RULES AND REGULATIONS OF THE PORT AUTHORITY TRANS-HUDSON (PATH) RAIL SYSTEM

I. Definitions

"Bus" shall mean a self-propelled highway vehicle designed and constructed for the carriage of passengers for hire, employing as a source of motive power (either directly or by electrical transmission) a reciprocating or rotary internal-combustion or turbine engine (not including a jet propulsion engine) utilizing as fuel, gasoline, diesel oil or any other substance utilized by highway vehicles for fuel and permitted by the laws of New Jersey then in effect, and having overall dimensions not in excess of the following: length, forty-five (45) feet; width, one hundred and two (102) inches; height, twelve (12) feet eight (8) inches, and having a maximum gross loaded weight not in excess of thirty-five thousand (35,000) pounds avoirdupois, distributed to provide no more than twenty thousand (20,000) pounds per axle; provided however, that larger or heavier passenger-carrying vehicles may be operated at the Center by prior mutual consent of PATH and the operator and each such shall be deemed, for the period of such operation by consent, a "bus."

"Carrier" shall mean an operator of one or more vehicles for the transportation of passengers for hire.

"Center" shall mean the Journal Square Transportation Center and its entire area including roadways and structures, which comprises the Center.

"Electronic cigarette" shall mean an electronic device that delivers vapor which is inhaled by an individual user.

"Fare zone" shall mean the areas of the PATH system for which payment of a fare or use of a PATH authorized non-revenue credential is required for entry by a passenger.

"Manager of the Center" or "Manager" shall mean the person or persons from time to time designated by PATH to exercise the powers and functions vested in the said Manager with respect to the Center by these Rules and Regulations, including the Manager of the Journal Square Transportation Center , the Acting Manager of the Journal Square Transportation Center for the time being or the duly designated representatives of such persons.

"PATH" refers to The Port Authority Trans-Hudson System, including the Center.

"PATH system" shall refer to the PATH rail system, its rolling stock and its stations.

"Parking" shall mean the halting of a vehicle on a roadway or other area while not actually engaged in receiving or discharging passengers, except when halted in

obedience to traffic regulations, signs or signals, and without regard to the presence or absence of the driver.

"Passenger" shall mean any natural person who rides on a rail car operated by the PATH system, other than a PATH employee or a PATH contractor engaged in the performance of his or her duties, including a Port Authority Police Officer.

"Person" shall mean any individual or natural person, and any firm, partnership, corporation or incorporated or unincorporated association, and shall include any assignee, receiver, trustee, executor, administrator or similar representative appointed by a court, and shall mean the United States of America or any department of the government thereof, any state or political subdivision thereof, any foreign government or political subdivision thereof, or the United Nations.

"Port Authority" shall mean The Port Authority of New York and New Jersey.

"Stand" shall mean to halt a bus for the purpose of loading or unloading or for waiting in position for loading or unloading.

"Rules" shall refer to the Rules and Regulations of the Port Authority Trans-Hudson System (PATH)

"U.S. Department of Transportation regulations" shall mean regulations of the U.S. Department of Transportation as from time to time in effect.

"Vehicle" shall mean and include automobiles, trucks, buses, trailers, semi-trailers, and any other devices in or upon or by means of which any person or property is or may be transported, carried or drawn upon land only, except railroad rolling equipment or other devices designed to operate only on stationary rails or tracks.

II. Application

These Rules regulate conduct on and within on any portion of the PATH, including the Center, unless reference is made to any specific portion of PATH, in addition to any applicable laws, ordinances or regulations of other government bodies.

III. General Conditions

A. No passenger shall enter the PATH system fare zone unless he or she has paid the required fare or has used a PATH authorized non-revenue credential.

B. No person shall pass through any portion of the PATH system except a person intending to board a PATH train or who has recently disembarked from a PATH train, except as otherwise provided herein. All passengers must vacate any rail car operated by PATH and exit from the PATH system fare zone when the rail car reaches a terminal station.

C. The Port Authority may prohibit any conduct that violates any requirement for, or condition of, the receipt of federal grant in aid funds, or any other governmental program in which the Port Authority participates to obtain funds for use at PATH.

