

Agriculture Industry Impact

The concurrently proposed readoption of the specially adopted new rules have no impact

on the agriculture industry of the State of New Jersey.

Regulatory Flexibility Statement

The concurrently proposed readoption of the specially adopted new rules do not impose reporting, recordkeeping, and compliance requirements on small businesses as the term is defined in the New Jersey Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq.

The concurrently proposed readoption of the specially adopted new rules will provide the processes and manner by which the Department will establish and administer a system of adjudicating and enforcing the collection of motor vehicle tolls imposed by tolling entities. No preferential treatment has been specifically provided for small businesses in the proposed new rules.

Housing Affordability Impact Analysis

The concurrently proposed readoption of the specially adopted new rules have no impact on the affordability of housing in New Jersey and will not evoke a change in the average costs associated with housing and therefore no further analysis is required.

Smart Growth Development Impact Analysis

The concurrently proposed readoption of the specially adopted new rules have no impact on the achievement of smart growth and will not evoke a change in housing production in Planning Areas 1 or 2, or within designated centers, pursuant to the State Development and Redevelopment Plan in New Jersey and therefore no further analysis is required.

Racial and Ethnic Community Criminal Justice and Public Safety Impact

The Department has evaluated this rulemaking and determined that it will not have an impact on pretrial detention, sentencing, probation, or parole policies concerning adults and juveniles in the State. Accordingly, no further analysis is required.

Full text of the specially adopted new rules and concurrently proposed readoption of the specially adopted new rules follows:

Full text of the proposed new rules follows:

CHAPTER 16:3

DEPARTMENT OF TRANSPORTATION TOLL COLLECTION AND ENFORCEMENT SYSTEM

SUBCHAPTER 1. PURPOSE AND SCOPE

16:3-1.1 Purpose

The purpose of this chapter is to establish and set forth the process to administer a toll collection and enforcement system on behalf of New Jersey tolling entities and to enter into reciprocal agreements for enforcement of toll violations with out-of-state tolling entities, interstate tolling entities, or other states in accordance with N.J.S.A. 27:1A-3.1.

16:3-1.2 Scope

This chapter applies to all New Jersey tolling entities, out-of-state tolling entities, interstate tolling entities, or to states that have entered into a reciprocity agreement with the Department or the New Jersey Turnpike Authority pursuant to an inter-agency agreement(s), the Commission, and registered motor vehicle owners for the purpose of implementing a toll collection enforcement and reciprocity program pursuant to N.J.S.A. 27:1A-3.1.

SUBCHAPTER 2. DEFINITIONS

16:3-2.1 Definitions

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

“Adjournment” means postponement of the hearing until another time.

“Administrative expenses” means the costs incurred for collecting and enforcing toll violations by the Department, the Commission, the agency that registers motor vehicles in another state, or the parties of a reciprocity agreement.

“Administrative fees” or “fees” means the costs incurred by any tolling entity for processing and collecting a toll violation and does not include penalties and fines.

“Affidavit” means a written statement that is signed and sworn or affirmed to be true in the presence of a notary public or other person authorized to administer an oath or affirmation.

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“Commission” means the New Jersey Motor Vehicle Commission.

“Commissioner” means the Commissioner of Transportation.

“Department” means the Department of Transportation.

“Discovery” means the process by which a party is permitted by the Hearing Officer to view, inspect or receive a copy of documents, and gain other information necessary to prepare a case for a hearing.

“Filing fee” means a nonrefundable administrative expense paid by an owner at the time a Department hearing is requested to appeal the unpaid tolls and fees and/or penalties that form the basis of the Notice of Pending Registration Suspension.

“Final Agency Decision” means a written decision by the Hearing Officer, that is a conclusive determination, and is dispositive of all issues, legal and factual, and for which no further recourse, appeal, or review is provided within the Department.

“Hearing” means a proceeding conducted by the Hearing Officer for the purpose of determining disputed issues of fact and/or law.

“Hearing Officer” means a person designated by the Department to review evidence, conduct hearings, and make conclusive determinations, that are dispositive of all issues, legal and factual, for which no further recourse, appeal, or review is provided within the Department.

“Lessee” means any person, corporation, firm, partnership, agency, association, or organization that rents, leases, or contracts for the use of a vehicle and has exclusive use of the vehicle

for any period of time. The lessee is deemed to be the owner of the vehicle if the lessor submitted to the New Jersey tolling entity, out-of-state tolling entities, interstate tolling entities, or other state, in a timely manner, a copy of the rental agreement, lease or other contract document covering that vehicle on the date of the violation, with the name and address of the lessee clearly legible.

“Lessor” means any person, corporation, firm, partnership, agency, association, or organization engaged in the business of renting or leasing vehicles to any lessee under a rental agreement, lease, or other contract that provides the lessee with the exclusive use of the vehicle for any period of time. The lessor is deemed to be the owner of the vehicle if the lessor failed to submit to the New Jersey tolling entity, out-of-state tolling entities, interstate tolling entities, or other state, in a timely manner, a copy of the rental agreement, lease or other contract document covering that vehicle on the date of the violation, with the name and address of the lessee clearly legible.

"Material fact" means a fact legally consequential to a determination of an issue in the case.

“Motor vehicle registration” or “registration” means the registration of any commercial and/or passenger vehicle in the registered owner’s name.

