

You're viewing an archived copy from the New Jersey State Library.

# NEW JERSEY



# REGISTER

*IN THIS ISSUE—  
“INDEX OF PROPOSED RULES”*

**VOLUME 14      NUMBER 12**  
June 21, 1982      Indexed 14 N.J.R. 605-672  
(Includes rules filed through June 7, 1982)

*The New Jersey Register supplements the New Jersey Administrative Code. See the Index of Adopted Rules on Page 585 of the June 7 issue for the Registers that should be retained as an update to the Administrative Code.*

## TABLE OF RULES IN THIS ISSUE

RULE PROPOSALS	
ADMINISTRATIVE LAW	
Pre-hearing conferences and tape-recording .....	606(a)
Succession of parties in contested cases .....	606(b)
Pre-hearing information .....	607(a)
Substantiation of final decisions .....	608(a)
BANKING	
Time deposit balances and 10 percent limitation .....	608(b)
COMMUNITY AFFAIRS	
Registration fees for planned developments .....	609(a)
Congregate Housing Services Program .....	609(b)
EDUCATION	
Administrative certification .....	614(a)
Approval of auxiliary services for private school students .....	617(a)
Vocational education safety standards .....	619(a)
ENVIRONMENTAL PROTECTION	
“No charge” oyster license .....	629(a)
HUMAN SERVICES	
County welfare agencies: Salary parity with State .....	630(a)
LAW AND PUBLIC SAFETY	
Repeal “title only” motor vehicle certification .....	632(a)
Certified Nurse Midwife and lay midwife practice ....	632(b)
Board of Nursing: Licensure fees .....	635(a)
Same day boxing programs .....	635(b)
TRANSPORTATION	
Parking revisions throughout State .....	637(a)
US 9 bus and HOV lane in Middlesex County (with Emergency Adoption) .....	661(b)
HOV lanes on Parkway (with Emergency Repeal) .....	662(a)
TREASURY—GENERAL	
Mortgage-backed securities .....	652(a)
RULE ADOPTIONS	
COMMUNITY AFFAIRS	
“Dedication by rider” to local budgets .....	654(a)
EDUCATION	
Program-oriented budgeting format .....	654(b)
Hearing screening of pupils .....	654(c)
ENVIRONMENTAL PROTECTION	
Shellfish beds: Reclassification .....	655(a)
HEALTH	
Additions to generic drug list .....	655(b)
HUMAN SERVICES	
Home Health Services Manual revisions .....	656(a)
Pharmaceutical Assistance for Aged and Disabled .....	659(a)
GAM: Cash contributions .....	659(b)
LAW AND PUBLIC SAFETY	
Certification for chemical breath testing .....	660(a)
Thoroughbred racing rules .....	661(a)

(Continued on Back Cover)

# RULE PROPOSALS

## ADMINISTRATIVE LAW

(a)

### OFFICE OF ADMINISTRATIVE LAW

#### Uniform Administrative Procedure Rules of Practice Jurisdiction of the Office of Administrative Law

#### Proposed Amendment: N.J.A.C. 1:1-3.3

Authorized By: Howard H. Kestin, Director, Office of Administrative Law.

Authority: N.J.S.A. 52:14F-5e, f and g.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before July 21, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Steven L. Lefelt  
Deputy Director and Administrative  
Law Judge  
Office of Administrative Law  
185 Washington Street  
Newark, New Jersey 07102

The Office of Administrative Law thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-222.

The agency proposal follows:

#### Summary

The purpose of this rule is to permit a judge the option of whether or not to tape-record a pre-hearing conference. It has been the experience of many judges that the pre-hearing order, issued pursuant to N.J.A.C. 1:1-10.1(c), is a sufficient record of the conference, and that a tape recording is superfluous.

#### Social Impact

This rule should have the effect of encouraging more uninhibited discussion of issues and case management problems at unrecorded pre-hearing conferences.

#### Economic Impact

This rule will save the State the expense of tape-recording many pre-hearing conferences.

**Full text** of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

1:1-3.3 Verbatim record of proceedings; sound and stenographic recordings; requesting transcript cost

(a) **Pre-hearing conferences, settlement discussions, and informal discussions either immediately preceding hearing or during the hearing to facilitate orderly and expeditious conduct of the case, may be recorded at the discretion of the judge.** All other proceedings in the presence of a judge [except settlement discussions and informal discussions either immediately preceding hearing or during the hearing to facilitate orderly and expeditious conduct of the case,] shall be recorded verbatim either by a stenographic reporter or by sound recording devices, or both. Any discussions off the record, no matter how brief, except settlement discussions, shall be summarized for the record.

(b)-(f) (No change.)

(b)

### OFFICE OF ADMINISTRATIVE LAW

#### Uniform Administrative Procedure Rules of Practice Jurisdiction of the Office of Administrative Law

#### Proposed New Rule: N.J.A.C. 1:1-3.11

Authorized By: Howard H. Kestin, Director, Office of Administrative Law.

Authority: N.J.S.A. 52:14F-5e, f and g.

## NEW JERSEY REGISTER

The official publication containing notices of proposed rules and rules adopted by State agencies pursuant to the New Jersey Constitution, Art. V, Sec. IV, Para. 6 and the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq. Issued monthly since September 1969, and twice-monthly since November 1981.

Material published in the New Jersey Register is the property of the State of New Jersey. However, it may be copied, reproduced or republished by any person for any purpose whatsoever without permission, providing that no such reproduction or republication shall bear the title "New Jersey Register" or "Official Rules Publication" without the written permission of the Director, Office of Administrative Law.

The New Jersey Register (USPS 442-950) is published the first and third Monday of each month by Administrative Publications of the Office of Administrative Law, CN 301, Trenton, New Jersey 08625. Telephone: (609) 292-6060. Subscriptions, payable in advance, are one year, \$40.00; back issues when available, \$3.50 each. Make checks payable to Administrative Publications.

POSTMASTER: Send address changes to: New Jersey Register, CN 301, Trenton, New Jersey 08625. Second Class Postage paid at Trenton, New Jersey and additional mailing offices.

*The NEW JERSEY ADMINISTRATIVE CODE is published on a continuing basis by Administrative Publications of the Office of Administrative Law. Subscription rates for this 31-volume, regularly updated set of all State administrative rules are available on request. The Code is sold either in the full set or in one to three volumes depending on the Department coverage desired.*

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before July 21, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Steven L. Lefelt  
Deputy Director and Administrative Law Judge  
Office of Administrative Law  
185 Washington Street  
Newark, New Jersey 07102

The Office of Administrative Law thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-223.

The agency proposal follows:

**Summary**

The purpose of this rule is to provide for an orderly succession of parties in contested cases where a public officer leaves office. It is based on the New Jersey Court Rules, R. 4:34-4.

**Social Impact**

This rule should help clarify the ongoing nature and parties to a contested case, irrespective of any change in public office.

**Economic Impact**

This rule should have no economic impact because it is merely a procedural clarification.

Full text of the proposal follows.

1:1-3.11 Public officers; death or separation from office  
When any public officer who is a party to a contested case, whether or not his name is mentioned, dies, resigns or for any reason ceases to hold office, his successor in office shall be deemed to have been substituted in his place. However, on motion, the judge may otherwise order or may specifically order the substitution of the successor in office.

**(a)**

**OFFICE OF ADMINISTRATIVE LAW**

**Uniform Administrative Procedure Rules of Practice  
Jurisdiction of the Office of Administrative Law**

**Proposed Amendment: N.J.A.C. 1:1-5.2 and 5.3**

Authorized By: Howard H. Kestin, Director, Office of Administrative Law.  
Authority: N.J.S.A. 52:14F-5e, f and g.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before July 21, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Steven L. Lefelt  
Deputy Director and Administrative Law Judge  
Office of Administrative Law  
185 Washington Street  
Newark, New Jersey 07102

The Office of Administrative Law thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-224.

The agency proposal follows:

**Summary**

These amendments require that, in filing a case with the OAL, the transmitting agency include, as part of the transmission, sufficient information about the case to enable the parties and the judge to prepare for the hearing. The purpose of these amendments is to ensure that the judge and the responding parties have effective as well as adequate notice of the basis of the agency action, and therefore the issues to be litigated. Currently, in many types of cases, the initial agency papers contain only a general statutory or regulatory reference plus a conclusory statement of facts. Often, in cases where discovery is not appropriate, specific law and facts do not come out except at the hearing, which causes unnecessary problems for both the judge and parties.

**Social Impact**

These amendments should better enable parties to prepare for hearings, and thus ensure fairer and fuller hearings.

**Economic Impact**

These amendments should result in some saving of hearing time, as parties may be better prepared and issues may be more clearly defined when the hearing begins. Thus, these amendments should save the parties and the OAL some litigation and hearing costs. These amendments may also result in some additional clerical costs to some State agencies, where these agencies have to spend more time preparing transmittals.

Full text of the proposal follows (additions indicated in boldface thus; deletions indicated in brackets [thus]).

1:1-5.2 Transmission of contested cases to the Office of Administrative Law; service on parties; receipt by the Office of Administrative Law  
(a) [In every proceeding to be filed in the Office of Administrative Law, the agency shall affix to the initial papers a completed transmittal form, furnished by the Clerk of the Office of Administrative Law, containing the following information:] **In filing a case with the Office of Administrative Law, the agency shall include the initial papers as described in N.J.A.C. 1:1-5.3, and a completed transmittal form. The transmittal form shall include the following information:**  
1.-2. (No change.)  
3. The name or title of the proceeding, **which shall include the true identity of a licensee as well as any trade name;**  
4. (No change.)  
5. A brief statement or description of the nature of the case, **a citation of the specific statutes and rules which form the basis of the case and, if not contained in the initial papers, a brief recitation of the issues which comprise the contested case;**  
6. A statement [that] **of whether** the case is transmitted [either] before or after attempting administrative resolution;  
7.-11. (No change.)  
12. Anticipated special features or requirements including the need for emergent relief, the need for a prehearing conference, discovery needs, **evidentiary problems**, and motions;

13. The names and addresses of all parties and their attorneys to the fullest extent known, including the agency representative if the agency is a party; **and**

14. (No change.)

(b)-(c) (No change.)

(d) The clerk shall notify the transmitting [office] **agency** and all parties of the case's filing date and the docket number assigned by the Office of Administrative Law.

1:1-5.3 Definition of initial papers

Initial papers include **a first pleading as described in N.J.A.C. 1:1-6.1 and all other documents and** written records of oral communications similar to pleadings, notices and motions, exchanged between the parties prior to transmission of the case to the Office of Administrative Law, **and shall include sufficient information for the Office of Administrative Law to conclude that issue has been joined and a hearing is requested. They shall include copies of notices of proposed agency action, summonses, and replies thereto.** They shall not include papers such as investigative reports and evidentiary matters, that have not been served upon the parties and that therefore would be improper for an impartial and independent trier of fact to review prior to hearing.

(a)

OFFICE OF ADMINISTRATIVE LAW

Uniform Administrative Procedure Rules of Practice  
Jurisdiction of the Office of Administrative Law

Proposed Amendment: N.J.A.C. 1:1-16.5

Authorized By: Howard H. Kestin, Director, Office of Administrative Law.

Authority: N.J.S.A. 52:14F-5e, f and g.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before July 21, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Steven L. Lefelt  
Deputy Director and Administrative Law Judge  
Office of Administrative Law  
185 Washington Street  
Newark, New Jersey 07102

The Office of Administrative Law thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-225.

The agency proposal follows:

Summary

The purpose of this amendment is to clarify the requirements of N.J.S.A. 52:14B-10(d) and N.J.A.C. 1:1-16.5(b). As the Appellate Court affirmed in **In the Matter of the Debarment of Triangle PWC Inc. by the Division of Building and Construction**, - N.J. Super - (App. Div. 1981), any final decision modifying or rejecting an initial decision must contain specific findings of fact and conclusions of law, separately stated and based solely on the hearing record.

Social Impact

This amendment should result in final decisions which are more clearly articulated and more clearly based on the evidence of record developed at hearing. In the past, agencies have often modified or reversed initial decisions with no reasons given. Such a practice undermines the meaning and appearance of fairness of the hearing process.

Economic Impact

This amendment may require some State agencies to expend more time and effort in drafting final decisions, where these final decisions modify or reverse initial decisions.

**Full text** of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

1:1-16.5 Final decision

(a) (No change.)

(b) An order or final decision rejecting or modifying the findings of fact in the initial decision shall be based upon substantial evidence in the record and matters officially noticed pursuant to N.J.A.C. 1:1-15.3. Any order or final decision rejecting or modifying the initial decision shall specify in clear and sufficient detail the nature of the rejection or modification, the reasons for it, **the specific evidence of record at hearing and interpretation of law upon which it is based**, and, [precisely,] the **precise** changes in result or disposition caused by the rejection or modification.

(c)-(d) (No change.)

BANKING

(b)

DIVISION OF BANKING

Limitation on Liability to a Bank  
Expansion of List of Eligible Banks

Proposed Amendment: N.J.A.C. 3:11-7.7

Authorized By: Michael M. Horn, Commissioner, Department of Banking.

Authority: N.J.S.A. 17:9A-62H.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before July 21, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Roger F. Wagner, Deputy Commissioner  
Department of Banking  
Division of Banking  
CN040  
Trenton, New Jersey 08625

The Department of Banking thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-226.

The agency proposal follows:

Summary

At the present time, State chartered commercial banks are limited to maintaining time deposit balances, in an amount not to exceed 10 percent of the depositing institutions capital funds, in banks that

are not approved reserve depositories. In approved reserve depositories, a bank may maintain a time deposit in an amount up to 25 percent of the capital funds of the depositing institution. Reserve depositories are limited to New Jersey banks with assets in excess of \$100 million and those in the second or third Federal reserve district, with assets in excess of \$300 million, and five other specified institutions beyond those districts. Therefore, investment opportunities of this nature are somewhat limited for State chartered institutions. National banks operating in New Jersey are not subject to the 10 percent or 25 percent limitation and may generally deposit an unlimited amount in any bank in the country which is a member of the Federal reserve system.

In order to create a degree of parity among State and national banks, it is proposed to expand the existing regulation to allow State chartered banks to maintain time deposit balances up to a 25 percent of capital funds level in banks throughout the country which have a deposit level of at least three billion dollars. This will allow New Jersey institutions to make short term investments in such institutions and take advantage of available rate differentials that may prevail from time to time in different areas of the country.

**Social Impact**

There will be little social impact through this proposed change. However, it should afford State chartered institutions with the opportunity to diversify investments in alternate areas while maintaining a high standard of investment.

**Economic Impact**

Through the use of this expanded area of investment, State chartered institutions should be able to generate increased earnings. The increased income should inure to the benefit of both depositors and stockholders of the institution. It also should aid State chartered institutions in their competition with Federally chartered entities.

Full text of the proposal follows (additions indicated in boldface thus).

3:11-7.7 Exclusion of time balances on deposits from 10 percent limitation

Time balances on deposit with an approved reserve depository, or in any other bank or national banking association located outside of New Jersey whose deposits equal or exceed three billion dollars and are insured by the Federal Deposit Insurance Corporation, may exceed 10 percent but not 25 percent of the capital funds of the bank.

**COMMUNITY AFFAIRS**

**(a)**

**DIVISION OF HOUSING**

**Planned Real Estate Development Registration Fees**

**Proposed Amendment: N.J.A.C. 5:26-2.4**

Authorized By: William M. Connolly, Acting Director, Division of Housing.  
Authority: N.J.S.A. 45:22A-35 (a).