D. Permission to use PATH or be on PATH property may be denied to or withdrawn from persons who violate these Rules, applicable laws, ordinances or regulations of other government bodies or for such other reason as may be permitted by law.

E. Nothing herein contained shall be construed to limit the use of any area or portion of PATH by officers or employees of the Port Authority or PATH, or by Port Authority or PATH contractors, or to prevent any Police Officer, Fire Officer or other public officer or employee from entering upon any part of PATH when properly required so to do in the performance of his official duties.

F. Access to Closed and Restricted Areas

1. No person except a person assigned to duty therein shall enter without permission of PATH any area posted as a closed area or otherwise identified as closed.

2. No person shall enter without authorization any area posted as a restricted area or otherwise identified as a restricted area unless such person complies with such restriction.

IV. Safety

A. No person shall touch any other person without his or her consent.

B. No person shall litter, leave refuse, or create any unsafe or unsanitary condition.

C. Except with the permission of PATH, no person shall bring into or carry in PATH any radioactive materials, explosives, acids, flammables, compressed gases or articles or materials having or capable of producing strong or offensive odors, or articles or materials likely to endanger persons or property, in any container whatsoever, including the fuel chambers of portable vehicles and tools.

D. 1. No person shall bring into, cause to be brought into, or keep in PATH any signal-flare or any container filled with or which has been emptied or partially emptied of petroleum products, paint or varnish, except with the permission of PATH.

2. Any such articles or materials brought into, caused to be brought into, or kept in PATH pursuant to such permission shall be stored in appropriate receptacles in rooms or areas approved therefor by PATH.

3. The presence of the following at the Center shall not be a violation of this regulation:

   (a) Gasoline or other motor fuel contained in a non-pressurized tank permanently attached to a vehicle.

   (b) Kerosene signal-flares in good condition required or permitted by U.S. Department of Transportation regulations stored in buses in accordance with such U.S. Department of Transportation.

E. No person shall use flammable liquids for cleaning without permission of PATH.

F. No tag showing the date of last inspection attached to a unit of fire extinguishing and/or fire fighting equipment shall be removed therefrom, except by permission of PATH.

G. 1. No person shall create, or permit any machine or vehicle of which such person is in charge to create, obnoxious odors, noxious gases, smoke or fumes.

   2. The creation of internal-combustion engine exhaust fumes by vehicles in the Center, which are maintained and are being operated in a manner in compliance with these Rules shall not be a violation of this regulation.

H. No person shall spit, urinate or defecate on any part of the PATH except in a urinal or toilet intended for that purpose.

I. No person shall store bundles, paper, cloth, cardboard or any other material in solid, liquid or gas form that could in any way pose a fire or safety hazard or obstruct or hinder passage without the express, written approval of PATH.

J. No person shall use a skateboard or rollerskates or use shoes equipped with skate wheels as skates, or ride a bicycle, scooter or any other self propelled vehicle or device, except a wheelchair or other ambulatory device assisting a disabled person, on or through any building, area, car or other rolling stock of PATH.

K. No person shall cook, light a fire or otherwise create a fire or life safety hazard.

L. No person shall do or permit to be done anything which may interfere with the effectiveness or accessibility of any of the following within PATH: fire protection, heating, lighting, electrical, signal, sprinkler, drainage, alarm, telephone, public announcement, closed circuit television inter-communication, plumbing, air conditioning or ventilation system; fire hydrant, standpipe, hose or fire extinguisher; PATH emergency response vehicle or associated equipment and materials; or other equipment installed at a PATH station, building, area or location. No person shall operate, adjust or otherwise handle or manipulate,

without permission of PATH, any of the aforesaid systems, machinery, equipment or devices, or portions thereof, or any other systems, machinery, equipment or devices installed or located in PATH.

M. No person shall make any sound in excess of 86 dBA on the A weighted scale measured at 5 feet from the source of the sound in any interior space.

N. No person shall make any sound that interferes with the ability of persons to hear any announcement made over the public address system of PATH, or by a police officer, or by an employee of the PATH, The Port Authority of New York and New Jersey or any subsidiary thereof;

O. No person shall unreasonably interfere with rail, pedestrian or vehicular traffic flow, the formation or progress of any line of persons waiting for service, such as a line at a telephone, vending or information kiosk, bus or bus stop or gate, taxi loading area, or automatic teller machine, or any construction or maintenance activity.

