

SUMMARY STATEMENT

ITEM NO.: FIN-01-01-21
SUBJECT: Amendment to the Toll Adjustment
Public Hearing and Comment Policy
COMMITTEE: Finance, Insurance, Management and
Operations
COMMISSION MEETING DATE: January 25, 2021

PROPOSAL: That the Commission amend its Toll Adjustment Public Hearing and Comment Policy during the COVID-19 Pandemic to provide for three (3) virtual hearings in lieu of six (6) meetings, due to the public health crisis caused by the COVID-19 pandemic.

PURPOSE: To amend the Commissioner's Toll Adjustment Public Hearing and Comment Policy to reduce the number of public hearings from six (6) to three (3) and permit the hearings to be conducted virtually during the COVID-19 Pandemic.

BACKGROUND: On July 29, 2013, the Commission adopted and approved, via Resolution, a Toll Adjustment Public Hearing and Comment Policy ("Policy"). The Policy presently provides that the Commission shall hold six (6) public hearings prior to any proposed toll adjustment impacting any Commission-tolled facility. Pursuant to the Policy, two hearings shall occur in each of the Commissions' three districts (total six hearings) with appropriate Commissioner Representation. The Policy also provides that the public hearings shall be held at least 30 days prior to the date on which the Board of Commissioners shall consider a resolution approving such proposed toll adjustment and notice of each public hearing shall be published at least ten (10) days prior to the hearing date. Each public hearing shall provide the opportunity for the public to provide comment on the proposed toll adjustment, as well as submit comments via email, web application or mail. The public is also permitted to comment on the proposed toll adjustment during the meeting of the Board of Commissioners at which the resolution approving the proposed toll adjustment will be considered.

SUMMARY:

Amount:	\$0.0
Capital Project Number:	N/A
Contract Number:	N/A
Account Number:	N/A
Source of Funds:	N/A
Duration of Contract:	N/A
Responsible Department:	
Responsible Staff	

RESOLUTION

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WHEREAS: the Delaware River Joint Toll Bridge Commission (the “DRJTBC”) is empowered to levy and collect fees, rentals, tolls and other charges for the construction, operation, and maintenance of its bridges across the Delaware river and other facilities; and

WHEREAS: at the DRJTBC Regular Meeting of July 29, 2013, via Resolution, the Commissioners approved the Toll Adjustment Public Hearing and Comment Policy, which requires the Commission to hold six public hearings, with two hearings (one in each of Pennsylvania and New Jersey) in each of the DRJTBC’s three districts; and

WHEREAS: there has been a public health crisis caused by the COVID-19 pandemic, from which public gatherings have been deemed by the Governors of the Commonwealth of Pennsylvania and the State of New Jersey as being contributory to the community spread of COVID-19; and

WHEREAS: there have been advancements in technology allowing for greater public access to connect and communicate through virtual channels; and

WHEREAS: the DRJTBC desires to amend its Toll Adjustment Public Hearing and Comment Policy to reduce the number of public hearings required prior to any proposed toll adjustment impacting any Commission-tolled facility from six (6) meetings to three (3) meetings and conducting such hearings virtually to allow greater public access.

NOW, THEREFORE, the Commission, at its Regular Meeting assembled this 25th day of January, 2021, hereby resolves as follows:

RESOLVED: The Toll Adjustment Public Hearing and Comment Policy is amended to reduce the number of public hearings from six to three, permitting such hearings to be conducted virtually, and

RESOLVED: The Toll Adjustment Public Hearing and Comment Policy shall read: “During the COVID-19 Pandemic, for any proposed toll adjustment impacting any Commission-tolled facility, the Commission shall hold three

RESOLUTION (Continued)

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(3) hearings to be conducted virtually, with appropriate Commissioner Representation;”

RESOLVED: That when the Governors of the Commonwealth of Pennsylvania and the State of New Jersey deem the public health emergency from COVID-19 to be over, with no public gathering restrictions in place, and Commissioners remove the emergency declaration, and are no longer operating under the Continuity of Operations Essential Plan, and

RESOLVED: That the Commission would conduct future in-person, publically-gathered Toll Hearings, and additionally add virtual access to each of the six (6) publically-gathered Toll Hearing thereby conducting a “hybrid” of both in-person and virtual access,

RESOLVED: The remainder of the Toll Adjustment Public Hearing and Comment Policy shall be unchanged and shall remain in full force and effect.

SUMMARY: Amount: N/A
Source of Funds: N/A
Operating Budget: N/A
Duration of Contract: N/A

Responsible Department: Executive Office

Responsible Staff: Joseph J. Resta, Executive Director