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before July 21, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Michael L. Ticktin, Esq.  
Administrative Practice Officer  
Division of Housing  
CN 804  
Trenton, New Jersey 08625

The Department of Community Affairs thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-217.

The agency proposal follows:

**Summary**

Planned real estate development fees are raised from \$20.00 to \$35.00 per unit.

**Social Impact**

There will be no apparent social impact because the additional funding is necessary to maintain the program at the current level.

**Economic Impact**

There will be increased registration costs for developers. The additional revenue will result in Treasury approval of funding for the P.R.E.D. program sufficient to maintain the current level of service.

Full text of the proposal follows (additions indicated in boldface thus; deletions indicated in brackets [thus]).

5:26-2.4 Application for registration; submission and fees

(a) An application for registration shall consist of a statement containing the items set forth in [subchapter 3 of this chapter] N.J.A.C. 5:26-3 and shall be submitted in the manner and form as provided therein together with the filing fee in the amount of \$500.00 plus [ \$20.00 ] **\$35.00** per lot, parcel, unit or interest, made payable to the Treasurer, State of New Jersey. In the event lots, parcels, units or interests are added during registration, an additional fee of [ \$20.00 ] **\$35.00** per lot, parcel, unit or interest shall be paid. There will be no refunds for deletions.

(b)-(c) (No change.)

**(b)**

**DIVISION ON AGING**

**Congregate Housing Services Program**

**Proposed Amendments: N.J.A.C. 5:70**

Authorized By: John P. Renna, Commissioner, Department of Community Affairs.  
Authority: N.J.S.A. 52:27D-188.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before July 21, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Vivian Carlin, Supervisor  
Office of Specialized Programs  
Division on Aging  
Department of Community Affairs  
CN 807  
Trenton, New Jersey 08625

The Department of Community Affairs thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-219.

The agency proposal follows:

#### Summary

The Department of Community Affairs proposed rules implement P.L. 1981 c. 533, which establishes financial support for a congregate services program by providing for service subsidies to qualified residents of specially designed subsidized housing projects for the elderly.

The supportive services include the provision of meals, housekeeping and personal assistance based on the specific needs of project participants who are impaired or socially isolated.

#### Social Impact

The proposal will provide a supportive environment as a countermeasure to premature institutionalization in nursing homes or similar medically oriented facilities. In the long run, this program should help alleviate unwarranted demand for nursing home beds while providing support to enhance independence of individuals remaining in familiar home environments.

#### Economic Impact

Tenant subsidies based on income and rent average \$100.00 per person per month. Tenants with sufficient income in the Congregate Services Program will not need the subsidy. Some other tenants of lower income will need only a partial subsidy.

The monthly \$100.00 subsidy compares favorably with the next service below that is provided in Congregate Services Program within the housing continuum. Level IV(B) Nursing Home Services cost the State \$377.36 monthly in 1980. (Total Federal and State costs were \$741.71 per patient per month). Although not all of the participants are Medicaid eligible, all are potential Medicaid recipients.

Full text of the proposal follows.

### CHAPTER 70 CONGREGATE HOUSING SERVICES PROGRAM

#### SUBCHAPTER 1. GENERAL PROVISIONS

##### 5:70-1.1 Title

The rules and regulations in this subchapter shall be known and may be cited as the "Regulations Governing Congregate Housing Services."

##### 5:70-1.2 Purpose

The purpose of the Congregate Housing Services Program is to provide a supportive environment primarily as a countermeasure to premature institutionalization in nursing homes or similar medically oriented facilities.

#### SUBCHAPTER 2. DEFINITIONS

##### 5:70-2.1 Definitions

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise.

"Act" shall mean the Congregate Housing Services Act of 1981 (P.L. 1981, c.553 A3626 N.J.S.A. 52:27D-188).

"Activities of Daily Living (ADL)" shall mean those activities, including but not limited to assistance in eating, bathing, grooming, dressing and transferring, described in N.J.A.C. 5:70-4.4.

"Commissioner": See N.J.S.A. 52:27D-188(a).

"Community kitchen" shall mean a kitchen adjacent to the community room in a residential housing facility.

"Congregate housing facility": See N.J.S.A. 52:17D-188(b).

"Congregate meals" shall mean one or two hot meals served in a community room and conforming to the standards established in N.J.A.C. 5:70-4.3.

"Congregate services coordinator" shall mean the person who has the responsibility for the administration of the Congregate Housing Services Program at each residential housing facility.

"Department": See N.J.S.A. 52:27D-188(c).

"Division" shall mean the Division on Aging of the Department of Community Affairs.

"Disabled person": See N.J.S.A. 52:27D-188(d).

"Eligible participant": See N.J.S.A. 52:27D-188(e).

"Impairment" shall mean any physical, mental or emotional condition which limits an independent lifestyle.

"Low income": See N.J.S.A. 52:27D-188(f).

"Manager" shall mean any individual who is responsible for the daily operation of the Residential Housing Facility.

"Project resident": See N.J.S.A. 52:27D-188(g).

"Qualified housing agency": See N.J.S.A. 52:27D-188(h).

"Resident" shall mean any person residing in a participating housing project who is impaired or socially isolated.

"Residential environment" or "residential housing facility" shall mean any specially designed subsidized housing for the elderly and handicapped.

"Facility" shall mean any specially designed subsidized housing for the elderly and handicapped.

"Socially isolated" shall mean subject to condition, including, without limitation, the death of a spouse, which may deprive an individual of services rendered by another in which the individual has never become proficient, such as meal preparation, and without which the individual's physical, emotional, and social well-being may be jeopardized.

"Service subsidy": See N.J.S.A. 52:27D-188(i).

"Supportive services": See N.J.S.A. 52:27D-188(j).

#### SUBCHAPTER 3. PLANNING

##### 5:70-3.1 General

Projects eligible for the congregate services program subsidies may be new construction, substantial rehabilitation, or existing housing designed specifically for elderly independent living or congregate living as defined in P.L. 1981 c.553 (A3626).

##### 5:70-3.2 Congregate housing concept

(a) For purpose of this chapter, congregate housing shall not include any type of medical facility, shared or group living arrangement.

(b) Congregate services shall be an integral component of any elderly project designed for independent living.

(c) In order to retain the independent nature of the building, enrollment in congregate services shall not exceed 25 percent of the tenant population.

(d) Space may be provided in a project for a health clinic, but it must be operated under separate contract by an authorized and qualified health agency (public or private). Appropriate linkages should include transfer agreements with nearby general hospitals, nursing homes and private physicians.

##### 5:70-3.3 Initial planning procedure

(a) A professional Assessment Committee (see N.J.A.C. 5:70-7.1) shall be assembled to aid in selection of participants.

(b) Service needs, methods of service and meal provision, and associated costs shall be identified.

(c) The Congregate Services Coordinator shall be employed several months prior to the program's inception to ensure that essential services are in place and a minimum number of participants are identified to make the program viable.

##### 5:70-3.4 Final approval

(a) As a precondition to final approval for the implementation of a Congregate Services Program, the following information shall be submitted for review by the Division on Aging:

1. A description of services to be provided;

2. The total cost to resident for congregate services, with budget/cost breakdown;

3. Proof of satisfying the requirements of State and Local Health Departments (i.e., Chapter 12 of the State Sanitary Code, N.J.A.C. 8:24), including a copy of the "Sanitation Inspection Report", which must have a "Satisfactory Rating" (white certificate).

4. The number of participants and the services they will receive.

#### SUBCHAPTER 4. PROVISION OF SERVICES

##### 5:70-4.1 General

(a) The normal services that are provided in any housing project designed specifically for the elderly, such as management, security, recreation and maintenance shall not be affected by this program.

(b) Congregate housing shall include a program of supportive services that includes the provision of meals, housekeeping and personal assistance.

(c) Several alternate service plans, based on the specific needs of project participants, shall be made available.

##### 5:70-4.2 Administration

(a) The sponsor shall hire a part-time Congregate Services Coordinator who shall coordinate the delivery of services, but who may also provide for direct services (gap filling) that are not available within the community.

(b) Wherever possible, preference shall be given persons 55 years of age and older.

(c) The housing manager shall have responsibility for overseeing the program and supervising the part-time coordinator.

(d) The responsibilities of the Congregate Services Coordinator shall include, but not be limited to:

1. The administration of the Congregate Services Program according to the State guidelines;
2. The assessment together with Professional Assessment Committee of Congregate Services participants to determine eligibility, individual needs, and financial status;
3. The maintenance of all necessary documentation, required reports, and menu plans;
4. The hiring, training and supervising of all employees;
5. The arrangement and coordination of all services for participants;
6. The development of individual programs for participants if necessary;
7. Work with Professional Assessment Committee to ensure on-going assessment of all participants;
8. The establishment of contacts with other health care and service agencies, and maintenance of an active information and referral file;
9. Acting as community liaison within the area to maximize available community resources;
10. The maintenance of on-going assessment of the impact and quality of services being provided through the Congregate Services Program;
11. The establishment of a format to educate prospective and current tenants about the Congregate Services Program.

(e) The residential housing facility shall supply the appropriate clerical and office space requirements.

(f) The Division on Aging shall provide technical assistance, including sponsorship of Quarterly Program Coordinators' meetings to assist in implementation of the program and conducting of on-site evaluations.

##### 5:70-4.3 Meals

(a) Either one or two appropriate meals will be served.

(b) Each meal shall contain 1/3 of the RDA as determined by the Nutrient Standard Method of menu planning.

(c) That part of the Code of Federal Regulations known as 45 CFR 1321.145 (including all subsequent amendments and supplements) is hereby adopted as rule and shall serve as a guideline for the food service component.

(d) Menus shall be submitted for approval two weeks prior to the serving date to the State Nutrition Consultant working with Title IIIC 1 (Nutrition Program of the Older Americans Act).

(e) One meal shall be the main or dinner meal and must be a hot meal.

(f) Meals shall be provided seven days a week to participants of the congregate services program.

(g) The meals shall be served in a community dining room, preferably at tables seating four to six people. If meals are served cafeteria style, provisions must be made for those residents requiring assistance in carrying food to the table.

(h) The nutrition consultants working with the Nutrition Program for the elderly as well as the Division on Aging Nutrition Consultant shall be available for technical assistance.

(i) For the purposes of this program the existing community kitchen, if it meets the minimum standards as described in Chapter 12 of the New Jersey State Sanitary Code (N.J.A.C. 8:24) may be used for food preparation.

(j) The food preparation facility must post a current satisfactory New Jersey State Department of Health Sanitary Inspection Report certificate prior to any food preparation.

(k) If suitable on-site facilities are not available or their use would not be economically feasible, alternatives to food preparation by the sponsor may include the following:

1. Use of a catered service;
2. Having a Title IIIC 1 Nutrition site on the premises (assuming meals are served seven days a week or making appropriate arrangements for the additional meal service as necessary).
3. Contracting food service from a hospital, nursing home, vocational school, etc., all following approved menus.

##### 5:70-4.4 Housekeeping and personal services

(a) A minimum of one hour per week for general house cleaning and one hour per month for heavy duty cleaning (washing windows, walls, thorough vacuuming) shall be provided or a minimum of four hours per month shall be available to each congregate services participant for personal services and general supervision either by management, agencies or volunteer groups serving the needs of the elderly.

(b) Personal services shall include the following:

1. Assistance with grooming, bathing, eating, transferring;
2. Information and referral;
3. Arrangement for emergency services;
4. Assistance with shopping for personal needs (pharmacy, laundry, dry cleaning, stamps, toiletries, clothing, magazines, etc.);
5. Delivery of meals to units on a limited basis due to illness and only when necessary.

(c) The minimal requirements in functional abilities of participants are:

1. Eating: May need assistance with cutting food or serving food, but must be able to feed self;
2. Bathing: May need assistance with getting in and out of shower or tub, but must be able to wash self;
3. Grooming: May need assistance with washing hair but must be able to take care of personal appearance;
4. Dressing: Must be able to dress self, but may need occasional assistance;
5. Transferring: Must be mobile, but does not prohibit persons in wheel chairs or requiring mobility devices.

##### 5:70-4.5 Laundry services

(a) A monthly charge may be added to each participants bill for weekly change of linens. It is an optional service to be decided by management, but may be included as a separate item in the total monthly charge for food, housekeeping and personal services.

(b) All residents shall be responsible for their own personal laundry. However, assisting with personal laundry may be considered a "personal service" and its inclusion is permissible.

SUBCHAPTER 5. COST OF SERVICE

5:70-5.1 General

- (a) The proportion of the program cost that is paid by the participants shall be based upon each individual's income.
- (b) The total cost of the support service package shall be the same for all participants within the selected plan.
- (c) The operating subsidy shall be used to assist eligible tenants in meeting the total cost.
- (d) In cases of temporary absence (e.g., vacations, short hospital stays, etc.) an administrative fee may be assessed in order to keep the services in place.

5:70-5.2 Program cost

- (a) Salaries for housekeeping and personal services personnel may be included in the program costs so long as these services are not provided by volunteers or other agencies at no cost to management.
- (b) The part-time Services Coordinator's salary shall be included in the cost of the program once participants have been signed into the program and services begin.
- (c) For an initial period of two to three months, to be determined by the Division on Aging and the residential housing facility, the Services Coordinator's salary shall be subsidized for start up purposes.
- (d) No money from the service subsidy fund may be expended, for capital costs, office costs, in kind costs, or other administrative expenses of the Congregate Services Program except for the part-time Services Coordinator's salary.

5:70-5.3 Computing per person program costs for actual costs to participants (see N.J.A.C. 5:70-6.5)

- (a) The total program costs shall be determined by computing costs of the meals, the personnel needed for housekeeping and personal aid, and the monthly salary of the part-time program coordinator divided by the number of participants.

(b) The following formula shall be used to determine program costs for an individual, per month:

$$\text{Cost of Service Program} = \text{Unit Cost of Meals} \times 30 + \text{Cost of Housekeeping and Personal Aid (For Approx. 10-15 Hrs.)} + \text{Pro Rated Part-Time Services Coordinators Salary}$$

(c) The following formula shall be used to determine program costs for a couple, per month:

$$\text{Cost of Services Program} = \text{Cost of Meals Above} \times 2 + \text{Cost of Housekeeping and Personal Aid Above} \times 1.5 + \text{Part-time Services Coordinator's Salary As Above} \times 1.5$$

SUBCHAPTER 6. SERVICE SUBSIDY

5:70-6.1 General

- (a) Operating subsidies for congregate housing services shall be provided to eligible participants through the Division on Aging to assist in reducing the amount they have to pay for services.
- (b) Subsidies to assist with the cost of meals, housekeeping and personal services shall be based on the amount of personal income, and rent, and shall be available in an amount not to exceed an average per project of \$100.00 per month, per person.
- (c) A minimum charge of \$10.00 per month shall be assessed for those with exceedingly low incomes as determined by the subsidy formula described below under income limits and payment schedules (see N.J.A.C. 5:70-6.5).

5:70-6.2 Gross and net income (NI)

- (a) Gross income shall include:

1. The full amount received from annuities, retirement income and pensions;
2. Payments in lieu of earnings, such as, unemployment and disability, compensation, social security benefits, workmen's compensation and dismissal wages, excluding, however, lump sum payments under health and accident insurance and under workmen's compensation;
3. Cash relief receipts exclusive of rental subsidies;
4. Periodic and determinable allowance, such as, alimony and regular contributions or gifts;
5. Interest, dividends and net income of any kind from real or personal property;
6. Net income from a business or profession;
7. The full amount, before any payroll deductions, of wages and salaries, including compensation for overtime and all other compensation for personal services.