“New Jersey E-ZPass Group” means a multi-agency group, which is subject to change, but is currently comprised of the New Jersey Turnpike Authority, South Jersey Transportation Authority, Delaware River Port Authority, Delaware River and Bay Authority, Delaware River Joint Toll Bridge Commission, Burlington County Bridge Commission, and Cape May County Bridge Commission.

“New Jersey tolling entity” shall include the New Jersey Turnpike Authority, established pursuant to section 3 of P.L.1948, c.454 (C.27:23-3), the South Jersey Transportation Authority, established pursuant to section 4 of P.L.1991, c.252 (C.27:25A-4), any county commission, established pursuant to R.S.27:19-36, any member of the New Jersey E-ZPass Group, or any interstate tolling entity with which New Jersey is a member of the enabling compact and has entered

into a reciprocity agreement with the Department or the New Jersey Turnpike Authority pursuant to an inter-agency agreement(s) for the purposes of toll enforcement that authorizes the Department to suspend or deny motor vehicle registration privileges for toll violators in accordance with the provisions of N.J.S.A. 27:1A-3.1.

“Notice of Pending Registration Suspension” or “Notice” means a written notice provided by the Department to the owner of a motor vehicle registered in the State of New Jersey for whom the Department has received a request from a New Jersey tolling entity or out-of-state tolling entity, interstate tolling entity, or other state to suspend and/or deny the motor vehicle registration privileges of the owner for accumulated unpaid tolls and fees and/or penalties.

“Reciprocal tolling entity” means an out-of-state tolling entity, interstate tolling entity, or other state that has entered into a reciprocity agreement in accordance with these rules, with the New Jersey Turnpike Authority on behalf of the Department or the Department for the purpose of implementing a system of unpaid toll collections and enforcement, and providing for the suspension of New Jersey motor vehicle registrations for the non-payment of tolls and fees assessed by an out-of-state or interstate tolling entity or another state and the allocation of administrative expenses.

“Relevant Evidence” or “evidence” means evidence having a tendency in reason to prove or disprove any fact of consequence to the determination of the action.

SUBCHAPTER 3. INTERAGENCY AGREEMENTS

16:3-3.1 Interagency Agreements

(a) Pursuant to N.J.S.A 27:1A-3.1.j., the Department may supplement the authority bestowed upon it pursuant to N.J.S.A 27:1A-3.1, with any other existing statutory or administrative authority conferred on the Department, the Commission, and the New Jersey tolling entities, and these agencies shall have the power to enter into interagency agreements to implement the provisions

of N.J.S.A 27:1A-3.1.

(b) Pursuant to N.J.S.A 27:1A-3.1.k., the Department may negotiate interagency agreements with each New Jersey tolling entity and may include provisions in reciprocity agreements with out-of-state tolling entities, interstate tolling entities, or other states to fund the administrative expenses of the Department in enforcing the collection of tolls and fees.

16:3-3.2 New Jersey E-ZPass Group

(a) The New Jersey Turnpike Authority is the lead agency for the New Jersey E-ZPass Group in accordance with N.J.S.A. 27:23-34.9, and pursuant to a Memorandum of Agreement dated October 18, 2016, by and among the New Jersey E-ZPass Group members, as amended from time to time.

(b) On behalf of the New Jersey E-ZPass Group, the New Jersey Turnpike Authority and the Department shall enter into an interagency agreement to permit the New Jersey Turnpike Authority on behalf of the New Jersey E-ZPass Group to enter into interagency agreements with the Department so that the New Jersey Turnpike Authority may enter into reciprocal agreements on behalf of the Department with out-of-state tolling entities, interstate tolling entities, or other states to implement a system of unpaid toll collections and enforcement, providing for the suspension of New Jersey motor vehicle registrations for the non-payment of tolls and fees and/or penalties assessed by an out-of-state or interstate tolling entity or another state and the allocation of administrative expenses.

SUBCHAPTER 4. TOLL RECIPROCITY AGREEMENTS

16:3-4.1 Toll Reciprocity Agreements

(a) Pursuant to N.J.S.A 27:1A-3.1.(f), the Department may enter into reciprocity agreements with out-of-state tolling entities, interstate tolling entities, or other states to implement a system of unpaid toll collections and enforcement, providing for the suspension of New Jersey motor vehicle registrations for the non-payment of tolls and fees and/or penalties assessed by an out-of-state or interstate tolling entity or another state and the allocation of administrative expenses.

(b) Pursuant to N.J.A.C. 16:3-3.2(b), the New Jersey Turnpike Authority may enter into reciprocity agreements on behalf of the Department with out-of-state tolling entities, interstate tolling entities, or other states to implement a system of unpaid toll collections and enforcement, providing for the suspension of New Jersey motor vehicle registrations for the non-payment of tolls and fees and/or penalties assessed by an out-of-state or interstate tolling entity or another state and the allocation of administrative expenses.

(c) Toll enforcement fees and penalties will be enforced on owners in states that enter into these reciprocity agreements, including as part of the reciprocity agreements to collect unpaid tolls and fees and/or penalties and suspend the motor vehicle registration of the owners in those states. Under the reciprocity agreement, written notice will be provided to owners who reside in one of the participating states and owe tolls and fees and/or penalties to an agency located in any of the other states participating in the reciprocity agreement or to owners who reside in New Jersey and owe tolls and fees and/or penalties to the state participating in the reciprocity agreement.