P. No person shall erect any permanent or temporary structure on any property of PATH without the express written permission of PATH's Director/General Manager.

Q. No person within the PATH system shall do or omit to do any act if the doing or omission thereof unreasonably endangers persons or property in addition to the absence or presence of any specific prohibition or permission in these Rules.

R. No person shall hang from or lean upon any railing or handhold in any PATH rail car.

S. No person shall engage in any dance, or acrobat exhibition, in any PATH rail car.

V. Personal Conduct

A. No person shall play or operate any musical instrument or device, tape or disc player, radio or television anywhere on PATH property except with the use of personal headphones or earphones producing sounds audible only to the user thereof.

B. No person shall plug a television, radio or other electrical device into any electrical outlet or connect any device to any utility at, in or supplying power to, the PATH system or the Center.

C. No person shall eat any food or drink any beverage on the station platforms of PATH or while aboard any rail car operated by PATH.

D. No person shall sell or distribute any food or drink, with the exception of employees of lessees or permittees of PATH who are authorized to engage in such activity pursuant to an agreement with PATH and/or the Port Authority.

E. No person other than authorized employees of the Port Authority, PATH or a Port Authority or PATH contractor in areas designated for that purpose, shall bathe, shower or shave, or launder or change clothes, or remain undressed, anywhere on property or rolling stock owned or controlled by PATH.

F. 1. All persons finding lost articles on the PATH system shall deliver them to the PATH Police Desk located at the Journal Square Station, Jersey City, New Jersey.

2. Articles unclaimed by the owner(s) will be turned over to the finder, other than articles found by a PATH or Port Authority employee, as provided in applicable PATH or Port Authority regulations, policies and procedures.

G. No person shall engage in commercial conduct except pursuant to an agreement for the use of space therefore with PATH and/or the Port Authority.

H. No person shall gamble or conduct or engage in any game of chance. The foregoing does not apply to sales of government lottery tickets within space occupied pursuant to an agreement with PATH and/or the Port Authority permitting such activity.

I. No person shall deface, mark, break, or affix any sign or any other item to, or otherwise damage or alter, any part of PATH or any property thereof, except an employee of the Port Authority or PATH or a contractor of the Port Authority or PATH, engaged in the performance of his or her duties.

J. Nor shall any person remove, alter or deface any barricade, fence or sign, except an employee of the Port Authority or PATH or a contractor of the Port Authority or PATH, engaged in the performance of his or her duties.

K. 1. No person shall enter in or upon PATH with any animal that is not properly confined for shipment.

2. Paragraph 1 does not apply to:

(a) A Port Authority Police Officer or other person employed by PATH or the Port Authority authorized to be accompanied by an unconfined animal as part of the person's duties.

(b) A disabled person accompanied by the person's assistance animal such as a "seeing eye dog."

L. No person shall panhandle, beg or solicit the immediate contribution of money.

M. No person shall drink, or carry an open container of, any alcoholic beverage.

N. No person shall smoke or carry a lighted cigar, cigarette, or pipe containing tobacco or any other substance anywhere else within the PATH system or interior portions of the Center.

O. No person shall smoke or carry a lighted electronic cigarette within the PATH system or interior portions of the Center.

P. No person shall transport, in bulk, any materials or goods, including recyclable items, on the PATH system.

Q. No Passenger on any rail car operated by PATH may sleep or occupy more than one seat.

R. No person shall sleep, or lie down or sit on any floor, ledge, platform, step or escalator, within or at any PATH property.

S. No one shall chain or otherwise affix a bicycle to any railing, pole or any physical object other than a designated bicycle rack.

VI. Elevators & Escalators

A. Passenger elevators and escalators shall not be used to carry freight.

B. An elevator for the handling or freight service will be operated in accordance with an established schedule, if any, for such elevator, unless the arrangements are made for operation at other times.

C. The use of any escalator, elevator, private right-of-way or truck loading dock at the Center is subject to the direct control of the Manager.

D. No person shall transport any goods or materials whose total weight exceeds one thousand (1000) pounds on any elevator in the Center without having obtained the prior permission of the Manager and without following the directions of the Manager issued when such permission is granted.

