



Authority to Toll

The Delaware River Joint Toll Bridge Commission's authority to toll has always been rooted in its Compact, first jointly enacted by the states of New Jersey and Pennsylvania in 1934 and ratified by Congress in 1935 in accordance with the Compact Clause to the U.S. Constitution. That authority has been reaffirmed in court decisions and subsequent Compact changes.

The Commission was first fully authorized to charge tolls at the Bushkill Street Bridge (now the Easton-Phillipsburg [Route 22] Toll Bridge) in 1935. The Compact has been modified and amended several times since then. In 1947, the two states and Congress expanded the Commission's financing powers and service jurisdiction. The 1947 action also authorized the Commission to replace existing bridges across the river with new toll bridges at such locations as the Commission may determine. These changes enabled the Commission to construct toll bridges at Trenton-Morrisville in 1952 and Portland-Columbia, the Delaware Water Gap, and Milford-Montague in 1953. A supplemental agreement to the Compact authorized by the two states in 1951 and approved by Congress in 1952 further expanded the Commission's jurisdictional boundaries. In 1971, the Commission opened a sixth toll bridge at New Hope-Lambertville (Route 202).

The Commission's tolling powers were further strengthened in a broad supplemental agreement completed between the two states in March 1986 and affirmed by Congress in 1987. This Compact change clarified the Commission's ability to continue toll collections at the Delaware Water Gap while authorizing it to collect tolls at the I-78 Toll Bridge, which opened in October 1989, and a replacement bridge at Scudder Falls, which opened in July 2019. Under the 1987 Compact changes, the Commission was further directed to take full ownership of 12 former privately owned river crossings along the river. These bridges and related properties were conveyed outright to the Commission on July 1, 1987. An accompanying mandate requires the Commission to use a share of its toll proceeds to operate, maintain and monitor these old bridges. The Commission now refers to these non-revenue-generating crossings as "toll-supported bridges." It is the only tolling agency in the region that is legally obligated to use a share of its toll proceeds to operate non-tolled bridges.

Since 1987, tolls have been the sole funding means for the Commission's operations, services, capital improvements and long-term financial obligations. The Commission operates as a wholly self-funded entity without any tax revenues from either of its two jurisdictional states or the federal government. Funding for the operation, maintenance and upkeep of its bridges and service-delivery system is solely derived from revenues collected at its toll bridges.