16:3-4.2 Toll Reciprocity Agreement Provisions

(a) A reciprocity agreement entered into pursuant N.J.A.C. 16:3-4.1, shall include provisions confirming the following:

1. The out-of-state tolling entity, interstate tolling entity, or other state has its own reciprocal procedures for collecting tolls and fees and/or penalties due to New Jersey tolling entities by employing sanctions that include the denial of a person's ability to obtain a registration certificate for a motor vehicle;

2. Penalties, exclusive of tolls, claimed by the out-of-state tolling entity, interstate tolling entity, or other state against the owner of a motor vehicle registered in this State do not exceed \$100 for the first violation or \$600 for each subsequent violation;

3. The out-of-state tolling entity, interstate tolling entity, or other state provides the opportunity to be heard and appeal protections to address whether a claim pursued against an owner of a motor vehicle registered in New Jersey is false, mistaken, or unjustified;

4. An owner of a motor vehicle registered in New Jersey may present evidence to the out-of-state tolling entity, interstate tolling entity, or other state by mail, telephone, or electronic means, or in-person when being given the opportunity to be heard by the Department, without having to appear personally in the jurisdiction where the violation is alleged to have occurred;

5. The out-of-state tolling entity, interstate tolling entity, or other state will provide the owner of a motor vehicle registered in New Jersey with the agreed upon notices regarding the opportunity to be heard and appeal protections to address whether a claim pursued against an owner of a motor vehicle registered in New Jersey is false, mistaken, or unjustified; and

6. The parties to the reciprocity agreement each may charge the other party an administrative expense sufficient for each party to recoup the costs of collection services, including costs incurred by the Department or the agency that registers motor vehicles in the other state.

SUBCHAPTER 5. DEPARTMENT SUSPENSION OF A MOTOR VEHICLE REGISTRATION

16:3-5.1 Suspension Request by a New Jersey tolling entity or Reciprocal tolling entity

(a) The Department may direct the Commission to suspend the motor vehicle registration(s) of an owner and/or deny motor vehicle registration privileges, upon receipt of a notification to the Department from a New Jersey tolling entity or Reciprocal tolling entity , that the owner of a motor vehicle has:

1. Accumulated unpaid tolls and fees collectively totaling \$500 or more over the past three years; or
2. Six or more unpaid toll violations, with at least one violation having occurred after January 16, 2024; or
3. Not complied with the terms of a payment agreement entered into with a New Jersey tolling entity, New Jersey E-ZPass, Reciprocal tolling entity, or the entity specified in the Notice of Pending Registration Suspension.

(b) A suspension may be imposed for outstanding tolls and fees if a New Jersey tolling entity or Reciprocal entity submits a suspension request to the Department within three years of the toll violation(s) that form the basis of the suspension request.

(c) Penalties, exclusive of tolls, may not exceed \$100 for the first violation or \$600 for each subsequent violation.

(d) The evidence submitted by a New Jersey tolling entity or Reciprocal tolling entity shall be prima facie proof of the facts contained in the documents.

SUBCHAPTER 6. NOTICE OF PENDING REGISTRATION SUSPENSION

16:3-6.1 Notice of Pending Registration Suspension Pursuant to a New Jersey Tolling Entity's Suspension Request

(a) Within 15 days of receipt of a suspension request received pursuant to N.J.A.C. 16:3-5.1, and prior to directing the suspension of a motor vehicle registration, the Department shall provide the registered owner with a Notice of Pending Registration Suspension. The Notice shall be sent by first class mail to the address of the owner provided to the Department by the New Jersey tolling entity and specify the violations provided to the Department pursuant to N.J.A.C 16:3-5.1 and the date of the suspension request.

(b) The Notice of Pending Registration Suspension shall inform the owner of the Department's

intent to suspend every motor vehicle registration of the owner and/or deny motor vehicle registration privileges and include the form and manner in which an owner may respond.

(c) Prior to directing the suspension of every motor vehicle registration, the Department shall afford the owner the opportunity to be heard by the Department and appeal protections in a manner sufficient to address whether the suspension is based on a false, mistaken, or unjustified claim.

(d) The Notice of Pending Registration Suspension shall inform the owner that a request for a hearing must comply with the requirements of N.J.A.C. 16:3-7.1.

(e) The Notice of Pending Registration Suspension shall inform the owner of the Department's response to a request for a hearing as described in N.J.A.C. 16:3-7.2.

(f) The Notice of Pending Registration Suspension shall provide the owner with the means of accessing the evidence provided in accordance with N.J.A.C. 16:3-7.6.

(g) The Notice of Pending Registration Suspension shall inform the owner of the required burdens of proof as described in N.J.A.C. 16:3-7.7 and 16:3-7.8.

(h) The Notice of Pending Registration Suspension shall inform the owner of the required filing fee as described in N.J.A.C. 16:3-7.12.

(i) The Notice of Pending Registration Suspension shall inform the owner of prospective restoration fees as described in N.J.A.C. 16:3-11.5.

16:3-6.2 Owner's Response to a Notice of Pending Registration Suspension for a New Jersey Tolling Entity's Suspension Request

(a) The owner of a motor vehicle who is served with a Notice of Pending Registration Suspension may pay the tolls and fees and/or penalties stated therein or deny the claim charged and request a hearing.

(b) An owner may pay the tolls and fees and/or penalties directly to New Jersey E-ZPass or the entity specified in the Notice of Pending Registration Suspension either in-person, by mail, phone,

or online when applicable, or enter into a payment agreement with New Jersey E-ZPass or the entity specified in the Notice of Pending Registration Suspension on or before the scheduled suspension date.

