




U.S. Department  
of Transportation  
Federal Highway  
Administration

# Memorandum

Subject: **ACTION:** Notification of Safety Issues on  
I-78 Toll Road (DOT #2012-0009)

Date: OCT 07 2011

From: Warren S. Whitlock   
Associate Administrator for Civil Rights

In Reply Refer To: HCR-40

To: Ernest J. Blais  
Division Administrator (HDA-NJ)  
West Trenton, New Jersey

This memorandum is in reference to a complaint filed by **(b) (6)** (complainant).

After reviewing the complaint, we have determined that the issue is related to safety rather than Title VI. Therefore, we are forwarding the complaint to your office for appropriate handling. The complainant has been advised of this referral (copy attached). If you have any questions, please contact Thalia Williams of my staff at 202-366-1595.

2 Attachments

cc:

Lucy Marius, Civil Rights Program Manager, FHWA, HDA-NJ  
Nelida Valentine, Director, Civil Rights and Affirmative Action, NJDOT



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

1200 New Jersey Avenue, SE  
Washington, D.C. 20590

OCT 07 2011

In Reply Refer To: HCR-40  
DOT #2012-0009

**(b) (6)**

Dear **(b) (6)**:

The Federal Highway Administration (FHWA) Office of Civil Rights is in receipt of your complaint dated September 5, 2011. Your complaint was received on September 21, 2011. In your complaint, you state that the State of New Jersey has created a very hazardous situation for anyone traveling on a National Interstate Highway. Specifically, you state that at the end of the toll road on I-78, a ramp dumps you down into the toll plaza, and the speed of traffic on that ramp and in the plaza is substantially faster than in most plazas on the toll roads in the Northeast.

Please be advised that our office has responsibility to investigate individual complaints of discrimination involving violations of Title VI of the Civil Rights Act of 1964 (Title VI). Title VI provides that "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

After a thorough review of your complaint, we have determined that your complaint will not be investigated under Title VI. The issue raised is related to safety rather than Title VI. Therefore, your complaint will be referred to the FHWA New Jersey Division Office for appropriate handling (copy enclosed).

This concludes the processing of your complaint by the FHWA Office of Civil Rights.

Sincerely yours,

Warren S. Whitlock  
Associate Administrator for Civil Rights

Enclosure

(b) (6)

September 5, 2011

United States Department of Transportation  
Federal Highway Administration  
12 New Jersey Ave  
Washington, DC 20590

Dear Sir/Madame:

On Sunday, August 28, we left Brooklyn, NY, by way of the Holland Tunnel and continued on to Interstate 78. The first portion of I 78 in New Jersey is a short section of toll road, and it had been some time since we had travelled it. At the end of this section of I 78, a ramp dumps you down into the toll plaza, and the speed of traffic on that ramp and in the plaza is substantially faster than in most plazas on toll roads in the Northeast. The reason for the increased speed became apparent when we discovered that the line on the far left, the end of which we had passed immediately after entering the plaza, was the only line in which cash payments were accepted. At the point we realized this, we had traveled about three tractor-trailer rigs and a dozen cars past the end of that line. Scanning what appeared to be six to eight toll collection gates, we found we had two options: to attempt to back up a couple hundred feet to regain the end of the line, or to simply drive through an EZPASS lane. Because of the amount of traffic in the plaza and the speed of that traffic, facilitated by the many EZPASS lanes, the former was not an option. Furthermore, and unlike toll plazas in other states we passed through coming south from Maine, there was no advanced signage indicating how toll lanes were designated.

It was apparent to me the State of New Jersey had created a very hazardous situation for anyone traveling on a National Interstate Highway, and it occurred to me that while it might be a one-time staffing problem, it was most likely an effort to maximize income from the collection of tolls. I have read about Governor Christie's belt-tightening efforts (his refusal to assist AMTRAK's in upgrading the tunnel carrying its trains under the Hudson River for instance), but with the right granted the states to charge tolls, there comes an obligation to provide a safe means to do so. This was certainly not the case on that day, and I will, in the future, avoid this portion of Interstate. While the citizens of N. J., can show their displeasure with their governor, should they choose to do so in the next election, the rest of us can only hope that when notified of conditions like this, the USDOT will investigate and take appropriate action if it is called for.

Respectfully yours

(b) (6)

