

**Torres-Rojas, Genara**

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**From:** Miller, Stephanie  
**Sent:** Monday, January 04, 2016 3:40 PM  
**To:** Ng, Danny  
**Cc:** Torres-Rojas, Genara; Van Duyne, Sheree; Shalewitz, William  
**Subject:** RE: FOI request - S. Miller #46772

Hello Danny,

Thanks for responding so quickly. I have contacted Joe Panio, in Real Estate Services, for the answers to my questions about the security equipment in this lot.

Please see the revised request below:

I received a letter on December 17, 2015, with an outcome for a claim that I submitted for damage to my vehicle that occurred in October 2015, at a PA employee parking lot known as "Lot 2" located in Jersey City, NJ (*attached*). The letter stated that the PA was not responsible for the damage to my vehicle because the PA "does not own, operate, or maintain the location known as Parking Lot2 at the Port Authority Technical Center". To verify this information is correct, I would like to request the following information:

1. Copy of lease agreement for Lot 2 at JAMS
2. A copy of the administrative guidelines for employee parking

Thank you for your assistance,

**Stephanie L. Miller, CSP**  
Sr. Safety Engineer  
Safety Management  
Port Authority of NY& NJ  
Jersey City, NJ 07310  
(201) 216-2819 office

**THE PORT AUTHORITY OF NY & NJ**

FOI Administrator

January 20, 2016

Ms. Stephanie L. Miller  
241 Erie Street, Room 301  
Jersey City, NJ 07310

Re: Freedom of Information Reference No. 16573

Dear Ms. Miller:

This is in response to your 1/4/2016 request, which has been processed under the Port Authority's Freedom of Information Code (the "Code", copy enclosed) for copies of the following: 1. Copy of lease agreement for Lot 2 at JAMS. 2. A copy of the administrative guidelines for employees parking.

Material responsive to your request and available under the Code can be found on the Port Authority's website at <http://www.panynj.gov/corporate-information/foi/16573-O.pdf>. Paper copies of the available records are available upon request.

Please refer to the above FOI reference number in any future correspondence relating to your request.

Very truly yours,



Danny Ng  
FOI Administrator

Enclosure

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**Office of the Executive Director**

Revised: April 1, 2002

**USE OF EMPLOYEE-OWNED AND RENTED VEHICLES,  
TAXIS AND CAR SERVICE**

I. Introduction

This Administrative Instruction outlines the instructions and authorization procedures for the use of employee-owned and rented vehicles, taxis and contract car service on Port Authority business.

II. Instruction

- A. Business related transportation requirements should be handled through the use of public transportation or Port Authority-owned vehicles. In the event that such usage is unavailable, impractical, unsafe, or is required by staff and facility operations, directors or their designees may authorize the use of employee-owned or rented vehicles, taxis or Port Authority contract car service ("car service") in accordance with this instruction.
- B. Employees should utilize the form of transportation that meets the business need and is the least expensive. Sufficient business reasons must exist prior to incurring transportation expenses.
- C. All vehicles used on Port Authority business are to be operated at a safe speed and with proper care and caution. All employees are subject to applicable Port Authority, state, and municipal motor vehicle regulations and must respond to, and be responsible for, all summonses issued as a result of their operation or use of the vehicle. If found guilty of violating such regulations, the employee is personally liable for any resulting penalties and judgments prescribed by law. Unresolved or untimely resolution of penalties or judgments may result in being denied access to a Port Authority vehicle.
- D. Employees are prohibited from using hand-held mobile/cellular telephones while operating any vehicle on Port Authority business.

### III. Administrative Guidelines

#### A. Employee-Owned Vehicles

##### 1. Authorization

Directors or their designees may authorize the use of employee-owned vehicles on Port Authority business when:

- a. an employee is asked to respond from his or her home to an emergency situation and a Port Authority vehicle is not readily available; or
- b. the use of an employee-owned vehicle would require significantly less vehicle mileage or less time on an origin-destination basis than the use of a Port Authority vehicle.