(c) A request for a hearing shall be made within 45 calendar days of the date of the Notice of Pending Registration Suspension.

(d) Failure to pay the tolls and fees and/or penalties, and/or enter into a payment agreement, or request a hearing shall result in the Hearing Officer issuing a final agency decision directing the suspension of every motor vehicle registration of the owner

16:3-6.3 Notice of Pending Registration Suspension Pursuant to a Reciprocal Tolling Entity's Suspension Request

(a) Prior to directing the suspension of a motor vehicle registration, the Department shall provide the registered owner with a Notice of Pending Registration Suspension, by first class mail to the address of the owner provided to the Department by the Reciprocal tolling entity or the Commission, of the violations provided to the Department pursuant to N.J.A.C 16:3-5.1.

(b) The Notice of Pending Registration Suspension shall inform the owner that the Reciprocal tolling entity provides the opportunity to be heard and appeal protections to address whether a claim pursued against an owner of a motor vehicle registered in New Jersey is false, mistaken, or unjustified.

(c) The Notice of Pending Registration Suspension shall inform the owner that he/she may present evidence to the Reciprocal tolling entity by mail, telephone, or electronic means, or to the Department, without having to appear personally in the jurisdiction where the violation is alleged to have occurred.

(d) The Notice of Pending Registration Suspension shall contain any other information or notices required pursuant to the terms and conditions of the reciprocity agreement entered into pursuant to

N.J.A.C. 16:3-4.1 through 4.2.

16:3-6.4 Owner's Response to a Notice of Pending Registration Suspension for a Reciprocal Tolling Entity's Suspension Request

(a) The owner of a motor vehicle must comply with the requirements detailed in the Notice of Pending Registration Suspension and in the time and manner described therein.

16:3-6.5 Payments and Payment Agreements Entered Into Prior to the Proposed Suspension Date

(a) The owner of a motor vehicle who pays the outstanding tolls and fees and/or penalties in their entirety, or who enters into a payment agreement for the outstanding tolls and fees with a New Jersey tolling entity, New Jersey E-ZPass, Reciprocal tolling entity, or the entity specified in the Notice of Pending Registration Suspension prior to the scheduled suspension date shall:

1. Not be subject to suspension for the violations specified therein;
2. Admit liability for the tolls and fees and/or penalties; and
3. Waive the right to request a hearing.

(b) Prior to the proposed date of suspension, the New Jersey tolling entity or Reciprocal tolling entity that was specified in the Notice, shall immediately notify the Department that the owner has paid the outstanding tolls and fees and/or penalties in their entirety, or has entered into a payment agreement, and request that the suspension not occur on the date specified in the Notice.

(c) After receipt of the notification in subsection (b) above, the Hearing Officer shall issue a final agency decision stating that the suspension was not based on a false, mistaken, or unjustified claim, but direct that the pending suspension of the motor vehicle registration(s) of the owner shall not occur because the owner has paid the outstanding tolls and fees and/or penalties in their entirety, or has entered into a payment agreement. The final agency decision shall be sent to the entity requesting suspension pursuant to N.J.A.C.16:3-5.1 and to the owner.

(d) The owner of a motor vehicle who receives a Notice of Pending Registration Suspension and

enters into a payment agreement for the outstanding tolls and fees and/or penalties with a New Jersey tolling entity, New Jersey E-ZPass, Reciprocal tolling entity, or the entity specified in the Notice, prior to the scheduled suspension date shall be subject to suspension for noncompliance with the terms of the payment agreement. The Department may issue a subsequent Notice of Pending Registration Suspension and direct suspension for noncompliance even if the remaining unpaid tolls and fees and/or penalties under the payment agreement are below \$500 or are now more than three years after the toll violations were committed.

SUBCHAPTER 7 HEARING

16:3-7.1 Request for a Department hearing

(a) A request for a Department hearing from an owner responding to a Notice of Pending Registration Suspension received pursuant to N.J.A.C. 16:3-6.1 or N.J.A.C. 16:3-6.3 shall:

1. Be in writing and made in the form and manner prescribed in the Notice of Pending Registration Suspension;
2. Include an affidavit from the owner to support a claim that the Notice of Pending Registration Suspension is based on a false, mistaken, or unjustified claim;
3. Specify all disputed material facts which the owner or his or her attorney intends to raise at such hearing;
4. Set forth all legal issues which the owner or his or her attorney intends to raise and shall present all arguments on those issues which the owner or his or her attorney wishes the Hearing Officer to consider;
5. Include any other documents or evidence relied on by the owner or his or her attorney to support a claim that suspension is based on a false, mistaken, or unjustified claim;
6. Verify and/or update the address that subsequent correspondences from the Department should be sent and the preferred method of communication. Any failure to do so by the owner will

not be considered good cause for the failure to respond to the Notice of Hearing or subsequent notices in a timely manner;

7. Include the filing fees as determined by the Department at the time of the request; and

8. Include any application for additional discovery which may be granted at the discretion of the Hearing Officer upon a showing of good cause in accordance with N.J.A.C. 16:3-7.9.

16:3-7.2 Department's Response to a Hearing Request

(a) The Hearing Officer will review the information provided pursuant to N.J.A.C.16:3-5.1 by the New Jersey tolling entity, and when applicable, the Reciprocal tolling entity, and the information provided in the hearing request by or on behalf of an owner. The Hearing Officer shall, at their sole discretion, either consider those material facts, legal issues, and arguments on the basis of the written record and render a written determination on the papers which shall constitute the Hearing Officer's final agency decision in the matter or may require the owner to attend an in-person hearing. The owner shall not have the right to elect a hearing on the papers or an in-person hearing.