E. 1. No unauthorized person shall cause an elevator or escalator to stop by means of an emergency stopping device unless continued operation would appear to result in probable injury to a person or persons.

2. Any such stopping should be reported immediately to the nearest available PATH Control Center by use of a Patron Assistance Telephone, or to the Manager if the elevator or escalator is located within the Center.

F. No wheeled conveyance of persons or merchandise, including dollies, handtrucks, suitcases, backpacks, or strollers, shall be used on an escalator by resting the wheels of such conveyance on the steps of the escalator. Enclosed conveyances carrying merchandise, such as suitcases and backpacks, may be hand-carried on an escalator, provided that the contents are fully enclosed by the conveyance. Conveyances carrying persons, such a strollers, and unenclosed conveyances, such as handtrucks, may be carried on an escalator only if they are emptied of their contents, folded into the smallest size possible, and both the conveyance and its contents may be safely and securely hand-carried on the escalator.

VII. Journal Square Transportation Center

A. The regulations contained in this part shall apply to the Journal Square Transportation Center or "Center."

B. No person shall travel or remain in, or permit any vehicle of which such person has charge to travel or remain in, any portion of the Center except upon the roadways, walks or other places or areas provided for the particular class of traffic. No person shall occupy, or permit any vehicle of which such person has charge, to occupy the walks, roadways, entrances, exits, waiting rooms or other areas of the Center in such a manner as to hinder or obstruct their use by others.

C. No person shall pass through the Bus Station portion of the Center except:

1. A person employed by or doing business with a carrier whose duties require such passage.

2. An authorized representative of PATH or the Port Authority.

3. A person granted permission by PATH or the Port Authority.

4. A person intending to board a bus scheduled to depart within 30 minutes or less, or has disembarked from a bus which arrived no more than 30 minutes earlier.

D. Persons using public parking levels shall pay all parking charges as established and approved by PATH.

E. PATH may require that any payments made pursuant to these Rules or to any tariff or schedule of charges duly adopted and applicable to the Center be supported by records and books of account which the user shall maintain in accordance with accepted accounting practices, to be subject to audit by PATH, its agents or employees, permitted at any time during ordinary business hours.

F. All persons doing business in the Center shall provide fire protection appliances and systems as required by PATH, by any code(s) which PATH has stated in writing are applicable to or shall be adhered to by PATH, and by National Fire Protection Association standards.

G. Vehicles

1. The Manager of the Center shall have the authority to deny access to the Center to any bus or other vehicle not maintained, operated, and registered in accordance with these regulations, or which is otherwise in violation of these Rules or the laws, ordinances or regulations of the United States, the State of New Jersey, or the City of Jersey City, and shall have the authority to require removal of any such vehicle from the Center on five (5) minutes' notice. In the event the vehicle is not so removed, PATH may remove it under the provisions of Paragraph 16 below.

2. No vehicle which, in the opinion of the Manager, is loaded in such a manner, or with such materials, or which is so constructed, operated, equipped or maintained, as to endanger or to be likely to endanger persons or property, or to obstruct traffic, shall be permitted in or upon the Center.

3. No vehicle will be permitted in or upon the Center which has a weight or dimensions larger than the maximum herein established for buses or which utilizes any fuel not permitted as a source of motor power for buses, as defined in these regulations.

4. No motor vehicle shall be permitted in the Center, which is not registered in accordance with the provisions of the laws of the State of New Jersey.

5. No person shall operate a motor vehicle in or upon any part of the Center except persons duly authorized to operate such a motor vehicle in the State of New Jersey.

6. Except when standing in a bus space, a bus driver shall stand his or her vehicle in the Center only at a space designated for such vehicle by the Manager or other authorized PATH representative. Where space is used in common by the buses of more than one carrier, a bus driver shall cause his or her bus to stand in the most forward portion of such space available upon arrival, and shall, except when passengers are actually boarding or leaving the bus, continually move his or her bus forward, toward, and to the most forward vacant portion of the space, and shall, except when passengers are actually boarding or leaving the

bus, move or remove his or her bus to avoid blocking egress of a bus ready for departure.

