

EXECUTIVE ORDER NO. 383

WHEREAS, in New Jersey, Federal-Aid Highway Interstate 80 ("Interstate 80") runs for more than sixty-eight miles from the Pennsylvania state line to its eastern terminus in Bergen County, and serves as a vital transportation route to and from northern New Jersey and New York City; and

WHEREAS, on December 26, 2024, a sinkhole on Interstate 80 opened when an abandoned mine collapsed under the highway's eastbound shoulder near Exit 34 in and around the area of the Borough of Wharton, Morris County, New Jersey; and

WHEREAS, the sinkhole created a hazardous condition which required the eastbound Interstate 80 lanes to be closed at Exit 34 for four days, creating a significant disruption to transportation and commerce in this area with surrounding roadways serving as detour routes; and

WHEREAS, on February 10, 2024, a second sinkhole was discovered in the vicinity of the first sinkhole, which required additional measures to stabilize the area along with another closure of eastbound Interstate 80 at Exit 34; and

WHEREAS, in the two months since the initial sinkhole was repaired, multiple sinkholes and "voids," which are empty spaces or cavities that exist underground, have been discovered, requiring crews from the State of New Jersey Department of Transportation ("NJDOT") to perform around-the-clock emergency repairs and stabilization work to address the hazards; and

WHEREAS, NJDOT performed advanced geophysical scanning and testing in the area of the sinkholes to determine whether additional loose soils in the area may require stabilization work to protect public health and safety on Interstate 80; and

WHEREAS, on February 26, 2025, NJDOT's geophysical analysis revealed a significant new void located underneath the center lane of Interstate 80 eastbound in the general vicinity of the two prior sinkholes; and

WHEREAS, the discovery of this void will require the continued closure of Interstate 80 eastbound lanes until a time when this portion of the roadway can be fully stabilized; and

WHEREAS, the Borough of Wharton and surrounding areas in Morris County are experiencing adverse impacts from this event, including significant ongoing traffic disruption from vehicles detouring off eastbound Interstate 80 at Exit 34 or being diverted to an alternate Route at Exit 28; and

WHEREAS, it is necessary to take immediate steps to provide for the reopening of the eastbound lanes of Interstate 80 and to repair, reconstruct, and/or stabilize the areas impacted by the sinkholes, loose soils, and voids; and

WHEREAS, these adverse impacts are of such magnitude or severity as to require federal supplementation of existing State and local resources; and

WHEREAS, 23 U.S. Code § 125 creates a source of funding for the repair or reconstruction of highways, roads, and trails in any area of the United States that the Federal Highway Administration finds has suffered serious damage as a result of a natural disaster or other external cause; 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., N.J.S.A. 38A:3-6.1, N.J.S.A. 38A:2-4, and all amendments and supplements thereto, confer upon the Governor of the State of New Jersey certain emergency powers;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, in order to protect the health, safety, and welfare of the people of the State of New Jersey DO DECLARE and PROCLAIM that a State of Emergency exists due to the geophysical hazards present under eastbound Interstate 80 and the related traffic conditions created in the County of Morris, effective at 10:00 a.m. on Saturday, March 8, 2025; and I hereby ORDER and DIRECT the following:

1. I authorize and empower the State Director of Emergency Management, who is the Superintendent of State Police, to implement the State Emergency Operations Plan and to direct the activation of county and municipal emergency operations plans, as necessary, and to coordinate the recovery effort from this emergency with all governmental agencies, volunteer organizations, and the private sector.

2. In accordance with 23 U.S. Code § 125(d)(1)(a)-(b), I authorize and empower the Commissioner of the NJDOT to submit an emergency relief funds request to the Federal Highway Administration that includes a comprehensive list of all eligible damages related to this incident.

3. I authorize and empower, in accordance with N.J.S.A. App. A:9-33, et seq., as supplemented and amended, the State Director of Emergency Management, who is the Superintendent of State Police, through the police agencies under his control, and with consideration of any Administrative Order issued by the Commissioner of the NJDOT, to determine and control the direction of the flow of vehicular traffic on any State or interstate highway, municipal or county road, and any access road, including the right to detour, reroute, or divert any or all traffic and to prevent ingress or egress from any area that, in the State Director's discretion, is deemed necessary for the protection of the health, safety, and welfare of the public, and to remove parked or abandoned vehicles from such roadways as conditions warrant.

4. I authorize and empower the Attorney General, pursuant to the provisions of N.J.S.A. 39:4-213, acting through the Superintendent of State Police, and with consideration of any Administrative Order issued by the Commissioner of the NJDOT, to determine and control the direction of the flow of vehicular traffic on any State or interstate highway, municipal or county road, and any access road, including the right to detour, reroute, or divert any

or all traffic, to prevent ingress or egress, and to determine the type of vehicle or vehicles to be operated on such roadways. I further authorize all law enforcement officers to enforce any such order of the Attorney General or Superintendent of State Police within their respective municipalities.

5. I authorize and empower the executive head of any agency or instrumentality of the State government with authority to promulgate rules to waive, suspend, or modify any existing rule, where the enforcement of which would be detrimental to the public welfare during this emergency, notwithstanding the provisions of the Administrative Procedure Act or any law to the contrary for the duration of this Order, subject to my prior approval and in consultation with the State Director of Emergency Management. Any such waiver, modification, or suspension shall be promulgated in accordance with N.J.S.A. App. A:9-45.

6. In accordance with the N.J.S.A. App. A:9-34 and N.J.S.A. App. A:9-51, I reserve the right to utilize and employ all available resources of the State government and of each and every political subdivision of the State, whether of persons, properties, or instrumentalities, and to commandeer and utilize any personal services and any privately-owned property necessary to protect against this Emergency.

7. In accordance with N.J.S.A. App. A:9-40, no municipality, county, or any other agency or political subdivision of this State shall enact or enforce any order, rule, regulation, ordinance, or resolution which will or might in any way conflict with any of the provisions of this Order, or which will in any way interfere with or impede the achievement of the purposes of this Order.

8. It shall be the duty of every person or entity in this State or doing business in this State and of the members of the governing body and every official, employee, or agent of every political subdivision in this State and of each member of all other

governmental bodies, agencies, and authorities in this State of any nature whatsoever, to cooperate fully with the State Director of Emergency Management in all matters concerning this State of Emergency.

9. In accordance with N.J.S.A. App. A:9-34, N.J.S.A. App. A:9-40.6, and N.J.S.A. 40A:14-156.4, no municipality or public or semipublic agency shall send public works, fire, police, emergency medical, or other personnel or equipment into any non-contiguous disaster-stricken municipality within this State, nor to any disaster-stricken municipality outside this State, unless and until such aid has been directed by the county emergency management coordinator or their deputies in consultation with the State Director of Emergency Management.

10. This Order shall take effect at 10:00 a.m. on Saturday, March 8, 2025, and shall remain in effect until such time as it is determined by me that an Emergency no longer exists

GIVEN, under my hand and seal this
8th day of March,
Two Thousand and Twenty-Five,
and of the Independence of the
United States, the Two Hundred
and Forty-Ninth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Kate E. McDonnell

Chief Counsel to the Governor