

EXECUTIVE ORDER NO. 213

WHEREAS, on June 30, 2016, the final day of State Fiscal Year 2016 ("FY 2016"), I signed Executive Order No. 210 (2016) declaring a state of emergency occasioned by the failure of the Legislature to send any bill to my desk providing for reauthorization of the Transportation Trust Fund Authority ("TTFA") following expiration of the five-year funding authorization that financed transportation projects from FY 2012 through the end of FY 2016; and

WHEREAS, at the time of that signing, it was evident that, absent additional funding sources, the TTFA would exhaust its remaining available funds no later than August 2016; and

WHEREAS, pursuant to Executive Order No. 210, work on most transportation projects funded by the TTFA was shut down in an orderly manner in early July and the remaining TTFA funds have been carefully rationed to support projects determined to be absolutely essential for the protection of the health, safety, and welfare of the citizens of the State of New Jersey, or that are required to ensure the receipt of federal funding; and

WHEREAS, the TTFA is days away from exhausting all of its available funds; and

WHEREAS, no evident progress has been made by the Legislature to pass a single, viable bill to reauthorize the TTFA; and

WHEREAS, the current situation will persist until such time as the Senate and the General Assembly pass a TTFA funding bill acceptable to all parties; and

WHEREAS, a well-maintained transportation infrastructure is essential to the operation of New Jersey's economy and the people of the State of New Jersey who rely upon that system of transportation as they conduct all aspects of their daily lives; and

WHEREAS, suspending emergency TTFA work while the people of New Jersey wait for the Senate and the General Assembly to pass a TTFA reauthorization bill would jeopardize the health, safety, and welfare of all who rely on our transportation infrastructure; and

WHEREAS, the New Jersey State Constitution requires the Governor to take care that the laws of this State be faithfully executed; and

WHEREAS, the Governor of the State of New Jersey is entrusted with the responsibility to protect the health, safety, and welfare of the citizens of this State, as well as the responsibility to aid in the prevention of damage, loss, or destruction of property in the event of emergencies affecting the State; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. App. A:9-33, et seq., and all amendments and supplements thereto, confer upon the Governor of the State of New Jersey certain emergency powers;

NOW, THEREFORE, I, CHRIS CHRISTIE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, DO DECLARE and PROCLAIM that a State of Emergency continues to exist in the State of New Jersey and I hereby ORDER and DIRECT the following:

1. The State Treasurer, as well as the Director of the Division of Budget and Accounting ("OMB Director"), the Commissioner of the Department of Transportation ("Commissioner"), and the Executive Director of the New Jersey Transit Corporation ("Executive Director"), are instructed to undertake all steps necessary and appropriate to effectuate the purposes of Executive Order No. 210, as continued and supplemented by this Order, using general State funds. More specifically, pursuant to the authority granted to the Governor in General Provision No. 24 of the Fiscal Year 2017 Appropriations Act, P.L.2016, c.10, I hereby direct the

State Treasurer to transfer from any State department to the TTFA such amounts as are determined to be necessary by the OMB Director, in consultation with the Commissioner and the Executive Director, to support transportation projects that are determined to be absolutely essential for the protection of the health, safety, and welfare of the people of the State of New Jersey, or are required to ensure the receipt of federal funding, according to the standards set forth in paragraph 4 of Executive Order No. 210.

2. All State officials and agencies shall cooperate fully in the implementation of this Order.

3. This Order shall take effect immediately and shall remain in full force and effect until it is determined by me that an emergency no longer exists.

GIVEN, under my hand and seal this
17th day of August,
Two Thousand and Sixteen, and
of the Independence of the
United States, the Two
Hundred and Forty-First.

[seal]

/s/ Chris Christie

Governor

Attest:

/s/ Scott A. Coffina

Senior Deputy Chief Counsel to the Governor