7. The driver of any vehicle involved in an accident within the Center resulting in injury or death to any person or damage to any property shall immediately stop such vehicle at the scene of the accident, render such assistance as may be needed, and give his name, address, the number of his driver's license, and the registration number of the vehicle to the person injured or to any Police Officer. The driver, operator, or owner of such vehicle shall make a report of such accident in accordance with the law of the State of New Jersey, and shall deliver a copy of said report to the Manager within seven (7) days of the occurrence.

8. No unauthorized person shall tamper with any vehicle, start the motor thereof, move the vehicle, or otherwise interfere with the operation thereof at the Center.

9. Except to the extent specifically permitted in any written agreement between PATH and the carrier, no person shall fuel, defuel, lubricate, clean or repair a vehicle or any part thereof at the Center without permission.

10. Every driver who causes a vehicle to park or stand in the Center for three (3) or more minutes shall turn off its motor.

11. Prolonged sounding of the horns of vehicles in the Center is forbidden.

12. No person shall leave a vehicle unattended in the Center without first having made sure that its motor is turned off and its parking brakes set.

13. (a) Except for vehicles that are parked in designated public areas or are occupying a permanently assigned space, no vehicle shall remain in the Center for longer than the time necessary for permitted operations in connection therewith, and, unless a shorter time limitation is elsewhere imposed, no vehicle shall remain in the Center for longer than thirty (30) minutes.

    (b) Within five (5) minutes notice, which may be given orally to the driver, the Manager shall have authority to require the removal from the Center of any vehicle which shall have been standing or parked at the Center in excess of prescribed limits; in the event the vehicle is not so removed, PATH may remove it under the provisions of Paragraph 16 below.

14. (a) Drivers of vehicles in the Center must at all times comply with any

traffic order, signal or direction given by voice or by hand, of an authorized representative of the PATH or the Port Authority.

(b) When traffic is controlled by traffic lights or signs or by mechanical or electrical signals, such lights, signs and signals shall be obeyed unless and authorized representative of PATH or the Port Authority. then directs otherwise.

15. Unless other provision for reports is expressly made, each driver of a bus of any carrier shall report to the Manager or his representative immediately upon arrival at the Center, shall pay all fees required, shall give information of the expected time of departure, and shall immediately before departure check out at the office of the Manager.

16. Unless other provision for the removal of disabled vehicles has been made by agreement, PATH may cause the removal from the Center (or to a different location in the Center) any vehicle which has become disabled, which may interfere with vehicular or pedestrian traffic or construction or maintenance activities in the Center, or whose operation or presence is in violation of these Rules, and whose operator has refused or failed to remove such vehicle.

H. Loading Docks

1. Truck loading docks in the Center shall be used for immediate transfer of merchandise between the freight elevators and trucks, and merchandise shall not be stored or held on a truck loading dock awaiting the arrival of trucks or transfer to premises or space at the Center.

2. Truck loading docks shall be used in the manner directed by the Manager.

I. Trash Removal

All persons occupying space at the Center are shall deposit, or cause to be deposited, such trash contained in, or generated at, such space in the compactor provided by the Manager for such purpose, unless the Manager has expressly consented in writing to such other method of trash disposal.

J. Eating and Drinking

No person shall eat any food or drink any beverage in any area in which such activity is prohibited by the Manager.

VIII. Continuous Expressive Activity Directed At The Public

A. For the purpose of these regulations, "expressive activity" refers to the following: Continuous display of a sign to passerby, continuous distribution of literature to passerby, continuous speech addressed to passerby.

B. Expressive activity is prohibited in PATH except that such activity is permitted in the area set forth in Section E(2), subject to the regulations set forth hereinabove and hereinafter.

C. No person, while engaged in expressive activity, shall:

1. Carry on any commercial activity;

2. Distribute food, flowers, or any other product;

3. Place any chair, table, or other structure on the floor, except as specifically provided herein;

4. Misrepresent through words, signs, leaflets, attire or otherwise such person's affiliation with or support by any organization, group, entity or cause, including any affiliation with or support by PATH, The Port Authority of New York and New Jersey or a subsidiary thereof;

5. Carry a sign or placard attached to a rod or stick in any interior space, or plaza areas.

6. Engage in the solicitation of funds for immediate receipt in any interior space.

7. Enter or remain in any space at, adjacent to, or within ten feet of, any of the following: turnstile; vending machine; doorway, entrance or exit; elevator or escalator; stairway or landing; telephone; dining area; sale or service counter kiosk or booth; building lobby or hallway; bench or seating area; line of persons for service, such as a line at a kiosk or automatic teller machine; curbside check-in area or vehicle loading or discharge area; restroom; designated waiting area; or bus gate. The ten-foot restriction does not apply any space within an area specifically designated as a place where expressive activity may occur.