##### 2. Conditions of Use

- a. Employee-owned vehicles are subject to the same regulations as prescribed for Port Authority vehicles when their use on Port Authority business is authorized (see, AI 15-3.02, Port Authority Passenger Vehicle Program) except that Form PA 70, Vehicle Authorization and Usage Report is not required.
- b. When used for Port Authority business, employee-owned vehicles must have valid auto insurance as required by the state in which the vehicle is registered. If the vehicle is registered in a state that does not require auto insurance, then the employee's use of that vehicle for Port Authority business purposes is prohibited.
- c. Employees' use of their own vehicle for commuting to and from work is not considered an authorized use by the Port Authority and such use is not covered by this instruction, except as noted in III. A. 1., above.

##### 3. Reimbursement

- a. When an employee is authorized to use his/her own vehicle, reimbursement is made at the standard mileage rate published annually by the Comptroller's Department.
- b. Expenses coincident to the use of employee-owned vehicles that are not already reimbursed through the standard mileage rate will also be reimbursed as required (i.e., parking fees, tolls, etc.).

- c. Expenses for repairs (other than for damages sustained in an accident) made to an employee-owned vehicle while in use on Port Authority business, and other vehicle maintenance costs, are not reimbursable (See Paragraph III. A. 4. c, below).
- d. Expense Accounts and Petty Cash Vouchers claiming reimbursement in connection with the business use of an employee-owned vehicle will show the starting and ending odometer readings, total mileage, starting point, destination and the reason why the employee's vehicle was used.
- e. When an employee-owned vehicle has been authorized for use on Port Authority business within the Port District, the Port Authority will reimburse the employee for the additional commutation transportation expense incurred. Additional transportation expense is the amount by which the actual commutation transportation expense exceeds the employee's normal cost of transportation, excluding the cost of non-refundable commutation tickets.
- f. AI 30-3.51, Employee Business Expenses, outlines the conditions governing reimbursement of additional transportation costs incurred due to short term assignments, extra duty, nonscheduled workdays, attendance at Port Authority related business, civic and professional meetings, and overtime.

#### 4. Accidents and Liability for Damages

- a. Accidents arising out of the operation of an employee-owned vehicle on Port Authority business shall be reported as stated in PAI 55-3.01, Accident Reporting.
- b. In the case of a claim against an employee for damages or injuries to third persons arising out of the operation of an employee-owned vehicle on Port Authority business, the employee against whom the claim is made should immediately notify, in writing, his/her insurance carrier, his/her organization unit head, and the Claims Division of the Law Department. Such claims are deemed to be potential claims against the Port Authority and the provisions of the By-Laws relative to the settlement of such claims will apply.
- c. It is the intent of the Port Authority to equitably compensate an employee for unrecoverable damage to an employee-owned vehicle sustained while using the vehicle on Port Authority business unless such damage was sustained as a result of gross or willful negligence or misconduct on the part of the employee.

- d. In the event an employee-owned vehicle in use on Port Authority business is damaged through accident, the employee must first look to his/her own insurance carrier, or to the other party who caused the damage, for recovery. The Port Authority provides reimbursement for damages to an employee's vehicle only for that portion of the loss deemed unrecoverable (e.g., the amount deductible under a collision policy). The Port Authority is not, however, responsible for personal items carried in a vehicle nor for their loss or damage as a result of an accident.
- e. In a third party action, the Port Authority will similarly pay awards only to the extent they exceed the limits of an employee's insurance policy. Employees seeking reimbursement of unrecoverable losses should contact the Claims Division of the Law Department for instructions.