(b) Net income means gross income of all members of a family occupying the same dwelling unit less deductions specified below and anticipated during the 12-month period of which the gross income is estimated.

1. A deduction for extraordinary medical or other expenses when not compensated for or covered by insurance, defined for this purpose to mean medical expenses in excess of three percent of gross income, will be decided on an individual basis jointly agreed upon by the housing project and the Division on Aging.
2. A deduction of 10 percent of gross income.

5:70-6.3 Eligibility for financial assistance

Those applicants shall be eligible for financial assistance who are present or prospective tenants and who show a deficit in subsidy formula as described below under income limits and payment schedules (see N.J.A.C. 5:70-6.5).

5:70-6.4 Verification and documentation of income

(a) Determination of financial assistance shall be based upon data which shall be furnished by the resident.

(b) Complete and accurate records consisting of, but not routinely limited to, the following are to be maintained:

1. Photostatic or carbon copies of documents in the tenant's or residential facility's possession which substantiate the residents statement;
2. When necessary to conform to good business practice, memoranda of verification data obtained by personal interview, telephone or other means, with source, date reviewed and identification of the person providing and receiving the information;
3. Letters or other statements from pertinent sources (when doubt exists that information provided is reliable or accurate) giving authoritative information concerning all items and amounts of income and deductions, together with eligibility determinations.

5:70-6.5 Income limits and payments schedules for individuals

(a) Operating subsidies for qualified congregate housing residents will be provided in accordance with the following subsidy formula:

$$\text{Net Income (NI)}^1 - \left[ \text{Rent (R)} + \text{Personal spending money} \right] + \left[ \text{Credit for monthly program cost below } \$200 \text{ ceiling (if applicable)}^2 \right] = \text{Resident's payment towards cost of congregate services (P)}$$

Cost of congregate services program (\$200.00 or actual cost of services if less) - (P) = Amount of subsidy received by resident

<sup>1</sup>As defined in N.J.A.C. 5:70-6.2.

<sup>2</sup>If a sponsoring group is able to provide the total service package for less than \$200.00 per person, the cost difference will be applied to the participant's portion of the program cost, (i.e., if the program can be offered for \$175.00 per month, per person, the amount the resident pays would be reduced by \$25.00 irrespective of whether the person takes the full program or a modified program).

(b) Income limits and payment schedules for a couple or two persons sharing an apartment only one person participating shall be as follows:

$$\begin{array}{r} \text{Half of} \\ \text{Net} \\ \text{Income} \\ \text{(NI)} \end{array} - \begin{array}{r} \text{Half} \\ \text{of rent} \\ \text{(R)} \end{array} + \begin{array}{r} \text{Personal} \\ \text{Spending} \\ \text{Money} \\ \text{\$90} \end{array} + \begin{array}{r} \text{Credit for} \\ \text{monthly pro-} \\ \text{gram cost} \\ \text{below \$200} \\ \text{ceiling (if} \\ \text{applicable)}^3 \end{array} = \begin{array}{r} \text{Payment to-} \\ \text{ward cost} \\ \text{of congregate} \\ \text{services (P)} \end{array}$$

$$\begin{array}{r} \text{Cost of Congregate} \\ \text{Services Program} \\ \text{(\$200.00 or actual} \\ \text{cost of services} \\ \text{if less)} \end{array} - \begin{array}{r} \text{Amount of subsidy} \\ \text{received by resident} \\ \text{(P)} \end{array} =$$

<sup>3</sup>If a sponsoring group is able to provide the total service package for less than \$200.00 per person, the cost difference will be applied to the participant's portion of the program cost, (i.e., if the program can be offered for \$175.00 per month, per person, the amount the resident pays would be reduced by \$25.00 irrespective of whether the person takes the full program).

(c) Income limits and payment schedules for a couple or two persons sharing an apartment for both participants shall be as follows:

$$\begin{array}{r} \text{Net} \\ \text{Income} \\ \text{(NI)} \end{array} - \begin{array}{r} \text{Rent} \\ \text{(R)} \end{array} + \begin{array}{r} \text{Personal} \\ \text{spending} \\ \text{money} \\ \text{\$158} \end{array} + \begin{array}{r} \text{Credit for} \\ \text{monthly pro-} \\ \text{gram cost} \\ \text{below \$345} \\ \text{ceiling (if} \\ \text{applicable)}^4 \end{array} = \begin{array}{r} \text{Couple's pay-} \\ \text{ment towards} \\ \text{cost of} \\ \text{congregate} \\ \text{services} \\ \text{(P)} \end{array}$$

$$\begin{array}{r} \text{Cost of Congregate} \\ \text{Services Program} \\ \text{(\$345 or} \\ \text{actual cost} \\ \text{of services} \\ \text{if less)} \end{array} - \begin{array}{r} \text{Amount of Subsidy} \\ \text{received by} \\ \text{residents} \\ \text{(P)} \end{array} =$$

<sup>4</sup>The program credit is to be applied if the total service package for two is less than \$345.00.

SUBCHAPTER 7. CONDITIONS GOVERNING TENANTS ELIGIBILITY

5:70-7.1 Eligibility admissions

(a) A Professional Assessment Committee (PAC) shall be utilized in the selection of residents for the Congregate Program.

1. The team shall include, but need not be limited to, the project manager, the services coordinator, a physician and/or suitable other health professional and a representative designated by the Area Agency on Aging.

2. The PAC shall meet a minimum of four times a year to evaluate and determine the eligibility of potential participants for entrance to, and termination from the Congregate Services Program.

3. The PAC shall:

- i. Evaluate the functional ability of each congregate applicant or participant based on material presented by the Services Coordinator using an accepted standard tool to determine the individual's need for assistance in activities associated with daily living;
- ii. Evaluate and assess the remaining tenant population presently

residing within the housing environment for the purpose of developing an awareness of hidden needs and possible future applicants for the congregate program; and

iii. Evaluate and assess all new applicants who apply for housing facilities to determine immediate needs of new residents.

4. The PAC shall recommend an individualized service plan that will provide assistance in those areas where the tenant's functional incapacities impede independent living.

(b) The purpose of the PAC shall be to aid the individual to remain in his/her immediate environment for as long as possible.

1. If or when the PAC determines that a resident is no longer capable of functioning independently, even with the maximum amount of supportive services within the Congregate Services Program and/or if the resident becomes/or is in continued need of the type of health care usually provided in an institutional setting, the manager, with proper documentation and the majority consensus of the PAC shall act to remove the participant from the program.

2. Management shall initiate proceedings for the purpose of obtaining proper care for the resident to assure the future well being of the individual.

5:70-7.2 Eligibility for financial assistance

Those applicants shall be eligible for financial assistance who are present or prospective tenants and who show a deficit when the subsidy formula is applied.

5:70-7.3 Priority

(a) In accordance with the goals of the program, priority for congregate services subsidy shall be given to those applicants who have been evaluated and deemed to need assistance under the criteria developed in N.J.A.C. 5:70-7.1

1. The Services Coordinator shall have discretion to place persons on the Program for review by the PAC at its next regularly scheduled meeting.

5:70-7.4 Waiting list

(a) Management shall maintain a waiting list of applications for congregate housing services in accordance with a set of written and equitable procedures adopted and approved by the Owner or Board of Directors.

(b) The Division on Aging will be the final arbiter in the case of any unresolved complaints.

5:70-7.5 Non-discrimination

The foregoing procedures shall be followed without regard to race, creed, color, sex or national origin.

5:70-7.6 Over income tenants

If it is determined that a tenant is not eligible for financial assistance, the tenant may participate in the program, paying the full charge for congregate services.

SUBCHAPTER 8. MONITORING AND EVALUATION

5:70-8.1 General

To the greatest extent possible, sponsors and management of congregate housing services programs shall be allowed maximum flexibility for operations and administration. However, financial feasibility must be maintained while, at the same time, providing the highest possible quality of support services.

5:70-8.2 Monitoring

(a) The Division on Aging shall monitor all congregate housing programs from time to time to ascertain whether or not the physical plant is being properly maintained and to ensure that the social and physical needs of the elderly are being met in a satisfactory manner by management and staff.

(b) If services do not meet the standards promulgated under this

act, the Division may terminate the contract and reallocate the unexpended funds.

#### 5:70-8.3 Evaluation

Housing Managers and Congregate Services Coordinators shall cooperate in any program evaluation to be conducted by an outside agency commissioned by the Division on Aging.

### SUBCHAPTER 9. MAINTENANCE OF RECORDS

#### 5:70-9.1 General

(a) The grantee's records shall be in conformity with generally accepted accounting principles and shall be in such a form as to make the following information readily available:

1. Documentation of all persons in the program, both subsidized and unsubsidized, listing income and rent for each person.
2. Allocation of costs by budget category to each of the subsidized services: Food, Housekeeping, and Personal Services.
3. Evidence that all subsidies received were expended for the intended purposes and that no amounts were expended for capital costs, other than food, housekeeping, or personal services to eligible residents.

#### 5:70-9.2 Quarterly financial reports

(a) Interim expenditure reports shall be submitted quarterly to facilitate payment as per grant agreement.

(b) A monthly Audit Report Form shall be maintained at the project for use in determining the validity of the subsidies at the time the final audit is done by the Department of Community Affairs.

(c) The Division may terminate the contract and reallocate unexpended funds if the program has not been established within six months after funding approval is granted or if the sponsor has failed to submit two consecutive quarterly financial reports.

#### 5:70-9.3 Performance reports: quarterly and annual

(a) Performance (progress) reports shall be submitted quarterly and within 30 days after the completion of each contract period.

(b) The annual report shall include a list of all individuals participating in the program during the contract period.

(c) Quarterly and Annual Report Forms will be supplied to each project at the inception of the contract period.

### SUBCHAPTER 10. APPEAL PROCEDURE

#### 5:70-10.1 Appeal procedure

(a) Any housing agency, program applicant or participant, aggrieved by a decision of the Division and entitled to a hearing, shall have a right to a hearing if requested in writing within 20 days of receipt of the letter informing him of the decision.

(b) For a period not to exceed 30 days following receipt of the request for a hearing, the Division shall attempt to settle the dispute by conducting such proceedings, meetings and conferences as it deems appropriate.

(c) If these efforts at settlement fail, the Division shall proceed according to the applicable provisions of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq. and N.J.S.A. 52:14F-1 et seq., as implemented by N.J.A.C. 1:1, the Uniform Administrative Procedure Rules of Practice.

## EDUCATION

(a)

### STATE BOARD OF EDUCATION

#### Teacher Education and Academic Credentials

#### New Jersey Administrative and Supervisory Supplement to Standards for State Approval of Teacher Education

**Proposed Amendments: N.J.A.C. 6:11-10.4, 10.7, 10.8 and 10.9**

**Proposed Repeal: N.J.A.C. 6:11-10.2**

Authorized By: New Jersey State Board of Education,  
Gustav H. Ruh, Acting Secretary.

Authority: N.J.S.A. 18A:4-15 and 18A:6-38.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before July 21, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Lorraine L. Colavita  
Executive Assistant for Administrative  
Practice and Procedure  
Department of Education  
225 West State Street  
Trenton, New Jersey 08625

The State Board of Education thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-231.

The agency proposal follows:

#### Summary

This proposal requires more specific training and an internship for those seeking administrative certification.

The repeal of N.J.A.C. 6:11-10.2, common requirements, and the amendment to N.J.A.C. 6:11-10.4, authorization, will avoid duplication. Specific requirements are contained in the proposal.

For the supervisor certificate, in addition to a master's degree, New Jersey certification and course requirements, an applicant must present official evidence of three years of successful experience as a teaching staff member. This experience provides the opportunity for an individual such as a school psychologist, who may not have classroom teaching experience, to function in a supervisory role. Successful experience is defined as experience that has been evaluated as satisfactory, or above satisfactory.

For the principal and school administrator certificates, in addition to New Jersey certification, master's degree and course requirements, an applicant must present official evidence of three years of successful classroom teaching experience. For those certificates, actual classroom teaching is required.

With mandated evaluations of both tenured and non-tenured teachers, these changes provide better training for those seeking administrative certification.

#### Social Impact

Teaching staff members in our public schools will be the beneficiaries of these amendments, as well as the pupils.

**Economic Impact**

There will be relatively minor economic impact. The course requirements are not drastically increased, but the emphasis is on fewer free electives and more specific course requirements. The amendments call for required study in learning theory, school law and personnel management which are essential to improved instruction and efficient school management.

**Full text** of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

6:11-10.2 [Common requirements; all administrative and supervisory programs] **(Reserved)**

[(a) Except when specifically indicated below, the following requirements apply to all programs leading to a New Jersey administrative or supervisory certificate:

1. Master's degree:
  - i. Approved programs, except where noted otherwise will lead to a master's degree.
  - ii. Certificate programs may be designed for students who already hold the appropriate degree required by the certificate, provided it meets the accreditation policies indicated in (b) below.
2. College accreditation:
  - i. Except as indicated below, degrees will be recognized for purposes of administrative and supervisory certification in New Jersey from colleges accredited or approved by the State Board or Department of Education of the state in which the college exists.
  - ii. College degrees from colleges in states in which the State Board or Department of Education lacks authority to regulate the establishment of colleges to give approval for purposes of administrative and supervisory education, will be accepted for purposes of such certification in New Jersey if these degrees are accepted for purposes of administrative and supervisory certification by the State Department of Education in the state in which the college exists.
  - iii. Professional preparation presented by students for transfer credit to New Jersey colleges offering administrative and supervisory certificate programs will be determined by the college in which the applicant will complete an approved program.
3. Previous certification and experience:
  - i. Each of the administrative and supervisory certificates in this Section, unless indicated otherwise in this Supplement, will require the following:
    - (1) A standard New Jersey teacher's certificate or its equivalent;
    - (2) Three years of successful teaching experience. Experience in New Jersey public schools must have been completed under an appropriate New Jersey teacher's certificate.]

6:11-10.4 Authorization

[(a) School administrator: This endorsement is required for the position of superintendent of schools. The holder of this endorsement may also serve as assistant superintendent of schools, principal, or supervisor.

(b) Principal: This endorsement is required for positions of principal or vice-principal. Holders of this endorsement may supervise instruction, and may also serve as assistant superintendent of schools, and as assistant superintendent in charge of curriculum and/or instruction.

(c) Supervisor: This endorsement is required for supervisors of instruction who do not hold a school administrator's or principal's endorsement. The supervisor shall be defined as any school officer who is charged with authority and responsibility for the continuing direction and guidance of the work of instructional personnel. This endorsement also authorizes appointment as an assistant superintendent in charge of curriculum and/or instruction.]

[(d)] (a) Assistant superintendent [in charge of] for business: This certification is required for the position of assistant superintendent [of schools] in charge of business affairs.

[(e)] (b) (No change.)