8. The General Manager of PATH, or in his or her absence, the person designated to act in his or her stead for general management purposes, may prohibit expressive activity on PATH property which would otherwise be permitted in the event of, and during the pendency of, an emergency condition such as a snowstorm, fire, accident, power failure, transportation carrier schedule interruption, or other condition of such nature and character that the conduct of permitted activities would cause a danger to persons or property during the pendency of such emergency condition.

9. (a) Persons shall conduct expressive activities in the designated areas of the PATH system only pursuant to a permit obtained pursuant to Section D, for the use of one or more of the areas designated on the attached schedule and diagrams of the PATH system, when those areas are not occupied by construction or maintenance activity affecting a permanent structure, subject to the number restrictions set forth on such schedule.

   (b) Tables measuring no more than 60 inches by 30 inches are permitted in the designated areas.

   (c) Expressive activity on the Concourse of the World Trade Center station is subject to the following restrictions:

   i. Expressive activity is permitted only in the area designated as C on the attached diagram.

   ii. A permit will be issued for use of one of the subdivisions of C, designated locations C-1 to C-8 on a first come, first serve basis.

   iii. Coordinated expressive activity by 25 or more persons is subject to the following restrictions.

      a. Coordinated expressive activity by 25 or more persons is permitted in areas locations C-1, C-2, C-7 and C-8 only.

      b. An applicant may request permits for use of locations C-1 and C-2 in combination or use of locations C-7 and C-8 in combination.

      c. A permit may not be granted for use of locations C-1, C-2, C-7 or C-8, or any combination thereof, for coordinated expressive activity by 25 or more persons if a permit has been issued for use of any adjacent location for expressive activity.

d. A permit may not be issued for use of any location adjacent to C-1, C-2, C-7 or C-8 for expressive activity if a permit has been issued for use of C-1, C-2, C-7 or C-8, or any combination thereof, by 25 or more persons.

e. No more than 90 persons may use each of C-2, C-7 or C-8 at one time for expressive activity, and no more than 45 persons may use C-1 at one time for expressive activity. A combination of any of these spaces may not be used by more than the total of the maximum number of persons who may use each of the combined spaces.

D. Permit application shall be made, and acted upon, as set forth below:

1. A permit application shall be submitted in writing no later than thirty-six (36) hours preceding the commencement of the activities far which the permit is sought, and no earlier than seven (7) days preceding the commencement of the activities for which the permit is sought.

2. Permit application shall be submitted in person to the Permit Administrator of PATH, or the designee thereof, during the hours of 9:00 AM to 10:30 A.M. and 1:30 PM to 3:30 P.M., Monday through Friday, excluding holidays.

3. (a) The permit application shall set forth the type, time, location and duration of activities to be conducted, the name, address and telephone number of the person making the request (in the case of a group, it shall be sufficient to supply the name, address, and telephone number of the person who can be contacted if problems arise concerning the granting of the request).

   (b) If a person making the application indicates an affiliation with an organization or group, the name and address of a local representative of the organization or group to act as a liaison will be requested; however, refusal to provide such information shall not be grounds for denial of a permit.

4. Each permit shall be valid for a period of time specified by the applicant, not exceeding fourteen (14) days pursuant to a single application.

5. (a) Renewal applications shall be made in the same form used for new applications, and shall be processed as if they were new applications.

   (b) All locations will be assigned on a first-come, first-serve basis, without regard to renewal status.

(c) The use of space previously used pursuant to a permit is not guaranteed by acceptance of a renewal application.

6. (a) A permit for any location will be granted on a first-come, first-serve basis.

   (b) An application will be denied only if the area requested is unavailable, the application is incomplete, or the application discloses that the activities to be performed thereunder will violate these Rules.