(b) After considering the material facts, legal issues, and arguments, the Hearing Officer shall issue a final agency decision, which shall be binding on all the parties concerned.

16:3-7.3 Department Hearing Notices

(a) Upon the determination of the Hearing Officer of whether the hearing will be on the papers or in-person, the Hearing Officer shall schedule a hearing date and send a notice of the hearing date.

(b) The hearing notice shall be sent to the tolling entity that requested the suspension, and to the owner by the preferred method of communication, as specified by the owner, in the owner's hearing request or their attorney.

(c) The notice shall permit the owner to select a telephone or virtual hearing in lieu of appearing in-person at the hearing. If the owner does not appear at the scheduled in-person, telephone, or virtual hearing, the Hearing Officer shall consider those material facts, legal issues, and arguments on the

papers and render a written determination which shall constitute the final agency decision in the matter.

(d) The hearing notice shall:

1. Include the hearing date, manner, and location as determined by the Hearing Officer;
2. Include the name of the Hearing Officer; and
3. Advise that the owner may represent themselves or be represented by an attorney at an in-person hearing; except that appearances by attorneys and non-attorneys in any proceedings involving toll enforcement and registration suspension established by these regulations shall be consistent with the provisions of N.J.A.C. 1.1.

16:3-7.4 Payments and Payment Agreements Entered Into After a Hearing Request

(a) The owner of a motor vehicle who pays the outstanding tolls and fees and/or penalties in their entirety or who enters into a payment agreement for the outstanding tolls and fees and/or penalties with a New Jersey tolling entity, New Jersey E-ZPass, Reciprocal tolling entity, or the entity specified in the Notice of Pending Registration Suspension prior to the hearing date or final agency decision being sent by the Department shall:

1. Not be subject to suspension for the violations specified therein;
2. Admit liability for the tolls and fees and/or penalties;
3. Waive the right to request a hearing; and
4. Not receive a refund for the filing fee.

(b) The New Jersey tolling entity or Reciprocal tolling entity, that was specified in the Notice of Pending Registration Suspension, shall immediately notify the Department that the owner has paid the outstanding tolls and fees and/or penalties in their entirety or has entered into a payment agreement and request that the suspension not occur.

(c) After receipt of the notification described in subsection (b) above, the Hearing Officer shall issue a final agency decision that the suspension was not based on a false, mistaken, or unjustified claim, but direct that the proposed suspension of the motor vehicle registration of the owner shall not occur because the owner has paid the outstanding tolls and fees and/or penalties in their entirety or has entered into a payment agreement. The final agency decision shall be sent to the entity requesting suspension pursuant to N.J.A.C.16:3-5.1 and to the owner or their attorney.

(d) The owner of a motor vehicle who receives a Hearing Notice and enters into a payment agreement for the outstanding tolls and fees and/or penalties with a New Jersey tolling entity, New Jersey E-ZPass, Reciprocal tolling entity, or the entity specified in the Notice of Pending Registration Suspension prior to the hearing date or final agency decision being sent by the Department, shall be subject to suspension for noncompliance with the terms of the payment agreement. The Department may issue a subsequent Notice of Pending Registration Suspension and direct suspension for noncompliance even if the remaining unpaid tolls and fees and/or penalties under the payment agreement are below \$500 or are now more than three years after the toll violations were committed.

16:3-7.5 Adjournment Requests

(a) An owner or their attorney may not request an adjournment for a scheduled on the papers hearing. The following shall apply to adjournment requests made by an owner or their attorney for scheduled in-person, virtual, or telephone hearings:

1. No adjournment requests made to the Hearing Officer will be honored except for good cause and upon the Order of the Hearing Officer.

2. All requests for an adjournment must be made in writing with the reasons for the adjournment specified therein.

3. All adjournment requests shall be made to the Hearing Officer via the contact

information indicated in the notice of hearing.

4. Upon receipt of the adjournment request the Hearing Officer will review the request, make a determination, and direct that the requestor be notified of the decision.

5. If the Hearing Officer grants an adjournment, a new date will be set for the hearing, and the requestor will be notified of the date.

16:3-7.6 Evidence

(a) In any proceeding, documents obtained from a New Jersey tolling entity, New Jersey E-ZPass, the Commission, a Reciprocal tolling entity, or their agents, shall be admissible into evidence to support the unpaid toll violations and shall constitute documents of the Department.

(b) The Department's certification that it has obtained documents and information from a New Jersey tolling entity, New Jersey E-ZPass, the Commission, a Reciprocal tolling entity, or their agents, shall be prima facie proof of the facts contained in the documents.

(c) The owner or their attorney shall submit documents in accordance with N.J.A.C. 16:3-7.1, which shall be admissible into evidence to support the owner's claim that the suspension is based on a false, mistaken, or unjustified claim and shall constitute documents of the Department.