6:11-10.7 **Chief [S]school administrator [requirements]**

[(a) Successful completion of one of the following is required for school administrators:

1. A curriculum approved by the New Jersey State Department of Education as the basis for issuing this endorsement; or
  2. A program of college studies in the areas indicated below, including 30 semester-hour graduate credits, in addition to those required for a standard teacher's certificate, and including study in each of the starred areas. This study may be in either separate or integrated courses.
    - i. \*School administration: Included may be studies in such areas as general school administration, elementary, secondary and vocational administration, school law, school finance, school plant planning and design. These studies may be in either separate or integrated courses;
    - ii. \*Educational supervision;
    - iii. \*Curriculum development: a course in general principles of curriculum development, or a combination of specialized courses covering both elementary and secondary, vocational, or adult programs;
    - iv. The learner and the learning process;
    - v. Academic disciplines related to school administration, such as anthropology, business or public administration, economics, government, intercultural relations, group dynamics, psychology, sociology, labor relations, law, and community organization.
  3. When candidates have completed their preparation for this endorsement in an out-of-State college or university, a doctor's degree in educational administration, or completion of an approved two-year graduate program for the preparation of school administrators leading to the specialist in education certificate or similar diploma or degree, from a program accredited by the National Council for Accreditation of Teacher Education (NCATE), will be accepted as meeting the college study requirements indicated above.
  4. Successful completion of three years of educational administrative or supervisory experience, under a New Jersey administrative or supervisory endorsement or its equivalent, when spending at least half time in administrative or supervisory duties.
    - i. One year of this experience requirement will be waived to holders of the doctor's degree in educational administration, received from an accredited institution in a program approved by the Department of Education.
    - ii. One year of internship in a program approved by the Commissioner of Education may be submitted toward the fulfillment of this experience requirement.]
- (a) **This endorsement is required for the position of superintendent of schools. The holder of this endorsement may serve in any administrative position, except executive and assistant executive superintendencies, in a local school district.**
- (b) **The requirements for a chief school administrator's certificate are:**
1. **A regular New Jersey instructional certificate and three years of successful classroom teaching experience;**
  2. **A master's degree from an accredited institution and a New Jersey principal endorsement;**
  3. **Completion of three years of successful full-time educational administrative or supervisory experience in a school setting which contains any grades between K-12 or as provided in N.J.A.C. 6:11-3.25;**
  4. **Successful completion of one of the following:**
    - i. **A curriculum, approved by the New Jersey State Department of Education as the basis for issuing this endorsement, but which will make individual provision not to include in a candidate's program courses taken toward a principal's certificate (See listing of New Jersey colleges and universities offering approved programs in New Jersey Regulations and Standards for Certification. Copies may be obtained at the Bureau of Teacher Certification, Department of Education, CN 503, 3535 Quakerbridge Road, Trenton, New**

Jersey 08619-1288.); or

ii. A program of college studies which will include 18 semester-hour graduate credits in addition to those used for the principal certification in the following areas:

- (1) School business administration;
- (2) School finance;
- (3) Accounting (may be undergraduate);
- (4) School buildings;
- (5) Six additional credits must be in areas related to administration.

5. A doctoral degree in educational administration, or completion of an approved two-year graduate program for the preparation of school administrators leading to the specialist in education certificate or similar diploma or degree in a program approved by the State Department of Education will be accepted as meeting the college study requirements indicated in (b)4 ii above. Standards to be utilized shall be those prescribed by the National Association of State Directors of Teacher Education and Certification (NASDTEC); see N.J.A.C. 6:11-7.1.

#### 6:11-10.8 Principal

[(a) Successful completion of one of the following are required for principals:

1. A curriculum approved by the New Jersey State Department of Education as the basis for issuing this endorsement; or

2. A program of college studies in the areas indicated below, including 24 semester-hour graduate credits in addition to those required for a standard teacher's certificate, and including study in each of the starred areas. This study may be in either separate or integrated courses.

i. \*School administration. Included may be studies in such areas as general school administration, elementary, secondary, and vocational administration, school law, school finance, school plant planning and design. These studies may be in either separate or integrated courses.

ii. \*Educational supervision;

iii. \*Curriculum development: a course in general principles of curriculum development, or a combination of specialized courses covering both elementary and secondary, vocational, or adult programs;

iv. The learner and the learning process;

v. Academic disciplines related to school administration such as anthropology, business or public administration, economics, government, intercultural relations, group dynamics, psychology, sociology, labor relations, law, and community organization.

3. When candidates have completed their preparation for this endorsement in an out-of State college or university, a master's degree in educational administration from a program accredited by the National Council for Accreditation of Teacher Education (NCATE) will be accepted as meeting the college study requirements indicated above.]

(a) This endorsement is required for the positions of principal, assistant principal or vice principal. Holders of this endorsement may supervise instruction and may also serve as an assistant superintendent of schools, but not assistant superintendent for business. This endorsement encompasses the supervisor endorsement.

(b) The requirements for a principal's certificate are:

1. A regular New Jersey instructional certificate;
2. Three years of successful classroom teaching experience;
3. A master's degree from an accredited institution;
4. Successful completion of one of the following:

i. An approved program - a college curriculum approved by the New Jersey State Department of Education as the basis for issuing this endorsement (See listing of New Jersey colleges and universities offering approved programs in New Jersey Regulations and Standards for Certification. Copies may be obtained at the Bureau of Teacher Certification, Department

of Education, CN 503, 3535 Quakerbridge Road, Trenton, New Jersey 08619-1288.); or

ii. A program of college studies in the areas indicated below, including 30 semester-hour graduate credits in addition to those applied toward an instructional certificate and including study in each of the "dagged" (†) areas. These courses may be included in the master's degree required in (b) 3 above.

- (1) †General educational administration (K-12);
- (2) †General supervision (K-12);
- (3) †General curriculum (K-12);
- (4) †Learning theory;
- (5) †School law;
- (6) †Personnel management;
- (7) Electives in administration, supervision or curriculum;
- (8) Academic disciplines related to school administration such as business or public administration, intercultural relations, group dynamics, psychology, sociology, labor relations, and community organization.

5. Successful college-supervised administrative or supervisory field experience or one year of successful full-time approved administrative or supervisory experience in a school setting which contains any grades between K-12 or as provided in N.J.A.C. 6:11-3.25;

6. When candidates have completed their preparation for this endorsement in an out-of-State college or university, a master's degree in educational administration from a program approved by the State Department of Education will be accepted as meeting the college study requirements indicated in (b)4 ii above. Standards to be utilized shall be those prescribed by the National Association of State Directors of Teacher Education and Certification (NASDTEC); see N.J.A.C. 6:11-7.1.

#### 6:11-10.9 Supervisor

[(a) Successful completion of one of the following are required for supervisors:

1. A college curriculum approved by the New Jersey State Department of Education as the basis for issuing this endorsement; or

2. A program of college studies including 12 semester hours of graduate study in supervision and curriculum development. Included in this study must be at least one course in the general principles of staff supervision, and one course in the general principles of curriculum development and evaluation. The additional work may be oriented directly toward supervision and curriculum development in particular grade levels, or in specific subject fields.

3. When candidates have completed their preparation for this endorsement in an out-of-State college or university, a master's degree in educational administration or supervision from a program accredited by the National Council for Accreditation of Teacher Education (NCATE) will be accepted as meeting the college study requirements indicated above.]

(a) This endorsement is required for supervisors of instruction who do not hold a chief school administrator or principal's endorsement. The supervisor shall be defined as a supervisory staff member who is charged with authority and responsibility for the continuing direction and evaluation of the work of educational services or instructional personnel.

(b) The requirements for a supervisor's certificate are:

1. A regular New Jersey instructional or educational services certificate;
2. Three years of successful experience as a teaching staff member or as provided in N.J.A.C. 6:11-3.25;
3. A master's degree from an accredited institution;
4. Successful completion of one of the following:

i. An approved program - a college curriculum approved by the New Jersey State Department of Education as the basis for issuing this endorsement (See listing of New Jersey colleges and universities offering approved programs in New Jersey

**Regulations and Standards for Certification. Copies may be obtained at the Bureau of Teacher Certification, Department of Education, CN 503, 3535 Quakerbridge Road, Trenton, New Jersey 08619-1288.; or**

ii. A program of college studies including 18 semester-hour graduate credits in addition to the requirements for the instructional certificate. At least one course must be taken in each of the following:

- (1) General educational administration (K-12);
- (2) General supervision (K-12);
- (3) General curriculum (K-12);
- (4) School law;
- (5) The additional study shall be oriented directly toward supervision, curriculum development or learning theory in particular grade levels or in special subject fields.

iii. All of the course work in (b)4ii(1) through (5) above may be included in the master's degree requirement for this endorsement.

5. Successful college-supervised administrative or supervisory field experience or one year of successful full-time administrative or supervisory experience in a school setting which contains any grades between K-12 or as provided in N.J.A.C. 6:11-3.25.

6. When candidates have completed their preparation for this endorsement in an out-of-State college or university, a master's degree in educational administration or supervision from a program approved by the State Department of Education will be accepted as meeting the college study requirements indicated in (b)4 ii above. Standards to be utilized shall be those prescribed by the National Association of State Directors of Teacher Education and Certification (NASDTEC); see N.J.A.C. 6:11-7.1.

OFFICE OF ADMINISTRATIVE LAW NOTE: According to the Department of Education, the amendment to N.J.A.C. 6:11-10.7, 10.8 and 10.9 will become **operative** on July 1, 1983.

(a)

## STATE BOARD OF EDUCATION

### Special Education Auxiliary Services for Nonpublic School Pupils; Examination, Classification and Corrective Speech Services for Nonpublic School Pupils

#### Proposed New Rules: N.J.A.C. 6:28-5.10 and 5.11, and 6.10 and 6.11

Authorized By: New Jersey State Board of Education,  
Gustav H. Ruh, Acting Secretary.  
Authority: N.J.S.A. 18A:4-15, 18A:46A-1 et seq., 18A:46-6, 18A:46-8 and 18A:46-19.1 et seq.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before July 21, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Lorraine L. Colavita  
Executive Assistant for Administrative  
Practice and Procedure  
Department of Education  
225 West State Street  
Trenton, New Jersey 08625

The State Board of Education thereafter may adopt this proposal

without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-232.

The agency proposal follows:

#### Summary

Chapters 192 and 193, embodied in N.J.S.A. 18A:46A-1 et seq. and N.J.S.A. 18A:46-6, 8, 19.1 et seq., permit any board of education to enter into contracts with educational improvement centers, educational service commissions or other public or private agencies approved by the Commissioner to provide auxiliary services. The present code does not provide conditions for approval of private agencies, nor guidelines for district boards of education to develop contracts for auxiliary services.

This proposal provides approval procedures that include the approval of contract specifications by the County Superintendent of Schools and the approval of private agencies by the Commissioner. With the approval of contract specifications by the County Superintendent and the approval of the private agency by the Commissioner, the district board of education may award the contract for services.

The proposal also specifies the criteria applied by the Commissioner in approving private agencies with which district boards of education may contract for the provision of auxiliary, classification and corrective services to nonpublic school pupils pursuant to Chapters 192 and 193, Laws of 1977. In addition, these proposed amendments articulate guidelines for the drafting of auxiliary, classification and corrective services contracts by district boards of education.

#### Social Impact

The promulgation of these regulations would hold private agencies to a level of accountability and responsibility which is in the public interest and ultimately improve the quality and delivery of auxiliary services to thousands of nonpublic school children in this State.

#### Economic Impact

Comprehensive regulations would provide uniformity and efficiency in the procurement of professional services by district boards of education and facilitate open competition to the extent possible in professional services contracts.

Approximately \$12,000,000 was appropriated by the State for the implementation of Chapters 192 and 193 in the school year 1981-82. Adoption of these proposals would not cause any increase or decrease in this amount. Approximately \$900,000 of the appropriation of \$12,000,000 in 1981-82 is being utilized under contractual arrangements with private agencies.

**Full text** of the proposal follows.

6:28-5.10 Approval of private agencies

(a) The term "private agency" means any business, enterprise, service, or other private legal entity which has the capability, integrity and reliability to perform any or all of the auxiliary services described in N.J.S.A. 18A:46A-1 et seq.

(b) Private agencies seeking to provide such auxiliary services by contracting with district boards of education must be approved by the Commissioner of Education prior to final award by district boards of education.

(c) Applications for approval shall be reviewed and approved or disapproved in accordance with the following timelines:

1. The application for approval must be submitted by the district board of education to the Commissioner prior to award of bid.
2. The Commissioner shall notify the district board of education of approval or disapproval within 30 days of submission.
3. The terms of approval shall be for the contract year.

(d) Approval shall be based on, but not limited to, the following criteria:

1. Submission of a valid certificate of incorporation or certificate of formation, whichever is applicable, certificate of trade or business name, any licenses or permits required by laws, regulations, ordinances in effect within the State, county, or municipality where the private agency conducts its enterprise and provides its services.
2. Submission of a statement of auxiliary services to be offered, and qualifications and performance data which demonstrate competence by the private agency to provide such services.
3. Satisfactory evidence of an adequate accounting system in accordance with generally accepted accounting principles.
4. Satisfactory evidence that the private agency has the financial ability, resources, equipment, skills, capability and business integrity necessary to provide such auxiliary services.
5. An assurance that all persons as are necessary to provide such auxiliary services shall be properly certified, competent and qualified to perform the tasks assigned to them.
6. Office facilities adequate to the needs of the private agency while performing such auxiliary services.

(e) Any private agency which is aggrieved in connection with the approval or disapproval process may appeal to the Commissioner of Education in accordance with rules and regulations for filing petitions of appeal set forth in N.J.A.C. 6:24.

#### 6:28-5.11 Contracts for services with private agencies

(a) District boards of education planning to enter into contracts with private agencies must follow applicable regulations for establishing competitive bidding procedures.

(b) Specifications for such contracts shall include, but not be limited to, the following:

1. The scope of work or types of services which are to be provided by the private agency;
2. The anticipated number of pupils to be served, by type of instructional service;
3. The average class size for each instructional service;
4. The number of hours of instruction to be provided to pupils enrolled in each class;
5. The certification, licensure and health requirements which shall be applied to the instructional staff employed by the private agency;
6. A requirement that the private agency submit an instructional plan to include the following areas:
  - i. A system for the identification and diagnosis of learning difficulties or impediments, and a plan to remediate or accommodate these, where identified;
  - ii. The instructional objectives with projected pupil outcomes, to be achieved through the educational services;
  - iii. A list of the curriculum materials and supplies which are to be provided and utilized in the program as a strategy for the general implementation of the program.
  - iv. A proposed scope of duties for each position included by the private agency in the terms of the bid advertisement;
  - v. The evaluation design which shall be used in determining pupil progress and the overall success of the program;
7. A requirement that the private agency submit a plan for the collection, maintenance and accessibility of all pupil records including diagnostic materials, attendance-records and records of pupil achievement;
8. A requirement that the district board of education be provided with copies of the private agency's personnel policies dealing with performance appraisal, general supervision, emergency

procedures, and other personnel and operating procedures to be used during the term of the contract;

9. A requirement that the private agency submit a description of its procedures for maintaining up-to-date files of the personnel involved in delivery of services under the contract. Such files shall include the resume of each employee, a copy of the employee's certification or licensure, attendance records, physical examination and health records, as well as any other evaluation or related documents;

10. A requirement that the private agency submit a statement showing the contract cost and method of payment. The statement should include a budget in sufficient detail to allow the district board of education to make appropriate judgments as to costs projected by the contract. A provision limiting expenditures for auxiliary services to the amount granted in State aid should also be included, if desired.

11. A requirement that the private agency submit a statement containing the location and description of the facility or facilities in which services shall be provided.