7. (a) A permit will be issued, or the application denied, by the PATH Permit Administrator, or a designee thereof, no later than 5:00 PM of the day following submission of the application, excluding Saturdays, Sundays and holidays observed by PATH.

   (b) The reason for the denial of an application shall be set forth in writing.

8. (a) Upon the denial of any application for a permit, or the failure to issue a permit by 5:00 PM of the day following submission of the appeal, excluding Saturdays, Sundays and holidays recognized by PATH, an applicant may submit a written appeal to the PATH General Manager, or a designee thereof, setting forth the reasons why the application should be granted.

   (b) An appeal shall be submitted in person to the PATH Permit Administrator, or a designee thereof, during the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, excluding holidays. The PATH Permit Administrator, or the designee thereof, shall cause the appeal to be delivered to the PATH General Manager, or a designee thereof.

9. (a) A written decision denying the appeal, or issuing a permit shall be made no later than 5:00 PM of the day following submission of the appeal, excluding Saturdays, Sundays and holidays observed by PATH.

   (b) If no decision is issued by 5:00 PM of the day following submission of the appeal, excluding Saturdays, Sundays and holidays observed by PATH, the appeal shall be deemed to be denied on the basis of the original decision denying the application.

10. Any person whose application for a permit has been denied may seek review of the final decision denying such application in a proceeding commenced pursuant to Article 78 of the Civil Practice Laws and Rules of the State of New York, or action in lieu of prerogative writ in

the courts of the State of New Jersey.

11. Persons who engage in expressive activity pursuant to the permit described herein must possess a copy of such permit and shall display such document upon the request of PATH personnel or Port Authority Police Officers.

12. Each time a person or group ceases use of a designated area for expressive activity, such action shall be reported to the Permit Administrator of the PATH system or a designee thereof.

13. For the purposes of this regulation, "holidays" refers to the following:

New Year's Day	January 1*
Martin Luther King, Jr. Day	Third Monday in January
Presidents' Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4*
Labor Day	First Monday in September
Columbus Day	Second Monday in October
Veterans Day	November 11*
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving	Fourth Friday in November
Christmas Day	December 25*

*If any of the days marked with an * shall fall on a Saturday, the preceding Friday will be observed as a holiday; if any of the days marked by an * shall fall on a Sunday, the succeeding Monday will be observed as a holiday.

E. 1. There shall be no expressive activity at the following PATH locations: Christopher Street; 9th Street; 14th Street; 23rd Street; Harrison; and Newark.

2. Expressive activity shall be permitted at the following stations, in the specific areas designated on the attached drawings: World Trade Center; 33rd Street; Grove Street; Exchange Place; Hoboken; Pavonia-Newport; and the Journal Square Transportation Center.

IX. Photography and similar activity.

A. The taking or making of photographs of any portion of the PATH system is prohibited except as provided herein.

B. The taking or making of films, video recordings, and drawings or other visual depictions are subject to the same prohibitions, restrictions and procedures as are applicable to photography.

C. Photography which involves any of the following must comply with the requirements of the Extended Photography Policy and Procedures, in addition to these Rules:

1. Exclusive use of any area or any railcar or part of a railcar.

2. Exclusion of members of the public, PATH or Port Authority personnel, or PATH or Port Authority contractors from any area or any railcar or part of a railcar.

3. Use of equipment other than handheld equipment with self-contained power sources.

D. 1. No person may take a photograph of any portion of the PATH system unless he or she is accompanied by a representative of PATH.

2. No photograph shall be taken of any specific location, device or structure if such representative advises that such photography is prohibited because it will create an image which could be used to aid in the planning of an attempt to disable, destroy, avoid or circumvent any operational, safety, security, evacuation or emergency response device, structure or procedure, or which could be used in the planning of an attempt to commit an act of violence or intentionally cause disruption of rail service or public panic within the PATH system or a part thereof. If possible, a suggestion for alternative photography in PATH which would not have such an effect shall be made by the PATH representative.

3. A photographer and all members of his or her party shall follow the directions of such representative made for the purpose of preventing unreasonable interference with PATH operations, maintenance and construction, and to preserve the health and safety of the photographer or others.