#### 5. Settlement of Claims

- a. An employee whose vehicle has been damaged while in use on Port Authority business and who may be eligible for repayment of unrecoverable losses shall, in all cases:
  - i. Prepare a memorandum to his/her director, including all pertinent information on the expected cost of repairs and any unrecoverable losses; and
  - ii. Attach to the memorandum an itemized estimate by a reputable, established auto body firm of the cost of repairing the vehicle, copies of any supplementary bills or statements, and a copy of the Declarations page from the employee's own insurance policy.
- b. The director indicates on the employee's memorandum whether use of the vehicle on Port Authority business had been authorized, reviews the estimate and bills and forwards the memorandum with attachments to the Claims Division of the Law Department.
- c. After review, the Claims Division forwards the approved claim to the Comptroller's Department for processing. In the event the claim is not approved for payment, the Claims Division notifies the employee of the disapproval and reasons for denial.

#### B. Rented Vehicles

##### 1. Within the Port District

In order to meet specific transportation requirements within the Port District, a department or facility may authorize the rental of a

passenger vehicle if no Port Authority or employee-owned vehicle is available. Such authorization should not be delegated below the position of facility or unit manager. Planned rentals must first be discussed with the Central Automotive Division of the Operations Services Department to determine if the Port Authority's existing vehicle fleet, contract rental cars or other available automotive equipment sources could meet the department's needs.

## 2. Outside the Port District

Employees traveling outside the Port District on official Port Authority business should determine whether a rental car is necessary and circumstances warrant the expense. Rental of a passenger vehicle requires employees to write a memorandum justifying the rental and obtain advance approval by their director. Employees will be reimbursed at the compact car rate unless rental of a larger car has been justified in writing and pre-approved.

## 3. Examples of appropriate circumstances for obtaining a rental car are when:

- a. No Port Authority vehicle is available;
- b. Renting a vehicle is the least expensive option;
- c. The work assignment requires the employee to carry heavy or bulky materials; or
- d. The cost of local transportation, taxis or airport shuttles for two or more employees on a business trip would be more than the cost of a rental car.

## 4. Accidents

Accidents involving a vehicle rented by the Port Authority or by an employee on Port Authority business must be reported as stated in PAI 55-3.01, Accident Reporting.

## 5. Insurance

Employees are instructed not to purchase optional insurance from rental car companies for property damage, collision, comprehensive, or medical payments coverages, which may be entitled "Waiver of Deductible", "Deductible Buy Back", "Collision Damage Waiver", "Personal Accident Insurance" or "Loss Damage Waiver Option" provisions in the rental agreement. The Port Authority's Self-Insurance Program provides for these coverages.

### C. Taxis

1. Taxis should only be used when public transportation or a Port Authority vehicle is either not available or cannot be utilized and the expense is warranted.
2. Examples of appropriate circumstances for utilizing a taxi include:
  - a. An assignment requires an employee to carry heavy or bulky materials;
  - b. An employee has worked overtime and it is after 9:00 p.m.;
  - c. It would be less costly for several employees traveling together to take a taxi than to take public transportation.
3. Reimbursement of taxi expense is obtained by completing a Petty Cash Voucher, Form PA 618, or via expense account using the Business Expense Account Management system (BEAM) as set forth in AI 30-3.51, Employee Business Expenses.

### D. Port Authority Contract Car Service

1. Car service should only be used when public transportation, a Port Authority vehicle, or taxi is either not available or cannot be utilized and the expense is warranted.
2. Car Service should only be used in unusual circumstances with prior approval by the director, or designee, or the Office of Medical Services.
3. Car Service authorization may not exceed three (3) occasions per individual in a calendar month without the prior approval of the Chief Administrative Officer.
4. Examples of appropriate circumstances for utilizing car service include:
  - a. An employee has worked overtime and it is after 9:00 p.m.;
  - b. An emergency situation requires an employee to be transported by car service.
5. If approved, employees should contact the Central Automotive Division to determine availability of contract car service providers.
6. Procedures for utilization of car service
  - a. Departmental Administrators may request car service vouchers from the Central Automotive Manager's Office located at PATC.