12. Other requirements the district board of education may determine are desirable.

(c) Contract specifications must be submitted by the district board of education to the county superintendent of schools for review at least 14 days prior to advertisement. The district board of education shall not advertise the contract specifications until the county superintendent has approved such specifications.

#### 6:28-6.10 Approval of private agencies

(a) The term "private agency" means any business, enterprise, service, or other private legal entity which has the capability, integrity and reliability to perform any or all of the examination, classification and corrective services described in N.J.S.A. 18A:46-6, 8, and 19.1 et seq.

(b) Private agencies seeking to provide such examination, classification and corrective services by contracting with district boards of education must be approved by the Commissioner of Education prior to final award by district boards of education.

(c) Applications for approval shall be reviewed and approved or disapproved in accordance with the following timelines:

1. The application for approval must be submitted by the district board of education to the Commissioner prior to award of bid.
2. The Commissioner shall notify the district board of education of approval or disapproval within 30 days of submission.
3. The terms of approval shall be for the contract year.

(d) Approval shall be based on, but not limited to, the following criteria:

1. Submission of a valid certificate of incorporation or certificate of formation, whichever is applicable, certificate of trade or business name, any licenses or permits required by laws, regulations, ordinances in effect within the State, county, or municipality where the private agency conducts its enterprise and provides its services.
2. Submission of a statement of examination, classification and corrective services to be offered, and qualifications and performance data which demonstrate competence by the private agency to provide such services.
3. Satisfactory evidence of an adequate accounting system in accordance with generally accepted accounting principles.
4. Satisfactory evidence that the private agency has the financial ability, resources, equipment, skills, capability and business integrity necessary to provide such examination, classification and corrective services.
5. An assurance that all persons as are necessary in providing such examination, classification and corrective services shall be properly certified, competent and qualified to perform the tasks assigned to them.
6. Office facilities adequate to the needs of the private agency while performing such examination, classification and corrective services.

(c) Any private agency which is aggrieved in connection with the approval or disapproval process may appeal to the Commissioner in accordance with rules and regulations for filing petitions of appeal set forth in N.J.A.C. 6:24.

6:28-6.11 Contracts for services with private agencies

(a) District boards of education planning to enter contracts with private agencies must follow applicable regulations for establishing competitive bidding procedures.

(b) Specifications for such contracts shall include, but not be limited to, the following:

1. The scope of work or types of services which are to be provided by the private agency;

2. The anticipated number of pupils to be served, by type of instructional service;

3. The average class size for each instructional service;

4. The number of hours of instruction to be provided to pupils enrolled in each class;

5. The certification and licensure and health requirements which shall be applied to the instructional staff employed by the private agency;

6. A requirement that the private agency submit an instructional plan to include the following areas:

i. A system for the identification and diagnosis of learning difficulties or impediments and a plan to remediate or accommodate these, where identified;

ii. The instructional objectives with projected pupil outcomes, to be achieved through the educational services;

iii. A list of the curriculum materials and supplies which are to be provided and utilized as a strategy for the general implementation of the program;

iv. A proposed scope of duties for each position included by the private agency in the terms of the bid advertisement;

v. The evaluation design which shall be used in determining pupil progress and the overall success of the program;

7. A requirement that the private agency submit a plan for the collection, maintenance and accessibility of all pupil records including diagnostic materials, attendance records and records of pupil achievement;

8. A requirement that the district board of education be provided with copies of the private agency's personnel policies dealing with performance appraisal, general supervision, emergency procedures and other personnel and operating procedures to be used during the term of the contract;

9. A requirement that the private agency submit a description of its procedures for maintaining up-to-date files of the personnel involved in delivery of services under the contract. Such files shall include the resume of each employee, a copy of the employee's certification or licensure, attendance records, physical examination and health records, as well as any other evaluation or related documents;

10. A requirement that the private agency submit a statement showing the contract cost and method of payment. The statement should include a budget in sufficient detail to allow the district board of education to make appropriate judgments as to costs projected by the contract. A provision limiting expenditures for examination, classification and corrective services to the amount granted in State aid should also be included, if desired;

11. A requirement that the private agency submit a statement containing the location and description of the facility or facilities in which services shall be provided;

12. Other requirements the district board of education may determine are desirable.

(c) Contract specifications must be submitted by the district board of education to the county superintendent of schools for review at least 14 days prior to advertisement. The district board of education shall not advertise the contract specifications until the county superintendent has approved such specifications.

(a)

## STATE BOARD OF EDUCATION

### Vocational Education Safety Standards

#### Proposed Amendments: N.J.A.C. 6:53

Authorized By: New Jersey State Board of Education,  
Gustav H. Ruh, Acting Secretary.

Authority: N.J.S.A. 18A:4-15, 18A:33-1 et seq., 18A:40-12.2 and 18A:54-1 et seq.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before July 21, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Lorraine L. Colavita  
Executive Assistant for Administrative  
Practice and Procedure  
225 West State Street  
Trenton, New Jersey 08625

The State Board of Education thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-233.

The agency proposal follows:

#### Summary

This proposal amends various sections of N.J.A.C. 6:53-1.1 et seq. concerning vocational education safety standards and amends N.J.A.C. 6:53-9.4 concerning the length of time emergency eyewash equipment must provide a continuous flow of eyewash liquid.

The proposal provides for a clearer understanding of rules by those regulated and updates references to selected national consensus safety standards or clarifies existing language.

N.J.A.C. 6:53-9.4(b) requires eyewash equipment, found primarily in automobile/diesel/marine mechanics shops and/or automobile servicing shops in which acid-type batteries are serviced, to be capable of at least a 15-minute continuous flow.

#### Social Impact

By making presently adopted rules more comprehensible to those regulated, the proposed amendments will help assure the safe operation of vocational education programs in New Jersey and will help reduce injuries to instructors and pupils brought about by the use of inadequately guarded or unguarded machines, tools and equipment. In addition, the requirements will give vocational education pupils in New Jersey the advantage of training on equipment that meets the safety standards that are in force in the private sector.

#### Economic Impact

There is no expected economic impact on local school districts resulting from the non-substantive amendments to N.J.A.C. 6:53-1.1 et seq. since local districts were to comply with N.J.A.C. 6:53-1.1 et seq. by September 1, 1978 or remove the equipment from service. As a point of information, the Division of Vocational Education and Career Preparation provided financial assistance to local districts during fiscal years 1978 and 1979 totaling \$189,433 to assist districts with safety standards compliance.

However, there may be minimal economic impact on local districts resulting from N.J.A.C. 6:53-9.4(b). Those districts operating vocational education shops which do not have an eyewash

device meeting the 15-minute flow rate will be required to purchase such a device at a cost of approximately \$125 to \$375 per unit per shop. Installation costs cannot be estimated since such costs are dependent upon who does the installation (e.g., district maintenance personnel or a plumbing contractor) and the hardware required for installation (e.g., supply/drain piping).

There are approximately 265 shops in the secondary schools of New Jersey providing instruction in automobile mechanics, diesel mechanics, marine mechanics and/or automobile servicing. It is reasonable to assume that instruction in battery maintenance and servicing is provided in those shops.

Over the past two years the Division of Vocational Education and Career Preparation conducted on-site evaluations in about 20 percent of those schools offering industrial arts programs and 16 county vocational schools. Based on these evaluations, it is estimated that 15 percent of the shops providing instruction in automobile/diesel/marine mechanics and/or automobile servicing would have to purchase new eyewash equipment to meet the proposed 15-minute continuous flow requirement. Statewide, this means that approximately 40 eye wash units would have to be purchased for an estimated cost of \$5,000 to \$15,000.

There will be no economic impact on manufacturers since major manufacturers are already producing machines, guards and other protective devices designed to meet established safety standards.

**Full text** of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

CHAPTER 53  
VOCATIONAL EDUCATION  
SAFETY STANDARDS

SUBCHAPTER 1. GENERAL PROVISIONS  
[DEFINITIONS]

**6:53-1.1 Scope and purpose [FOREWORD]**

The following rules and regulations prescribed and approved by the State Board of Education pursuant to N.J.S.A. 18A:4-15, 18A:33-1 et seq., 18A:40-12.2 and 18A:54.1 et seq. provide safety standards to govern the use of tools, machines, equipment and protective devices in vocational education programs and courses.

6:53-1.1[2] Definitions

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise.

...  
**"AWG" means the American Wire Gage and refers to the accepted table of wire gages with the corresponding wire diameter values and cross-section values.**

...  
**"Combustible liquid" means any liquid having a flash point at or above [100 degrees Fahrenheit (37.8 degrees Celsius)] 37.8°C. (100°F).**

**"Flammable liquid" means any liquid having a flash point below [100 degrees Fahrenheit (37.8 degrees Celsius)] 37.8°C. (100°F).**

**"Flash point" [of a liquid] means the temperature at which [it] a liquid gives off vapor sufficient to form an ignitable mixture with the air near the surface of the liquid.**

...  
**"Nationally recognized testing laboratory" means a laboratory such as, but not limited to, the Underwriters Laboratory, [Incorporated,] United States Bureau of Mines, Factory Mutual Laboratories[,], or the American Gas Association Laboratories.**

**"NFPA" means the National Fire Protection Association, [470 Atlantic Avenue, Boston, 02210] Batterymarch Park, Quincy, Massachusetts 02269.**

**"Point of operation" means the area on a machine where work is actually performed upon the material being processed.**

**"P.s.i. [(p.s.i.g.)]" means pounds per square inch [(gauge)].**

...  
**"Vocational education [course or] program" means any [course or] program in any [public] school under the regulatory authority and jurisdiction of the Division of Vocational Education[,], and Career Preparation [New Jersey State Department of Education].**

**"Welder or welding operator" means any operator of electric or gas welding and cutting equipment as part of a vocational [education] course or program.**

SUBCHAPTER 2. STANDARDS IMPLEMENTATION

6:53-2.1 Applicability and implementation of safety standards

(a) All tools, machines, equipment and personal protective devices [ordered and acquired for use] **used** in vocational education programs [after the effective date of the standards] shall meet the safety standards contained in this chapter.

(b) [All other] [t]Tools, machines, equipment and personal protective devices [shall be brought into compliance with the standards by September 1, 1978, unless otherwise specified. Tools, machines, equipment and personal protective devices not brought into compliance within the specified time] **not in compliance with these standards** shall be removed from service.

(c) Any school district that, for just cause, can not meet the timetable for compliance may make written request for additional time for compliance. The request, directed to the Assistant Commissioner of Education, State Director of Vocational Education, shall specify the reason(s) for noncompliance and provide a projected timetable for compliance. The Assistant Commissioner of Education, State Director of Vocational Education, or his representative, may grant a reasonable time extension to bring tools, machines, equipment and personal protective devices into compliance with the standards.]

6:53-2.2 Safety program

(a) All **district** boards of education operating [courses and/or] programs in vocational education shall organize, adopt and implement a vocational education safety [education] program. A copy of the [safety education] program, indicating [local] **district** board of education approval, shall be [submitted to] **filed with the** Assistant Commissioner of Education, State Director of Vocational Education [, within one year of adoption of this section].

(b) The safety education program shall contain, as a minimum, the following sections:

1. Objectives of the safety education program;
2. A statement of the general policies for the safe operation of vocational courses;
3. Specific statements of practices and precautions required for safe operation within each separate course;
4. A plan for periodic inspections and maintenance of facilities, tools, machines, equipment and personal protective devices;
5. A plan for the identification and elimination of potential hazards;
6. Emergency procedures to be followed in the event of an accident involving a [student] **pupil**, teacher or any other individual;
7. Methods to be used to provide safety education to [students] **pupils**;
8. Methods to be used to assess [a student's] **pupils'** knowledge of safe practices and procedures.

6:53-2.3 Reporting requirements

(a) Accidents involving vocational education [students] **pupils**, staff or others shall be reported to the Assistant Commissioner of Education, State Director of Vocational Education, on the accident [report] **reporting** form supplied by the Division of Vocational Education and **Career Preparation** within five working days of the occurrence.

(b) A reportable accident is any accident that occurs in a vocational education [course or] program, either on the school

premises or at an approved cooperative work training station, which requires treatment by a licensed medical doctor.

[(b) The accident reporting requirement shall take effect 90 days after the adoption of this section.]

### SUBCHAPTER 3. GENERAL REQUIREMENTS FOR ALL MACHINES

#### 6:53-3.1 Machine guarding

(a) One or more methods of machine guarding shall be provided to protect the operator and other personnel in the machine area from hazards such as, but not limited to, those created by point of operation, ingoing nip points, rotating parts, flying chips and sparks. Examples of guarding methods are, but **need not be** limited to, barrier guards, two-hand tripping devices[,], and electronic safety devices[, and so forth].

(b) Guards shall be affixed to the machine where possible and secured elsewhere if, for any reason, attachment to the machine is not possible. The [guard] **guards** shall be such that [it does] **they do not offer [a hazard] hazards** in [itself] **themselves**. Guards should be of the type commercially designed and constructed and shall meet the standards and specifications adopted and promulgated by nationally recognized standards producing organizations.

#### 6:53-3.2 Securing machines and equipment

(a) All machines and equipment, except portable machines and equipment, shall be secured to prevent **tipping**, walking or moving in accordance with the methods recommended by the manufacturer of the machines or equipment.

[6:53-5.1(a)](b) Each machine shall be so constructed, installed and maintained as to be free from excessive vibration.

[6:53-5.1(b)](c) Arbors and mandrels shall be **so** constructed, installed and maintained [so] as to have firm and secure bearing and be free from play.

#### 6:53-3.3 Point of operation guarding

[(a) Point of operation is the area on a machine where work is actually performed upon the material being processed.]

[(b)] (a) The point of operation of any machine [whose operation] **that** exposes an individual to injury[,], shall be guarded. The guarding [device] **device(s)** shall be in conformity with all appropriate standards and shall be so designed and constructed as to prevent the operator from having any part of his/her body in the danger zone during the operating cycle.

[(c)] (b) Special handtools, **push sticks** or **other** appropriate devices for placing, removing or moving material shall be such as to permit easy handling of material without the operator placing a hand in the danger zone. Such tools shall not be in lieu of other guarding required, but can only be used to supplement protection provided.

#### 6:53-3.4 Unattended machines and equipment

Machines and equipment [whose operation requires] **requiring** the presence of an operator shall not be left unattended while [it is] in operation.

#### 6:53-3.5 Braking devices

Radial arm saws, [non-portable] **nonportable** crosscut and/or rip saws and band saws should be equipped with a braking device capable of stopping the rotation of the saw blade after the equipment has been shut off. The [braking] **braking** device should be of a type provided by or recommended by the manufacturer of the equipment on which it is to be used.

#### [6:53-5.2] 6:53-3.6 Machine controls and equipment

(a) An electrical power control shall be provided on each machine to make it possible for the operator to cut off the power [from each machine] without leaving his/her position at the point of operation.

(b) On all [non-portable] **nonportable** motorized equipment and machinery, provisions shall be made to prevent machines from automatically restarting upon restoration of power after an electrical failure or electric cutoff[, as specified in N.J.A.C. 6:22-13.9].

(c) Power controls and operating controls shall be located within easy reach of the operator while he/she is at the regular work location, making it unnecessary [for him] to reach over the point of operation to make adjustments.

(d) Each machine operated by electric motors[,], shall be provided with positive means for rendering the motor starting controls inoperative while repairs or tool changes are being made [to the machines].