16:3-7.7 Burden of Proof for the New Jersey tolling entity or Reciprocal tolling entity

(a) The New Jersey tolling entity or Reciprocal tolling entity shall have the burden of proof of establishing, by clear and convincing evidence, that:

1. The owner of a motor vehicle has accumulated unpaid tolls and fees collectively totaling \$500 or more over the past three years; and

2. The suspension request is not being made more than three years after the violation was committed in accordance with N.J.A.C 16:3-5.1(b); and

3. Penalties, exclusive of tolls and fees, do not exceed \$100 for the first violation or \$600 for each subsequent violation; or

(b) The New Jersey tolling entity or Reciprocal tolling entity shall have the burden of proof of establishing, by clear and convincing evidence, that:

1. The owner of a motor vehicle has accumulated six or more unpaid toll violations, with at least one violation having occurred after January 16, 2024; and
2. The suspension request is not being made more than three years after the violation was committed in accordance with N.J.A.C 16:3-5.1(b); and
3. Penalties, exclusive of tolls and fees, do not exceed \$100 for the first violation or \$600 for each subsequent violation.; or

(c) The New Jersey tolling entity or Reciprocal tolling entity shall have the burden of proof of establishing, by clear and convincing evidence, that the owner of a motor vehicle has failed to comply with the terms of a payment agreement entered into with a New Jersey tolling entity, New Jersey E-ZPass, Reciprocal tolling entity, or the entity specified in the Notice of Pending Registration Suspension.

16:3-7.8 Burden of Proof for the Owner

(a) The owner shall have the burden of establishing, by clear and convincing evidence, that the suspension is based on a false, mistaken, or unjustified claim and/or that:

1. The owner surrendered the license plate prior to the violation date.
2. The vehicle or license plate was reported stolen by the owner prior to the violation date.
3. The tag was read, and the toll posted to the owner's E-ZPass account at the time of the occurrence.
4. The owner sold the vehicle prior to the violation date.
5. The owner did not own the vehicle associated with the toll violation at the time of the occurrence.
6. The owner possesses a receipt of cash paid directly to the tolling entity at the time of the occurrence.

7. The vehicle was leased or rented at the time of the occurrence and the lessor, in response to a toll violation notice, had submitted to the New Jersey tolling entity or Reciprocal tolling entity, in a timely manner, a copy of the rental agreement, lease or other contract document that included an agreement with respect to tolls, covering that vehicle on the date of the violation, with the name of the lessee, address of the lessee, and the license plate number and state for the vehicle clearly legible.

8. The lessee did not lease or rent the vehicle at the time of the occurrence.

9. The owner has complied with the terms of the payment agreement entered into with a New Jersey tolling entity, New Jersey E-ZPass, Reciprocal tolling entity, or the entity specified in the Notice of Pending Registration Suspension.

16:3-7.9 Discovery

(a) If an owner seeks to obtain additional documentary records not provided pursuant to N.J.A.C. 16:3-6.1(f), an application for good cause may be made to the Hearing Officer, and consistent with the relevant court rules and statutes, the Hearing Officer may, at their sole discretion, order the production of the records.

(b) If a New Jersey tolling entity or Reciprocal tolling entity seeks to obtain documentary records, a request may be made to the Hearing Officer prior to the date of the hearing, and at their sole discretion, the Hearing Officer may order the production of the records.

16:3-7.10 Failure to Appear

(a) In the event an owner fails to appear at any scheduled in-person, telephone, or virtual hearing, wherein an adjournment has not been granted, the Hearing Officer shall consider those material facts, legal issues, and arguments on the papers, and render a written determination which shall constitute the final agency decision in the matter, and the owner shall be deemed to have abandoned his or her request for hearing

(b) A New Jersey tolling entity or Reciprocal tolling entity is not required to attend an in-person, telephone, or virtual hearing.

16:3-7.11 Filing Fees

(a) The Department may establish minimum filing fees related to the administration of enforcing the collection of tolls and fees which may be increased at the discretion of the Department.

(b) An owner who requests a hearing pursuant to N.J.A.C. 16:3-7.1 shall pay a filing fee of \$50.00 in the manner and form prescribed by the Department in the Notice of Pending Registration Suspension. The filing fee shall be nonrefundable, and the Department will not process a hearing request without the applicable filing fee paid in full.

SUBCHAPTER 8 HEARING OFFICER, POWERS, AND DUTIES

16:3-8.1 Hearing Officer

(a) Proceedings conducted under these rules shall be presided over by a Hearing Officer who shall be an individual authorized by the Department to conduct proceedings under this rule.

16:3-8.2 Powers of Hearing Officers

(a) The Hearing Officer shall conduct a fair and impartial hearing and take all action necessary to avoid delay in the disposition of proceedings and to maintain order. The Hearing Officer shall have all powers necessary to those ends, including, but not limited to, the power:

1. To administer oaths and affirmations;
2. To rule upon offers of proof and receive evidence;
3. To order or limit discovery as described herein;
4. To regulate the course of the hearing and the conduct of the parties and their counsel;
5. To hold conferences for the settlement or simplification of the issues by consent of the parties;
6. To permit the parties to enter into payment agreements with the consent of the parties;

7. To consider and rule upon all procedural matters appropriate in the hearing proceedings;
8. To take notice of any material fact not appearing in evidence in the record that is properly a matter of judicial notice;
9. To make and file determinations and issue written decisions and Orders; and
10. To exercise such other authority as is necessary to carry out the responsibilities of the Hearing Officer.