Employees may pick-up car service vouchers from their Departmental Administrator.

- b. To obtain car service vouchers employees must have a Port Authority identification card and a signed and completed Form PA 70.
- c. When possible, employees should call the designated car service for a reservation 30-45 minutes in advance, or earlier if there is inclement weather.
- d. Employees must receive a car number and pickup time from the car service company prior to leaving their location. The car service company may request a "call back" number where an employee can be reached for confirmation.
- e. Employees should report all concerns, complaints and comments promptly to the Automotive Dispatch Supervisor for immediate response and action.

#### IV. Forms, Procedures and Related Policy Statements

For further procedures and related guidelines, please refer to the following - Administrative Policy Statements:

AI 15-3.02 Port Authority Passenger Vehicle Program  
AI 30-3.51 Employee Business Expenses  
PAI 55-3.01 Accident Reporting  
Form PA 618 Petty Cash Voucher  
Form PA 70 Vehicle Authorization and Usage Report

#### **DISCLAIMER**

Although issued in revised format, the information contained in these Administrative Instructions (AIs) reflects the content of previously issued Administrative Policy Statements (APs) and, in certain limited instances, Port Authority Instructions (PAIs). The rules set forth in these AIs will remain in effect until changing conditions require their revision. This body of instructions is not intended to be exhaustive with respect to all the responsibilities of employees and it does not constitute a contract. These AIs will be updated from time to time to reflect changes or additions as appropriate, at the direction of the Executive Director.

**NON-REVENUE PARKING AT PORT AUTHORITY AIRPORTS**

**I. Introduction**

This Administrative Instruction sets forth the instructions governing the issuance and use of Port Authority passes for non-revenue parking in revenue-producing areas at the airports. It also outlines the instructions for the authorization of non-revenue parking in certain airport parking lots and of non-revenue parking by contractors and other designated individuals while conducting Port Authority business.

**II. Passes**

**A. Personal Passes for Eligible Employees**

Active employees represented by collective bargaining units that have adopted the Employee Non-Revenue E-ZPass Program or Personal Pass option will be governed by the terms and conditions of their respective collective bargaining agreement. Non-represented employees are not eligible for non-revenue parking at Port Authority airports.

**B. Official Business Passes**

1. Official Business Passes, Form PA 430, are issued to contractors and other designated individuals who use airport parking lots while making trips on Port Authority business in vehicles other than Port Authority vehicles. A pass holder who uses an airport parking lot must, upon leaving the parking lot, sign and date the pass and insert the ticket into the slot at the exit lane before submitting the pass to the parking lot attendant. Charges for parking for more than 24 hours should be paid and a receipt should be obtained and submitted for reimbursement to the Port Authority.
2. For issuance of an Official Business Pass, the department custodian enters the bearer's name, date and reason for issuance on the stub. The stub remains attached to the book.
3. Books of Official Business Passes may be issued to a Port Authority contractor when passes are required by the contractor and operational conditions do not permit the issuance of passes one at a time. The department custodian issuing the book should note the contractor's name and date of issuance in a log. The

contractor receiving the book should issue passes to drivers on an as-needed basis and complete the stub portion of the book. Depleted books should be returned to the department custodian. If the contractor fails to complete the stubs properly or return the depleted book, additional books should not be issued.

4. Care should be used in distributing Official Business Passes to contractors who work at more than one facility to discourage potential abuse.

### C. Port Authority Vehicle Passes

1. The non-revenue use of airport parking lots is unlimited when Port Authority Vehicle Passes are used. These restrictions do not apply to facility-based vehicles requiring entry into a lot in the course of official duties (i.e., facility maintenance, operations, and police vehicles). When a Port Authority Vehicle Pass, Form PA 684, is presented for payment, the employee must sign his/her name, employee number, and print the Port Authority vehicle number and date on both the vehicle pass and parking lot ticket, and insert the parking ticket into the slot at the exit lane before submitting the Vehicle Pass to the parking lot attendant.
2. The department custodian is responsible for keeping each Port Authority vehicle adequately stocked with a supply of passes. When a passbook is issued, the Port Authority vehicle number is entered on the inside front cover as well as on the receipt and the re-order notice. Passbooks are kept in the glove compartment or other suitable place in the vehicle for safekeeping.