#### [6:53-5.15] 6:53-3.7 Inspection and maintenance of [woodworking] machinery

(a) It shall be the responsibility of the instructor to insure that:

1. Dull, badly set, improperly filed[,], or improperly tensioned saw blades shall be immediately removed from service, before they begin to cause the material to stick, jam[,], or kick back when [it is] fed to the saw at normal speed. [Saw blades to which gum has adhered on the sides shall be immediately removed and cleaned;]

2. [All] [k]Knives and cutting heads of woodworking machines shall be kept sharp, properly adjusted, firmly secured and properly balanced[;].

3. Bearings shall be kept free from lost motion and shall be well lubricated;

4. Arbors of all circular saws shall be free from play;]

[5.] 3. Cleanliness shall be maintained around [woodworking] machinery, particularly as regards the effective functioning of guards and the prevention of fire hazards in switch enclosures, bearings[,], and motors[;].

[6. All cracked saws shall be removed from service;]

[7.] 4. The practice of inserting wedges between the saw [disc] **blade** and the collar to form what is commonly known as a "wobble saw" shall not be permitted[;].

[8. Push sticks or push blocks shall be provided in the several sizes and types suitable for the work to be done;

9. Band saws and resaws containing twists or kinks shall be promptly removed from service;

10. To avoid vibration, brazed joints in band saws and band resaws shall be the same thickness as the saw blade.]

### SUBCHAPTER 4. EQUIPMENT LAYOUT AND WORK AREA

#### 6:53-4.1 Machine location

(a) Machines shall be so located that there will be sufficient space in which to handle the material **being machined** with the least possible interference from or to any person or machines in the area. Machines shall be so placed that it will not be necessary for anyone to stand in or so near an aisle as to be liable to hazard.

(b) Machines should be **so** located, with respect to sources of both natural and artificial light, [so] that light of sufficient intensity will fall on the work. [Supplementary illumination at the point of operation should be provided where necessary in accordance with ANSI A11.1-1973, as revised, "Practice for Industrial Lighting".] **Light intensity, quality and safety shall be provided in accordance with N.J.A.C. 6:22-4.11.**

#### 6:53-4.2 Work areas

(a) All floors shall be kept in good repair and shall be free from [protruding nails, splinters, holes, unevenness, and loose boards] **slipping and tripping hazards**. Floors in [working] **machine work areas** [about all machines] shall be provided with effective means to prevent slipping.

(b) Emergency equipment, traffic aisles[,], and operator station areas shall be marked in accordance with ANSI Z53.1-[1971]1979, [as revised,] "Safety Color Coding for Marking Physical Hazards ["]", **which with all subsequent amendments and supplements is hereby adopted as a rule.**

1. This document is available for review at the Division of Vocational Education and Career Preparation, Department of Education, 225 West State Street, CN 500, Trenton, New Jersey 08625, or at the Office of Administrative Law, CN 301, Trenton, New Jersey 08625.

2. This document may be purchased from the American National Standards Institute, Inc., 1430 Broadway, New York, New York 10018.

#### SUBCHAPTER 5. WOODWORKING MACHINERY [REQUIREMENTS]

##### 6:53-5.1 [Machine construction; general] (Reserved)

[(a) Each machine shall be so constructed, installed and maintained as to be free from excessive vibration.

(b) Arbors and mandrels shall be constructed, installed and maintained so as to have firm and secure bearing and be free from play.]

##### 6:53-5.2 [Machine controls and equipment] (Reserved)

[(a) An electrical power control shall be provided on each machine to make it possible for the operator to cut off the power from each machine without leaving his position at the point of operation.

(b) On all non-portable motorized equipment and machinery, provisions shall be made to prevent machines from automatically restarting upon restoration of power after an electrical failure or electric cutoff, as specified in N.J.A.C. 6:22-13.9.

(c) Power controls and operating controls shall be located within easy reach of the operator while he is at the regular work location, making it unnecessary for him to reach over the point of operation to make adjustments.

(d) Each machine operated by electric motors, shall be provided with positive means for rendering the motor starting controls inoperative while repairs or tool changes are being made to the machines.]

##### 6:53-5.3 [General requirements for] [h]Hand-fed circular saws

(a) (No change.)

(b) Circular saw fences shall be so constructed that they can be firmly secured to the table or table assembly without changing their alignment with the cutting device. For machines with tilting tables or tilting arbors, the fence shall be so constructed that it will remain in a line parallel with the cutting device, regardless of the angle of the cutting device with the table.

(c)-(e) (No change.)

(f) Revolving double-arbor saws shall be fully guarded in accordance with all the requirements for circular crosscut saws or with all the requirements for circular ripsaws, according to the kind of cutting devices mounted on the arbors.

(g) (No change.)

(h) Combs (featherboards) or suitable jigs shall be provided for use when a standard guard cannot be used, as in dadoing, grooving, jointing, molding[,] and rabbeting.

##### 6:53-5.4 Hand-fed ripsaws

(a) Each [circular] hand-fed **circular** ripsaw shall be provided with a guard which shall completely enclose that portion of the cutting device above the table. The guard and mounting shall be so arranged [so] that the guard will automatically adjust itself to the thickness of, and remain in contact with, the material being cut, but it shall not offer any considerable resistance to insertion of material to saw or to passage of the material being sawed. The guard shall be made of adequate strength to resist blows and strains incidental to reasonable operation, adjusting and handling, and shall be so designed as to protect the operator from flying splinters and broken saw teeth. It shall be made of material that is soft enough so that it will be unlikely to cause tooth breakage. The material should not shatter when broken, should be nonexplosive[,] and should be no

more flammable than wood. The guard shall be so mounted as to insure that its operation will be positive, reliable[,] and in true alignment with the cutting device[,] and the mounting shall be adequate in strength to resist any reasonable side thrust or other force tending to throw it out of line. A fixed or manually adjusted guard may be used provided that the space between the bottom of the guard and the material being cut shall not exceed 3/8 inch if 1 1/2 inches or more from the blade, and 1/4 inch if closer than 1 1/2 inches.

(b) Each hand-fed circular ripsaw shall be equipped with a spreader to prevent material from squeezing the saw blade or from being thrown back on the operator. The spreader shall be made of hard tempered steel, or its equivalent, and shall be thinner than the saw kerf. It shall be of sufficient width to provide adequate stiffness or rigidity to resist any reasonable side thrusts or blows tending to bend or throw it out of position. The spreader shall be attached so that it will remain in true alignment with the saw blade even when either the saw blade or table is tilted, and should be placed so that there is not more than 1/2 inch space between the spreader and the back of the saw blade when the largest saw blade is mounted in the machine. The provision of a spreader in connection with grooving, dadoing[,] or rabbeting is not required. **However,** [O]n the completion of such operations, the spreader shall be immediately replaced.

(c) Each hand-fed circular ripsaw shall be provided with [non-kickback] **nonkickback** fingers or dogs so located as to oppose the thrust or tendency of the saw blade to pick up the material or to throw it back toward the operator. They shall be designed to provide adequate holding power for all the thicknesses of materials being cut.

##### 6:53-5.5 Hand-fed crosscut table saws

(a) Each **hand-fed** circular crosscut table saw shall be provided with a guard which shall meet all the requirements of N.J.A.C. 6:53-5.4(a) for guards for circular ripsaws.

(b) Each **hand-fed** circular crosscut table saw shall also be provided with a spreader which [should] **shall** meet all the requirements of N.J.A.C. 6:53-5.4(b).

##### 6:53-5.6 Radial arm saws

(a) The upper guard shall completely enclose the upper portion of the cutting device down to a point that will include the end of the saw arbor. The upper guard shall be constructed in such a manner and of such material that it will protect the operator from **such hazards as flying splinters[,] and broken saw teeth[,] and so forth,** and will deflect sawdust away from the operator. The sides of the lower exposed portion of the cutting device shall be guarded to the full diameter of the cutting device by a device that will automatically adjust itself to the thickness of the stock and remain in contact with stock being cut to give **the** maximum protection possible to the operator during the operation being performed.

(b) Each radial arm saw used for ripping shall be provided with [non-kickback] **nonkickback** fingers or dogs located on both sides of the saw blade so as to oppose the thrust or tendency of the saw blade to pick up the material or to throw it back toward the operator. They shall be designed to provide adequate holding power for all the thicknesses of material being cut.

(c) Ripping and ploughing shall be against the direction in which the cutting device rotates. The direction of the arbor rotation shall be conspicuously marked on the upper guard. In addition, a permanent label not less than 1 1/2 inches by 3/4 [inches] **inch** shall be affixed to the guard at the end of the guard at which the blade teeth exit the upper guard during the operation of the saw. The label shall read as follows: "Danger: Do Not Rip or Plough From this End." Such a label should be colored standard danger red.

(d)-(e) (No change.)

##### 6:53-5.7 Band saws and band resaws

(a) (No change.)

(b) Each band saw [machine] shall be provided with a tension control device to [indicate] **assure** a proper tension for the standard saw blades used on the machine in order to assist in the elimination of saw blade breakage due to improper tension.

#### 6:53-5.8 Jointers

(a) Each hand-fed [planer and] jointer with horizontal head shall be equipped with a cylindrical cutting head, the knife projection of which shall not exceed beyond the cylindrical body of the head further than recommended by the equipment manufacturer.

(b) The opening in the table shall be kept as small as possible. The clearance between the edge of the rear table and the cutter head shall [be] not **be** more than 1/8 inch. The table throat opening shall [be] not **be** more than 2 1/2 inches when tables are set or aligned with each other for zero cut.

(c) Each hand-fed jointer with a horizontal cutting head shall have an automatic guard which will cover [all] the section of the head on the working side of the fence or gauge. The guard shall effectively keep the operator's hand from coming in contact with the revolving knives. The guard shall automatically adjust itself to cover the unused portion of the head and shall remain in contact with the material at all times.

(d)-(c) (No change.)

#### 6:53-5.9 Tenoning machines

(a)-(c) (No change.)

#### 6:53-5.10 Boring and mortising machines

(a)-(b) (No change.)

(c) If there is a counterweight, one of the following or equivalent means shall be used to prevent its dropping:

1. It shall be bolted to the bar by means of a bolt passing through both bar and counterweight[.].

2. A bolt shall be put through the extreme end of the bar[.].

3. Where the counterweight does not encircle the bar, a safety chain shall be attached to it[.].

4. (No change.)

(d) (No change.)

#### 6:53-5.11 Wood shapers and similar equipment

(a) The cutting heads of each wood shaper, hand-fed panel raiser, or other similar machine, shall be enclosed with an adjustable guard so designed as to keep the operator's hand away from the cutting edge. The diameter of circular shaper guards shall [be] not **be** less than the greatest diameter of the cutter.

(b)-(c) (No change.)

#### 6:53-5.12 Planing or molding machines

(a) Each planing or molding [machines] **machine** shall have all cutting heads, and saws if used, covered by a metal guard.

(b)-(d) (No change.)

#### 6:53-5.13 Wood lathes

[(a) Each wood lathe shall have all cutting heads, if so equipped, covered by a metal guard.]

Renumber (b) as (a).

[(c)](b) Automatic woodturning lathes of the rotating knife type shall be equipped with hoods enclosing the cutter blades completely, except at the contact points, while the stock is being cut.

[(d)](c) Lathes used for turning wood stock shall be equipped with long curved guards extending over the tops of the lathes in order to prevent [the work pieces from being thrown out of the machines if they should become loose] **injury to the operators and/or other persons should the work pieces be thrown out of the machines if they were to become loose or fragmented.**

#### 6:53-5.14 Sanding machines

(a)-(e) (No change.)

#### 6:53-5.15 [Inspection and maintenance of woodworking machinery] (Reserved)

[(a) It shall be the responsibility of the instructor to insure that:

1. Dull, badly set, improperly filed, or improperly tensioned saw blades shall be immediately removed from service, before they begin to cause the material to stick, jam, or kick back when it is fed to the saw at normal speed. Saw blades to which gum has adhered on the sides shall be immediately removed and cleaned;

2. All knives and cutting heads of woodworking machines shall be kept sharp, properly adjusted, firmly secured and properly balanced;

3. Bearings shall be kept free from lost motion and shall be well lubricated;

4. Arbors of all circular saws shall be free from play;

5. Cleanliness shall be maintained around woodworking machinery, particularly as regards the effective functioning of guards and the prevention of fire hazards in switch enclosures, bearings, and motors;

6. All cracked saws shall be removed from service;

7. The practice of inserting wedges between the saw disc and the collar to form what is commonly known as a "wobble saw" shall not be permitted;

8. Push sticks or push blocks shall be provided in the several sizes and types suitable for the work to be done;

9. Band saws and resaws containing twists or kinks shall be promptly removed from service;

10. To avoid vibration, brazed joints in band saws and band resaws shall be the same thickness as the saw blade.]

### SUBCHAPTER 6. WELDING, CUTTING AND BRAZING OPERATIONS

#### 6:53-6.1 [Oxygen-fuel gas] **Oxygen and/or fuel-gas welding and cutting systems**

(a) General requirements are as follows[.]:

1. (No change.)

2. Under no condition shall acetylene be generated, piped (except in approved cylinder manifolds) or utilized at a pressure in excess of 15 p.s.i. gauge pressure or 30 p.s.i. absolute pressure. This requirement is not intended to apply to storage of acetylene dissolved in a suitable solvent in cylinders manufactured and maintained according to [United States Department of Transportation (JUSDOT)] requirements, or to acetylene for chemical use.

3.-4. (No change.)

(b) Rules concerning the marking of approved cylinders and containers are as follows[.]:

1. All portable cylinders used for the storage and shipment of compressed gases shall be constructed and maintained in accordance with the regulations of the [United States Department of Transportation (JUSDOT)], 49 CFR parts 171-179.

2. Compressed gas cylinders shall be legibly marked, for the purpose of identifying the gas content, with either the chemical or the trade name of the gas. Such marking shall be by means of stenciling, stamping or labeling, and shall not be readily removable. Whenever practical, the marking shall be located on the shoulder of the cylinder in conformance with ANSI Z48.1-[1954 (R1971)] **1978**, [as revised,] "Method for Marking Portable Compressed Gas Containers to Identify the Material Contained[.]", **which with all subsequent amendments and supplements is hereby adopted as a rule.**

i. **This document is available for review at the Division of Vocational Education and Career Preparation, Department of Education, 225 West State Street, CN 500, Trenton, New Jersey 08625, or at the Office of Administrative Law, CN 301, Trenton, New Jersey 08625.**

ii. **This document may be purchased from the American National Standards Institute, Inc., 1430 Broadway, New York, New York 10018.**

3. Compressed gas cylinders shall be equipped with connections complying with ANSI B57.1-1976, [as revised,] "Compressed Gas Cylinder Valve Outlet and Inlet Connections[.]," **which with all subsequent amendments and supplements is hereby adopted as a rule.**

i. **This document is available for review at the Division of Vocational Education and Career Preparation, Department of Education, 225 West State Street, CN 500, Trenton, New Jersey 08625, or at the Office of Administrative Law, CN 301, Trenton, New Jersey 08625.**

ii. **This document may be purchased from the American National Standards Institute, Inc., 1430 Broadway, New York, New York 10018.**

4. (No change.)

(c) Rules concerning the general storage of cylinders are as follows[.]:

1. (No change.)

2. Inside of buildings, cylinders shall be stored in a well-protected, well-ventilated, dry location at least 20 feet from highly combustible materials such as oil or excelsior. Cylinders shall be stored valve-end up in definitely assigned places away from elevators, stairs[,] or gangways. Assigned storage spaces shall be located where cylinders will not be knocked over or damaged by passing or falling objects, or subject to tampering by unauthorized persons. Cylinders shall not be kept in unventilated enclosures such as lockers and cupboards. Cylinders shall be adequately secured with safety chains or equivalent means.