SUBCHAPTER 9 DETERMINATIONS OF THE HEARING OFFICER

16:3-9.1 Final Agency Decision Pursuant to a New Jersey Tolling Entity's Suspension Request

- (a) After due consideration of the evidence and arguments, the Hearing Officer shall issue a determination sustaining or rejecting the proposed suspension request.
- (b) Where the Hearing Officer determines that the suspension is based on a false, mistaken, or unjustified claim, the Hearing Officer shall issue a final agency decision directing that the proposed suspension of the motor vehicle registration of the owner shall not occur.
- (c) Where the Hearing Officer determines that the suspension is not based on a false, mistaken, or unjustified claim, the Hearing Officer shall issue a final agency decision directing the suspension of every motor vehicle registration of the owner and/or denying motor vehicle registration privileges.
- (d) Where an owner fails to (1) pay the tolls and fees and/or penalties, (2) enter into a payment agreement, or (3) request a hearing, in the time prescribed in the Notice of Pending Registration Suspension, the Hearing Officer shall issue a final agency decision directing the suspension of every motor vehicle registration of the owner and/or denying motor vehicle registration privileges.
- (e) Where an owner pays the outstanding tolls and fees and/or penalties in their entirety, or enters into a payment agreement, the Hearing Officer shall issue a final agency decision stating that the suspension was not based on a false, mistaken, or unjustified claim, but direct that the pending suspension of the motor vehicle registration(s) of the owner shall not occur because the owner has

paid the outstanding tolls and fees and/or penalties in their entirety, or has entered into a payment agreement.

(f) Where an owner fails to comply with the terms of a payment agreement entered into with a New Jersey tolling entity or New Jersey E-ZPass, the Hearing Officer shall issue a final agency decision directing the suspension of every motor vehicle registration of the owner and/or denying motor vehicle registration privileges.

(g) Any final agency decision that directs suspension shall specify that every motor vehicle registration of the owner be suspended and the effective date of suspension.

(h) The final agency decision shall be sent to the entity requesting suspension pursuant to N.J.A.C.16:3-5.1, and to the method provided by the owner pursuant to N.J.A.C. 16:3-7.1, or the address provided to the Department by their attorney.

(i) Pursuant to N.J.A.C. 16:3-11.1, the Department shall provide the Commission with a copy of any final agency decision that directs the Commission to suspend and/or deny motor vehicle registration privileges.

(j) The final determination of the Hearing Officer shall constitute the final agency decision of the Department.

16:3-9.2 Final Agency Decision Pursuant to a Reciprocal Tolling Entity's Suspension Request

(a) After due consideration of the evidence and arguments, the Hearing Officer shall issue a determination sustaining or rejecting the proposed suspension request.

(b) Where the Hearing Officer determines that the suspension is based on a false, mistaken, or unjustified claim, the Hearing Officer shall issue a final agency decision directing that the proposed suspension of the motor vehicle registration(s) of the owner shall not occur.

(c) Where the Hearing Officer determines that the suspension is not based on a false, mistaken, or unjustified claim, the Hearing Officer shall issue a final agency decision directing the suspension of

the New Jersey motor vehicle registration(s) of the owner pursuant to the terms and conditions of the reciprocity agreement entered into pursuant to N.J.A.C. 16:3-4.1 through 4.2.

(d) Where an owner fails to pay the tolls and fees and/or penalties, and/or enter into a payment agreement, or request a hearing, in the time prescribed in the Notice of Pending Registration Suspension, the Hearing Officer shall issue a final agency decision directing the suspension of the New Jersey motor vehicle registration(s) of the owner pursuant to the terms and conditions of the reciprocity agreement entered into pursuant to N.J.A.C. 16:3-4.1 through 4.2.

(e) Where an owner pays the outstanding tolls and fees and/or penalties in their entirety or enters into a payment agreement, the Hearing Officer shall issue a final agency decision stating that the suspension was not based on a false, mistaken, or unjustified claim, but direct that the pending suspension of the motor vehicle registration(s) of the owner shall not occur because the owner has paid the outstanding tolls and fees and/or penalties in their entirety or has entered into a payment agreement.

(f) Where an owner fails to comply with the terms of a payment agreement entered into with a Reciprocal tolling entity, the Hearing Officer shall issue a final agency decision directing the suspension of the New Jersey motor vehicle registration(s) of the owner pursuant to the terms and conditions of the reciprocity agreement entered into pursuant to N.J.A.C. 16:3-4.1 through 4.2.

(g) Any final agency decision that directs suspension shall direct that the motor vehicle registration(s) of the owner be suspended and the date of suspension.

(h) The final agency decision shall be sent to the entity requesting suspension pursuant to N.J.A.C.16:3-5.1, and to the method provided by the owner pursuant to N.J.A.C. 16:3-7.1, or the address provided to the Department by their attorney. The final agency decision shall direct the Commission to suspend the New Jersey motor vehicle registration(s) of the owner pursuant to the terms and conditions of the reciprocity agreement entered into pursuant to N.J.A.C. 16:3-4.1 through

4.2 and contain the proposed date for the suspension.

(i) Pursuant to N.J.A.C. 16:3-11.1, the Department shall provide the Commission with a copy of any final agency decision that directs the Commission to suspend the New Jersey motor vehicle registration(s) of the owner pursuant to the terms and conditions of the reciprocity agreement entered into pursuant to N.J.A.C. 16:3-4.1 through 4.2.

(j) The final determination of the Hearing Officer shall constitute the final agency decision of the Department.

SUBCHAPTER 10 APPEALS

16:3-10.1 Appeals from the Department's Final Agency Decision

(a) Judicial review of the final agency decision of the Department may be sought in accordance with the provisions of N.J. Court Rules, R. 2:2-3.