4. A photographer may protest any direction made pursuant to paragraph (2) or (3) in the same manner as an appeal from the denial of a permit as set forth herein.

E. No person may take any photograph within PATH unless he or she has been issued a permit therefore by PATH as set forth herein.

1. A permit application shall be submitted in writing no later than thirty-six (36) hours preceding the commencement of the activities for which the permit is sought, and no earlier than seven (7) days preceding the commencement of the activities for which the permit is sought.

2. Permit application shall be submitted in person to the PATH Permit Administrator, or the designee thereof, during the hours of 9:00 AM to 10:30 AM and 1:30 PM to 3:30 PM, Monday through Friday, excluding holidays.

3. The permit application shall set forth the type, time, location and duration of activities to be conducted, and the name, address and telephone number of the person making the request (in the case of a group, it shall be sufficient to supply the name, address, and telephone number of the person who can be contacted if problems arise concerning the granting of the request). If a person making the application indicates an affiliation with an organization or group, the name and address of a local representative of the organization or group to act as a liaison will be requested; however, refusal to provide such information shall not be grounds for denial of a permit.

4. Permits will be granted on a first-come, first serve basis depending on the availability of escorts. An application will be denied in whole or in part only if: (a) the presence of visitors in a requested location would unreasonably interfere with PATH operations, maintenance and construction; (b) if the conduct cannot be performed without creating an image which could be used to aid in the planning of an attempt to disable, destroy, avoid or circumvent any operational, safety, security, evacuation or emergency response device, structure or procedure, or which could be used in the planning of an attempt to commit an act of violence or intentionally cause disruption of rail service or public panic within the PATH system or a part thereof; (c) if the location requested may not be visited safely by persons other than PATH or other operation, construction or maintenance personnel; (d) the application is incomplete; or, (e) the application discloses that the activities to be performed thereunder will violate these Rules.

5. A permit will be issued, or the application denied, by the PATH Permit Administrator or a designee thereof, no later than 5:00 PM of the day following submission of the application, excluding Saturdays, Sundays and holidays recognized by PATH. The reason for the denial of an application or any part thereof shall be set forth in writing.

6. (a) Upon the denial of any application for a permit, or the failure to issue a permit by 5:00 PM of the day following submission of the application, excluding Saturdays, Sundays and holidays recognized by PATH, the applicant may submit a written appeal to the PATH General Manager, or a designee thereof, setting forth the reasons why the application should be granted.

   (b) An appeal shall be submitted in person to the PATH Permit Administrator, or a designee thereof, during the hours of 9:00 AM to 5:00 PM, Monday through Friday, excluding holidays. The PATH Permit Administrator, or the designee thereof, shall cause the appeal to be delivered to the General Manager, or a designee thereof.

7. A written decision denying the appeal, or issuing a permit, shall be made no later than 5:00 PM of the day following submission of the appeal, excluding Saturdays, Sundays and holidays recognized by PATH. If no decision is issued by 5:00 PM of the day following submission of the appeal, excluding Saturdays, Sundays and holidays recognized by PATH, the appeal shall be deemed to be denied on the basis of the original decision denying the application.

8. A decision made in response to an application for a permit or an appeal of a denial of a permit shall not disclose information which could be used to aid in the planning of an attempt to disable, destroy, avoid or circumvent any operational, safety, security, evacuation or emergency response device, structure or procedure, or which could be used in the planning of an attempt to commit an act of violence or intentionally cause disruption of rail service or a public panic within the PATH system or a part thereof.

9. Any person whose application for a permit has been denied may seek review of the final decision denying such application in a proceeding commenced pursuant to Article 78 of the Civil Practice Laws and Rules of the State of New York, or action in lieu of prerogative writ in the courts of the State of New Jersey.

10. The General Manager of PATH, or in his or her absence, the person designated to act in his or her stead for general management purposes, may withdraw or suspend a permit for photography in the event of, and during the pendency of, an emergency condition such as a snowstorm, fire, accident, power failure, transportation carrier schedule interruption, or other condition of such nature and character that the conduct of permitted activities would cause a danger to persons or property during the pendency of such emergency condition.

11. For the purpose of this regulation, “holidays” refers to the days set forth in VII (D) (13) above.