3.-4. (No change.)

(d) Rules concerning the storage of fuel-gas are as follows[.]:

1. (No change.)

2. For storage in excess of 2,000 cubic feet total gas capacity of cylinders or 300 pounds of liquefied petroleum gas, a separate room or compartment shall be provided, or cylinders shall be kept outside or in a special building. Special buildings, rooms or compartments shall have no open flame for heating or lighting and shall be well ventilated. Signs shall be conspicuously posted in such rooms reading, "Danger - No Smoking, **Lighted Matches or Open Lights**["], or other equivalent wording.

[3. Acetylene cylinders shall be stored valve-end up.]

(e) Rules concerning the storage of oxygen are as follows[.]:

1. Oxygen cylinders shall not be stored near highly combustible material, especially oil and grease[;], or near reserve stocks of carbide and acetylene or other fuel-gas cylinders, or near any other substance likely to cause or accelerate fire.

2. Oxygen cylinders in storage shall be separate from fuel-gas cylinders or combustible materials (especially oil or grease)[.] by a minimum distance of 20 feet or by a noncombustible barrier at least five feet high having a fire-resistance rating of at least one-half hour.

(f) General operating and transporting procedures are as follows[.]:

1. Cylinders, cylinder valves, coupling, regulators, hose[,] and apparatus shall be kept free from oily or greasy substances. Oxygen cylinders or apparatus shall not be handled with oily hands or gloves. A jet of oxygen shall never be permitted to strike an oily surface[,] or greasy clothes, or enter a fuel oil or other storage tank.

2.-4. (No change.)

5. Cylinders not having fixed hand wheels shall have keys, handles[,] or nonadjustable wrenches on valve stems while these cylinders are in service. In multiple cylinder installations, only one key or handle is required for each manifold.

6.-7. (No change.)

8. Cylinders shall be kept far enough away from the actual welding or cutting operation so that sparks, hot slag[,] or flame will not reach them, or fire-resistant shields shall be provided.

9. Cylinders shall not be placed where they might become part of an electric circuit. Cylinders shall be kept away from radiators, piping systems, layout tables[,] and [so forth,] **other objects** that may be used for grounding electric circuits such as for arc welding

machines. Any practice such as the tapping of an electrode against a cylinder to strike an arc shall be prohibited.

10.-14. (No change.)

(g) Rules concerning the handling and use of fuel-gas cylinders are as follows[.]:

1. Fuel-gas cylinders shall be placed with valve-end up whenever they are in use. [Liquified] **Liquefied** gases shall be stored with the valve-end up.

2. Before connecting a regulator to a fuel-gas cylinder valve, the valve shall be opened slightly and closed immediately. This operation shall not be done near other welding work or near sparks, flame[,] or other possible sources of ignition.

3. (No change.)

4. If cylinders are found to have leaky valves or fittings which cannot be stopped by closing of the valve, the cylinders shall be taken outdoors away from sources of ignition and slowly emptied. The area around the cylinder shall be cleared of personnel. The supplier shall be [immediately] notified **immediately**.

5. Fuel-gas shall never be used from cylinders through torches or other devices equipped with shutoff valves without reducing the pressure through a suitable regulator attached to the cylinder valve or manifold.

6. (No change.)

7. Where a special wrench is required, it shall be left in position on the stem of the valve while the cylinder is in use so that the fuel-gas flow can be quickly turned off in case of emergency. In the case of manifolded or coupled cylinders, at least one such wrench shall always be available for immediate use.

#### 6:53-6.2 Arc welding and cutting systems

(a) Rules concerning the application of arc welding equipment are as follows[.]:

1. Assurance of consideration of safety in design is obtainable by choosing apparatus complying with [the "Requirements of Electrical Arc-Welding Apparatus", NEMA EW-1-1962, National Electrical Manufacturers Association, or the] **ANSI C33.2-1972**, "Safety Standard for Transformer-Type Arc-Welding Machines ["],," [ANSI C33.2-1972, as revised, Underwriters Laboratories.] **which with all subsequent amendments and supplements is hereby adopted as a rule.**

i. **This document is available for review at the Division of Vocational Education and Career Preparation, Department of Education, 225 West State Street, CN 500, Trenton, New Jersey 08625, or at the Office of Administrative Law, CN 301, Trenton, New Jersey 08625.**

ii. **This document may be purchased from the American National Standards Institute, Inc., 1430 Broadway, New York, New York 10018.**

2. Environmental conditions:

i. Standard machines for arc welding service shall be designed and constructed to carry their rated load with rated temperature rises where the temperature of the cooling air does not exceed 40°C. (104°F.) [degrees Celsius (104 degrees Fahrenheit)] and where the altitude does not exceed 3,300 feet, and shall be suitable for operation in atmospheres containing gases, dust and light rays produced by the welding arc.

ii. Unusual service conditions may exist, and in such circumstances machines shall be especially designed to safely meet the requirements of the service. Chief among these conditions are **exposure to:**

- (1) [Exposure to] [u]Unusually corrosive fumes;
- (2) [Exposure to] [s]Steam or excessive humidity;
- (3) [Exposure to] [e]Excessive oil vapor;
- (4) [Exposure to] [f]Flammable gases;
- (5) [Exposure to] [a]Abnormal vibration or shock;
- (6) [Exposure to] [e]Excessive dust;
- (7) [Exposure to] [w]Weather.

3. Open circuit (no load) voltages of arc welding and cutting machines should be as low as possible[,] **and** consistent with

satisfactory welding or cutting being done. The following limits shall not be exceeded:

- i. Alternating-current machines:
  - (1)-(2) (No change.)
  - ii.-iii. (No change.)

4. Design requirements:

i. A controller integrally mounted in an electric motor-driven welder shall have the capacity for carrying rated motor current, shall be capable of making and interrupting stalled rotor current of the motor, and may serve as the running overcurrent device if provided with the number of overcurrent units as specified by NFPA No. 70-[1975]1978, [as revised,] "National Electrical Code." Starters with magnetic [under-voltage] **undervoltage** release shall be used with machines installed more than one to a circuit to prevent circuit overload caused by simultaneous starting of several motors upon return of voltage. **NFPA No. 70-1978, "National Electrical Code," with all subsequent amendments and supplements is hereby adopted as a rule.**

(1) **This document is available for review at the Division of Vocational Education and Career Preparation, Department of Education, 225 West State Street, CN 500, Trenton, New Jersey 08625, or at the Office of Administrative Law, CN 301, Trenton, New Jersey 08625.**

(2) **This document may be purchased from the National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269.**

ii. On all types of arc welding machines, control apparatus shall be enclosed except for the operating wheels, levers[,] or handles. Control handles and wheels shall be large enough to be easily grasped by a gloved hand.

- iii.-iv. (No change.)

v. No connections for portable control devices, such as push buttons, to be carried by the operator shall be connected to an [A.C.] a.c. circuit of higher than 120 volts. Exposed metal parts of portable control devices operating on circuits above 50 volts shall be grounded by a grounding conductor in the control cable.

(b) Rules concerning the installation of arc welding equipment are as follows[.]:

1. Installation, including power supply, shall be in accordance with the requirements of NFPA No. 70-[1975]1978, [as revised,] "National Electrical Code." (See N.J.A.C. 6:53-6.2(a)4.)

2. Grounding:

i. The frame or case of the welding machine (except engine-driven machines) shall be grounded under the conditions and according to the methods prescribed in NFPA No. 70-[1975]1978, [as revised,] "National Electrical Code." (See N.J.A.C. 6:53-6.2(a)4.)

ii. Conduits containing electrical conductors shall not be used for completing a work-lead circuit. Pipelines shall not be used as a permanent part of a work-lead circuit, but may be used during construction, extension or repair, [providing] **provided that** current is not carried through threaded joints, flanged bolted joints[,] or caulked [jointly] **joints** and that special precautions are used to avoid sparking at connection of the work-lead cable.

iii. Where a structure, conveyor[,] or fixture is regularly employed as a welding[-]current-return circuit, joints shall be bonded or provided with adequate current-collecting devices, and appropriate periodic inspection shall be conducted to ascertain that no condition of electrolysis [or], shock[,] or fire hazard exists by virtue of such use.

- iv. (No change.)

3. Supply connections and conductors:

i. A disconnecting switch or controller shall be provided at or near arc welding machines which are not equipped with such a switch or controller[,] mounted as an integral part of the machine. The switch shall be in accordance with NFPA No. 70-[1975]1978, [as revised,] "National Electrical Code." Overcurrent protection shall be provided as specified in NFPA No. 70-[1975]1978, [as revised,] "National Electrical Code." A disconnect switch with overload protection or equivalent disconnect and protection means,

permitted by NFPA No. 70-[1975]1978, [as revised,] "National Electrical Code," shall be provided for each outlet intended for connection to a portable welding machine. (See N.J.A.C. 6:53-6.2(a)4.)

ii. For individual welding machines, the rated current-carrying capacity of the supply conductors shall [be] **not be less than the rated primary current of the welding machines.**

- iii. (No change.)

(c) Rules concerning [the] operation and maintenance are as follows[.]:

1. Before starting operations, all connections to the machine shall be checked to make certain they are properly made. The work-lead shall be firmly attached to the work; magnetic work clamps shall be freed from adherent metal particles of spatter on contact surfaces. Coiled welding cable shall be spread out before use to avoid serious overheating and damage to insulation.

- 2.-4. (No change.)

5. Printed rules and instructions covering operation of equipment, supplied by the manufacturers, shall be strictly followed.

6. Electrode holders when not in use shall be so placed that they cannot make electrical contact with persons, conducting objects[,] and fuel or compressed gas tanks.

7. (No change.)

8. The operator should report any equipment defect or safety hazard to [his] the instructor, and the use of the equipment shall be discontinued until its safety has been assured. Repairs shall be made only by qualified personnel.

- 9.-10. (No change.)

6:53-6.3 Resistance welding systems

(a) General requirements for **resistance welding systems are as follows[.]:**

1. All equipment shall be installed in conformance with NFPA No. 70-[1975]1978, [as revised,] "National Electrical Code." There shall be a safety-type disconnecting switch or a circuit interrupter to open each power circuit to the machine[, conveniently located at or near the machine,] so that the power can be shut off when the machine or its controls are to be serviced. (See N.J.A.C. 6:53-6.2(a)4.)

- 2.-3. (No change.)

(b) Rules concerning spot and steam welding machines [(non-portable)] **(nonportable)** are as follows[.]:

- 1.-2. (No change.)

3. All doors and access panels of all resistance welding machines and control panels shall be kept locked and interlocked to prevent access[,] by unauthorized persons[,] to live portions of the equipment.

6:53-6.4 Welding or cutting containers

(a) No welding, cutting[,] or other hot work shall be performed on used drums, barrels, tanks or other containers until they have been cleaned so thoroughly as to make absolutely certain that there are no flammable materials present or any substances such as greases, tars, acids[,] or other materials which, when subjected to heat, might produce flammable or toxic vapors. Any [pipe lines] **pipelines** or connections to the drum or vessel shall be disconnected or blanked.

(b) All hollow spaces, cavities[,] or containers shall be vented to permit the escape of air or gases before preheating, cutting or welding. Purging with inert gas is recommended.

6:53-6.5 Protection of personnel

(a) General requirements for **protection of personnel** are as follows[.]:

1. A welder or assistant working on platforms, scaffolds[,] or runways shall be protected against falling. This may be accomplished by the use of railings, safety belts, [life lines] **lifelines**[,] or some other equally effective safeguards.

2. Welders shall place welding cable and other equipment so that it is clear of passageways, ladders[,] and stairways.

(b) Rules concerning eye protection for welding operations are as follows[.]:

1. [Selection] Use of protectors:

i. Helmets or hand shields shall be used during all arc welding or arc cutting operations, excluding submerged arc welding. Goggles shall also be worn during arc welding or cutting operations to provide protection from injurious rays from adjacent work[,] and from flying objects. The goggles may have either clear or colored glass, depending upon the amount of exposure to adjacent welding operations. Helpers or observers shall be provided with proper eye protection.

ii. Goggles or other suitable eye protection shall be used during all gas welding or oxygen cutting operations. Spectacles with side shields, with suitable filter lenses, are permitted for use during gas welding operations on light work, for torch blazing or for inspection purposes.

iii. (No change.)

iv. Eye protection in the form of suitable goggles shall be provided where needed for blazing operations not covered in [subparagraphs] (b)1i, ii[,] and iii [of this paragraph] above.

v. [6:53-6.5(b)3.] Where the work permits, the welder shall be enclosed in an individual booth painted with a finish of low reflectivity or shall be enclosed with noncombustible screens similarly painted or equivalent. Booths and screens shall permit circulation of air at floor level. Where the work does not permit enclosure within a booth or screens, [Other] persons adjacent to the welding areas shall be protected from rays by noncombustible or flameproof screens or shields [, or shall be required to wear appropriate goggles].

2. Specifications for protectors are:

i. Helmets and hand shields shall be made of a material which is an insulator for heat and electricity. Helmets, shields and goggles shall [be] not be readily flammable and shall be capable of withstanding sterilization[.];

ii. Helmets and hand shields shall be arranged to protect the face, neck and ears from [direct radiant energy from the arc ;] the arc's direct radiant energy.

iii. Helmets shall be provided with filter plates and cover plates designed for easy removal[.];

iv. All parts shall be constructed of a material which will not readily corrode or discolor the skin[.];

v. Goggles shall be ventilated, as much as practicable, to prevent fogging of the lenses [as much as practicable];

vi. Cover lenses or plates shall be provided to protect each helmet, hand shield or goggle filter lens or plate[.];

vii. All glass for lenses shall be tempered, substantially free from striae, air bubbles, waves and other flaws. Except when a lens is ground to provide proper optical correction for defective vision, the front and rear surfaces of lenses and windows shall be smooth and parallel[.];

viii. Lenses shall bear some permanent distinctive markings by which the source and shade may be readily identified[.];

ix. The following is a guide for the selection of the proper shade numbers:

[Welding operation	Shade No.
Shielded metal-arc welding: 1/16-, 3/32-, 1/8-, 5/32-inch electrodes . . . . .	10
Gas-shielded arc welding (nonferrous): 1/16-, 3/32-, 1/8-, 5/32-inch electrodes . . . . .	11
Gas-shielded arc welding (ferrous): 1/16-, 3/32-, 1/8-, 5/32-inch electrodes . . . . .	12
Shielded metal-arc welding:	
3/16-, 7/32-, 1/4-inch electrodes . . . . .	12
5/16-, 3/8-inch electrodes . . . . .	14
Atomic hydrogen welding . . . . .	10-14
Carbon arc welding . . . . .	14
Soldering . . . . .	2
Torch brazing . . . . .	3 or 4
Light cutting, up to 1 inch . . . . .	3 or 4

Medium cutting, 1 inch to 6 inches . . . . .	4 or 5
Heavy cutting, 6 inches and over . . . . .	5 or 6
Gas welding (light) up to 1/8 inch . . . . .	4 or 5
Gas welding (medium) 1/8 inch to 1/2 inch . . . . .	5 or 6
Gas welding (heavy) 1/2 inch and over . . . . .	6 or 8]

(1) Welding operation: Shade No.