(b) The registered owner shall not have the right to a hearing before the Commission after the Hearing Officer has issued a final agency decision and directed the suspension of the registered owner's registration(s).

SUBCHAPTER 11 DIRECTION TO SUSPEND MOTOR VEHICLE REGISTRATION

16:3-11.1 Notification

(a) After the entry of a final agency decision that sustains a registration suspension and/or denies motor vehicle registration privileges of an owner, the Department shall provide the Commission with a copy of the final agency decision, in the form and manner agreed upon by the Department and the Commission. The final agency decision shall direct that the motor vehicle registration(s) and/or motor vehicle registration privileges of the owner be suspended and state the effective date of the suspension.

16:3-11.2 Commission Order

(a) Upon receipt of the final agency decision and/or notice of the final agency decision in a form and

manner agreed upon by the entities, directing the Commission to suspend the motor vehicle registration(s) of the owner and/or deny motor vehicle registration privileges, the Commission shall immediately issue an Order suspending the motor vehicle registration(s) of the owner and/or denying motor vehicle registration privileges on the date specified in the final agency decision.

(b) The Order suspending the motor vehicle registration(s) and/or denying motor vehicle registration privileges on the date specified in the final agency decision shall be sent by the previously agreed upon form and manner to the entity requesting suspension pursuant to N.J.A.C.16:3-5.1, and to the Department, and by regular mail to the registered owner's address of record with the Commission.

(c) Notwithstanding any law to the contrary, the registered owner shall not have the right to a hearing before the Commission after the Hearing Officer has issued a final agency decision directing the suspension of the registered owner's registration(s) and/or denying motor vehicle registration privileges.

(d) Notwithstanding any other law to the contrary, the Commission shall not modify, remand, vacate, or stay a final agency decision to suspend an owner's motor vehicle registration(s) and/or deny motor vehicle registration privileges.

16:3-11.3 Duration of Suspension

(a) The suspension shall remain in effect until the Department is satisfied that the entirety of the outstanding tolls and fees and/or penalties are paid, that the owner has entered into a payment agreement, or that the final agency decision was reversed on appeal. However, a motor vehicle registration may be suspended subsequent to entering into a payment agreement for noncompliance with the payment agreement.

16:3-11.4 Payments and Payment Agreements Entered Into After A Suspension

(a) The New Jersey tolling entity or Reciprocal tolling entity shall immediately notify the Department and the Commission, in the form and manner agreed upon by the entities, that the owner has paid the

outstanding tolls and fees and/or penalties in their entirety or has entered into a payment agreement.

(b) The owner of a motor vehicle who enters into a payment agreement for the outstanding tolls and fees and/or penalties with the New Jersey tolling entity, New Jersey E-ZPass, or Reciprocal tolling entity, after the final agency decision and Order have been issued shall be subject to suspension for noncompliance with the terms of the payment agreement. The Department may issue a subsequent Notice of Pending Registration Suspension and direct suspension for noncompliance even if the remaining unpaid tolls and fees and/or penalties under the payment agreement are below \$500 or are now more than three years after the toll violations were committed.

16:3-11.5 Restoration of Motor Vehicle Registration

(a) Prior to the restoration of the motor vehicle registration, the New Jersey tolling entity or the Reciprocal tolling entity, shall notify the Department and the Commission, in a form and manner agreed upon by the entities, that all outstanding tolls and fees and/or penalties, specified in the final agency decision and Order that are owed by the registered owner have been paid in full or that a payment agreement has subsequently been entered into pursuant to N.J.A.C 16:3-11.4.

(b) After the Commission receives the notice specified in (a) above, the owner shall pay the restoration fee(s) established by the Commission pursuant to N.J.S.A. 39:3-10a, for each motor vehicle registration suspended. Registration(s) and/or registration privileges shall remain suspended until any required restoration fee(s) has been paid, and the owner has received written confirmation from the Commission that the owner's registration(s) and/or registration privileges have been restored.

SUBCHAPTER 12. AMNESTY PROGRAM

16:3-12.1 Establishment and Requirements of the Program

(a) The Department, in consultation with the New Jersey tolling entities, shall establish an

amnesty program that permits the reduction of 25 percent of unpaid tolls and fees of \$500 or more.

(b) The amnesty program shall be open to all violators with cumulative unpaid tolls and fees of \$500 prior to the inception of the amnesty program.

(c) The amnesty program is only available to violators with outstanding tolls and fees owed to a New Jersey tolling entity.

(d) The amnesty program shall end 180 days after its inception date of June 1, 2025.

(e) An owner must pay the tolls and fees directly to the New Jersey tolling entity to whom the tolls and fees are owed and/or New Jersey E-ZPass.

(f) The New Jersey Turnpike Authority, as lead agency of the New Jersey E-ZPass Group, shall be responsible for determining the means and manner of providing notice regarding the amnesty program and the requirements specified herein.

SUBCHAPTER 13. FEES RELATING TO TOLL COLLECTION AND ENFORCEMENT

16:3-13.1 Tolls and Fees

(a) Any tolls and fees collected pursuant to the toll collection and enforcement system, amnesty program, or reciprocal agreements shall be paid directly to the relevant New Jersey tolling entity, New Jersey E-ZPass, or Reciprocal tolling entity.

(b) A New Jersey tolling entity may also recoup unpaid tolls, fees, and costs by any means available under civil or criminal judicial process, or through debt collection activities, or any other available statutory, regulatory, or civil mechanisms.