### III. Additional Non-Revenue Use of Airport Parking Lots

#### A. Non-revenue parking at airport parking lots is provided for:

1. Vehicles carrying the following persons on official business:
  - a. Representatives of the media and photographers with press passes covering a story at the airport (if such official business requires parking for more than 24 hours, prior permission must be obtained from the Media Relations Department or Airport General Manager); otherwise the vehicle will be required to pay parking charges for the time in excess of 24 hours, starting with the first day rate;
  - b. Employees of public utility companies in company-identified vehicles;
  - c. Federal, state or municipal police officers and National Transportation Safety Board employees responding to or investigating a specific incident;
  - d. Health, fire, building, labor or sanitation inspectors; and

- e. Employees of the Federal Aviation Administration and Federal Communications Commission.
2. Vehicles carrying employees of either lessees or permittees whose leases or permits provide for non-revenue parking.
3. Vehicles carrying or waiting for any of the following and their official parties:
  - a. President and Vice President of the United States;
  - b. All New York and New Jersey United States Senators and the Governors of New York and New Jersey;
  - c. All members of the United States Congress from the Port District;
  - d. Mayors of municipalities in which Port Authority airports are totally or partially located;
  - e. Chiefs of Staff of any branch of the United States military service and Chiefs of Military Missions;
  - f. Speakers of the New York State and New Jersey State Assembly and Presidents of the New York State and New Jersey State Senate.
4. Vehicles bearing official Diplomatic or Consular license plates issued by the U.S. State Department, for a period not to exceed 24 hours. The vehicle will be required to pay parking charges for any time in excess of 24 hours, starting with the first day rate.

#### IV. Requisitioning and Accounting for Passbooks

All passbooks are requisitioned from the Treasury Department in multiples of five by the department or facility business manager. Passbook Requisition and Receipt, Form PA 281, is prepared by the department custodian, approved by the department director or facility manager and sent to Treasury. (See instruction on Form PA 281 for distribution). The immediate supervisor of the custodian is responsible for conducting an inventory and reconciliation of all passbooks on an annual basis and whenever custodianship for the passbooks is transferred.

#### V. General

##### A. Employee Leaving Port Authority Service

The department business manager is responsible for obtaining unused passes from employees leaving the Port Authority (for reasons other than retirement and

excluding former Officers).

#### B. Lost Passes

An employee must immediately report lost passes to the custodian who makes a notation of the loss on the receipt (see Paragraph II.B.3.). The custodian should report lost passes to the business manager, who informs the Director, Tunnels, Bridges & Terminals Department by memorandum, copy to the Treasurer and Director of Audit. The Director, Tunnels, Bridges & Terminals Department furnishes all airports with a record of lost passes. Replacement of lost passes is authorized if, in the director's opinion, the circumstances warrant such action.

#### C. Misuse of Passes

The misuse of passes may result in formal disciplinary action and the cancellation of pass privileges.

#### D. Unused Passes

Employees must return unused passes to the custodian when no longer needed. The custodian destroys the unused passes in the presence of a witness and the destruction is recorded by a memorandum signed by both parties.

### VI. Forms, Procedures and Related Instructions

For related guidelines, please refer to the following Administrative Instructions and Forms:

AI 30-3.51: Employee Business Expenses

Form PA 281: Passbook Requisition and Receipt

Form PA 378: Employee Personal Pass

Form PA 430: Official Business Pass

Form PA 684: Port Authority Vehicle Pass

Form PA 1904: Transferred Employee Data Sheet