Shielded metal-arc welding, up to 5/32 inch (4 mm) electrodes . . . . .	10
Shielded metal-arc welding, 3/16 to 1/4 inch (4.8 to 6.4 mm) electrodes . . . . .	12
Shielded metal-arc welding, over 1/4 inch (6.4 mm) electrodes . . . . .	14
Gas metal-arc welding (Nonferrous) . . . . .	11
Gas metal-arc welding (Ferrous) . . . . .	12
Gas tungsten-arc welding . . . . .	12
Atomic hydrogen welding . . . . .	12
Carbon arc welding . . . . .	14
Torch soldering . . . . .	2
Torch brazing . . . . .	3 or 4
Light cutting, up to 1 inch (25 mm) . . . . .	3 or 4
Medium cutting, 1 to 6 inches (25 to 150 mm) . . . . .	4 or 5
Heavy cutting, over 6 inches (150 mm) . . . . .	5 or 6
Gas welding (light) up to 1/8 inch (3.2 mm) . . . . .	4 or 5
Gas welding (medium) 1/8 to 1/2 inch (3.2 to 12.7 mm) . . . . .	5 or 6
Gas welding (heavy) over 1/2 inch (12.7 mm) . . . . .	6 or 8

2. The choice of a filter shade may be made on the basis of visual acuity and may therefore vary widely from one individual to another, particularly under different current densities, materials, and welding processes. However, the degree of protection from radiant energy afforded by the filter plate or lens when chosen to allow visual acuity will still remain in excess of the needs of eye filter protection. Filter plate shades as low as shade eight have proven suitably radiation-absorbent for protection from the arc-welding processes.

[Note:] (3) In gas welding or oxygen cutting where the torch produces a high yellow light, it is desirable to use a filter [or] lens that absorbs the yellow or sodium line in the visible light of the operation (spectrum).

x. All filter lenses and plates shall meet requirements prescribed in ANSI z87.1-[1978] 1979, [as revised.] "American National Standard Practice for Occupational and Educational Eye and Face Protection[".], which with all subsequent amendments and supplements is hereby adopted as a rule.

(1) This document is available for review at the Division of Vocational Education and Career Preparation, Department of Education, 225 West State Street, CN 500, Trenton, New Jersey 08625, or at the Office of Administrative Law, CN 301, Trenton, New Jersey 08625.

(2) This document may be purchased from the American National Standards Institute, Inc., 1430 Broadway, New York, New York 10018.

[3. Where the work permits, the welder shall be enclosed in an individual booth painted with a finish of low reflectivity or shall be enclosed with noncombustible screens similarly painted or equivalent. Booths and screens shall permit circulation of air at floor level. Other persons adjacent to the welding areas shall be protected from the rays by noncombustible or flameproof screens or shields, or shall be required to wear appropriate goggles.]

(c) Rules concerning protective clothing are as follows[.]:

1. Individuals exposed to the hazards created by welding, cutting[,] or brazing operations shall be protected by personal protective equipment. Appropriate protective clothing required for any welding operation will vary with the size, nature and location of the work to be performed.

2. [Specified protective clothing:] [p]Protective means which shall be employed are as follows:

i. All welders shall wear flameproof gauntlet gloves[.];

ii. Flameproof aprons made of leather, inhibited asbestos[,] or other suitable materials shall be used to protect against radiated heat

and sparks[;].

iii. All outer clothing such as jumpers or overalls shall be reasonably free from oil or grease[;].

iv. Sparks may lodge in rolled-up sleeves or pockets of clothing, or cuffs of overalls or trousers. It is therefore recommended that sleeves and collars be kept buttoned and pockets be eliminated from the front of overalls and aprons. Trousers or overalls should not be turned up on the outside[;].

v. For heavy work, fire-resistant leggings, high boots[,] or other equivalent means shall be used[;].

vi. Capes or shoulder covers made of leather or other suitable materials shall be worn during overhead welding or cutting operations. Leather skullcaps, or equivalent, shall be worn under helmets to prevent head burns[;].

vii. (No change.)

#### SUBCHAPTER 7. HAND AND PORTABLE POWER TOOLS AND OTHER HAND-HELD EQUIPMENT

6:53-7.1 Condition of tools  
(No change.)

6:53-7.2 General guarding  
(a) (No change.)

(b) Belts, gears, shafts, pulleys, sprockets, spindles, drums, fly wheels[,] or moving parts or equipment shall be guarded if such parts are exposed to contact or otherwise create a hazard.

6:53-7.3 [Personnel] [p]Protection of **personnel**

Individuals using hand and power tools and exposed to the hazards of falling, flying, abrasive[,] and splashing objects, or exposed to harmful dusts, fumes, mists, vapors[,] or gases shall be provided with the particular personal protective equipment necessary to protect them from the **potential** hazard in accordance with N.J.A.C. 6:3-1.14.

6:53-7.4 Switches

(a) All hand-held powered platen sanders, grinders with wheels two inches in diameter or less, routers, planers, laminate trimmers, nibblers, shears, scroll saws[,] and jigsaws with blade shanks 1/4 inch wide or less may be equipped with only a positive "on-off" control.

(b) All hand-held powered drills, tappers, fastener drivers, [horizontal, vertical and angle] grinders with wheels greater than two inches in diameter, disc sanders, belt sanders, reciprocating saws, saber saws[,] and other similar operating powered tools shall be equipped with a momentary contact "on-off" control and may have a lock-on control, provided that the turnoff can be accomplished by a single motion of the same finger or fingers that turn it on.

(c) All other hand-held powered tools, such as circular saws, chain saws[,] and percussion tools without positive accessory holding means, shall be equipped with a constant pressure switch that will shut off the power when the pressure is released.

(d) Electric power operated tools shall either be of the approved double-insulated type or grounded in accordance with NFPA No. 70-[1975]1978, [as revised,] "National Electrical Code." (See N.J.A.C. 6:53-6.2(a)4.)

6:53-7.5 Portable [powered] **power** tools  
(a)-(b) (No change.)

6:53-7.6 Pneumatic [powered] **power** tools and hose  
(a) (No change.)

(b) Airhose and [airhose] connections used for conducting compressed air to utilization equipment shall be designed for the pressure and service to which they are subjected.

6:53-7.7 Explosive-actuated fastening tools

(a) General requirements are as follows[;]:

1. [Explosive-actuated] [f]Fastening tools which are actuated by explosives or any similar means and propel a stud, pin, fastener[,] or other object for the purpose of affixing it by penetration to any other object shall meet the design requirements [in] of ANSI A10.3-1977, "American National Standard Safety Requirements for Explosive-Actuated Fastening [Tools"] Systems," [ANSI A10.2-1970, as revised.] **which with all subsequent amendments and supplements is hereby adopted as a rule.**

i. **This document is available for review at the Division of Vocational Education and Career Preparation, Department of Education, 225 West State Street, CN 500, Trenton, New Jersey 08625, or at the Office of Administrative Law, CN 301, Trenton, New Jersey 08625.**

ii. **This document may be purchased from the American National Standards Institute, Inc., 1430 Broadway, New York, New York 10018.**

2.-3. (No change.)

[(b) Rules concerning inspection, maintenance, and tool handling are as follows:

1. High-velocity tools shall have the characteristics outlined in subparagraphs i through ix of this paragraph and, at the discretion of the manufacturer, any additional safety features he may wish to incorporate.

i. The muzzle end of the tool shall have a protective shield or guard at least 3 1/2 inches in diameter, mounted perpendicular to and concentric with the barrel, and designed to confine any flying fragments or particles that might otherwise create a hazard at the time of firing.

ii. Where a standard shield or guard cannot be used, or where it does not cover all apparent avenues through which flying particles might escape, a special shield, guard, fixture, or jig designed and built by the manufacturer of the tool being used, which provides this degree of protection, shall be used as a substitute.

iii. The tool shall be so designed that it cannot be fired unless it is equipped with a standard protective shield or guard, or a special shield, guard, fixture, or jig.

iv. The firing mechanism shall be so designed that the tool cannot fire during loading or preparation to fire, or if the tool should be dropped while loaded.

v. Firing of the tool shall be dependent upon at least two separate and distinct operations of the operator, with the final firing movement being separate from the operation of bringing the tool into the firing position.

vi. The tool shall be so designed as not to be operable other than against a work surface, and unless the operator is holding the tool against the work surface with a force at least five pounds greater than the total weight of the tool.

vii. The tool shall be so designed that it will not operate when equipped with the standard guard indexed to the center position, if any bearing surface of the guard is tilted more than eight degrees from contact with the work surface.

viii. The tool shall be so designed that positive means of varying the power are available or can be made available to the operator as part of the tool, or as an auxiliary, in order to make it possible for the operator to select a power level adequate to perform the desired work without excessive force.

ix. The tool shall be so designed that all breeching parts will be reasonably visible to allow a check for any foreign matter that may be present.

2. Tools of the low-velocity piston type shall have the characteristics outlined in subparagraphs i through vi of this paragraph and, at the discretion of the manufacturer, any additional safety features he may wish to incorporate.

i. The muzzle end of the tool shall be designed so that suitable protective shields, guards, jigs, or fixtures, designed and built by the manufacturer of the tool being used, can be mounted perpendicular to the barrel. A standard spall shield shall be supplied

with each tool.

ii. The tool shall be designed so that it shall not in ordinary usage propel or discharge a stud, pin, or fastener while loading or during preparation to fire, or if the tool should be dropped while loaded.

iii. Firing of the tool shall be dependent upon at least two separate and distinct operations of the operator, with the final firing movement being separate from the operation of bringing the tool into the firing position.

iv. The tool shall be so designed as not to be operable other than against a work surface, and unless the operator is holding the tool against the work surface with a force at least five pounds greater than a total weight of the tool.

v. The tool shall be so designed that positive means of varying the power are available or can be made available to the operator as part of the tool, or as an auxiliary, in order to make it possible for the operator to select a power level adequate to perform the desired work without excessive force.

vi. The tool shall be so designed that all breeching parts will be reasonably visible to allow a check for any foreign matter that may be present.

3. Tools of the hammer-operated piston tools/low-velocity type shall have the characteristics outlined in subparagraphs i through v of this paragraph and, at the discretion of the manufacturer, any additional safety features he may wish to incorporate.

i. The muzzle end of the tool shall be so designed that suitable protective shields, guards, jigs, or fixtures, designed and built by the manufacturer of the tool being used, can be mounted perpendicular to the barrel. A standard spall shield shall be supplied with each tool.

ii. The tool shall be so designed that it shall not in ordinary usage propel or discharge a stud, pin, or fastener while loading, or during preparation to fire, or if the tool should be dropped while loaded.

iii. Firing of the tool shall be dependent upon at least two separate and distinct operations of the operator, with the final firing movement being separate from the operation of bringing the tool into the firing position.

iv. The tool shall be so designed that positive means of varying the power are available or can be made available to the operator as part of the tool, or as an auxiliary, in order to make it possible for the operator to select a power level adequate to perform the desired work without excessive force.

v. The tool shall be so designed that all breeching parts will be reasonably visible to allow a check for any foreign matter that may be present.]

4. All explosive-actuated fastening tools shall have the following characteristics and any additional safety features the manufacturer may wish to incorporate:

i. The tool, including the firing mechanism, shall be so designed that it shall not in ordinary usage propel or discharge a stud, pin or fastener while loading or during preparation to fire, or if the tool should be dropped while loaded.

ii. Firing of the tool shall be dependent upon at least two separate and distinct operations of the operator, with the final movement being separate from the operation of bringing the tool into the firing position.

iii. The tool shall be so designed that positive means of varying the power are available or can be made available to the operator as part of the tool, or as an auxiliary device, in order to make it possible for the operator to select a power level adequate to perform the desired work without excessive force.

iv. The tool shall be so designed that all breeching parts will be reasonably visible to allow a check for any foreign matter that may be present.

5. High-velocity tools shall also have the following characteristics:

i. The muzzle end of the tool shall have a protective shield or guard at least 3 1/2 inches in diameter, mounted perpendicular to and concentric with the barrel, and designed to confine any flying fragments or particles that might otherwise create a

hazard at the time of firing.

ii. Where a standard shield or guard cannot be used, or where it does not cover all apparent avenues through which flying particles might escape, a special shield, guard, fixture or jig designed and built by the manufacturer of the tool being used, which provides this degree of protection, shall be used as a substitute.

iii. The tool shall be so designed that it cannot be fired unless it is equipped with a standard protective shield or guard, or a special shield, guard, fixture or jig.

iv. The tool shall be so designed that it will not operate when equipped with the standard guard indexed to the center position if any bearing surface of the guard is tilted more than eight degrees from contact with the work surface.

6. High-velocity and low-velocity tools shall also have the following characteristics:

i. The tool shall be so designed as not to be operable other than against a work surface, and unless the operator is holding the tool against the work surface with a force at least five pounds greater than the total weight of the tool.

7. Low-velocity and hammer-operated piston type of tools shall also have the following characteristics:

i. The muzzle end of the tool shall be so designed that suitable protective shields, guards, jigs or fixtures, designed and built by the manufacturer of the tool being used, can be mounted perpendicular to the barrel. A standard shield shall be supplied with each tool.

[(c)](b) Operating requirements are as follows[.]:

1. Before using a tool, the operator, under the direction of the instructor, shall inspect it to determine that it is clean, that all moving parts operate freely[,] and that the barrel is free from obstructions.

2.-3. (No change.)

4. No tools shall be loaded unless being prepared for immediate use, [nor shall an unattended tool be left loaded] and a loaded tool shall not be left unattended.

5. In case of a misfire, the operator shall hold the tool in the operating position for at least 30 seconds. He/she shall then try to operate the tool a second time[.], [He shall] wait another 30 seconds, holding the tool in the operating position, then [he shall] proceed to remove the explosive load in strict accordance with the manufacturer's instructions. Misfired cartridges should be placed carefully in a metal container filled with water.

6. (No change.)

7. Fasteners shall not be driven into very hard or brittle materials, including, but not limited to, cast iron, glazed tile, surface-hardened steel, glass block, live rock, face brick[.], or hollow tile.

8. (No change.)

9. Fasteners shall not be driven directly into materials such as brick or concrete closer than three inches from the unsupported edge or corner, or into steel surfaces closer than 1/2 inch from the unsupported edge or corner, unless a special guard, fixture[,] or jig is used. (Exception: Low-velocity tools may drive no closer than two inches from an edge in concrete or 1/4 inch in steel.)

10. When fastening other materials, such as a two-by four-inch wood section to a concrete surface, it is permissible to drive a fastener of no greater than 7/32-inch shank diameter not closer than two inches from the unsupported edge or corner of the work surface.

11.-13. (No change.)

14. All tools shall be used with the correct shield, guard[,] or attachment recommended by the manufacturer.

15. Any tool found not in proper working order shall be immediately removed from service. The tool shall be inspected at regular intervals and shall be repaired in accordance with the [manufacturer'] specifications of the manufacturer.

**PROPOSALS**

**ENVIRONMENTAL PROTECTION**

**SUBCHAPTER 8. HAZARDOUS LIQUIDS AND MATERIALS**

6:53-8.1 Storage of materials

(a)-(c) (No change.)

(d) Flammable or combustible liquids shall be stored in accordance with the requirements as specified in [N.J.A.C. 6:22-13.1(o).] **NFPA 30-1976, "Flammable and Combustible Liquids Code," which with all subsequent amendments and supplements is hereby adopted as a rule.**

1. This document is available for review at the Division of Vocational Education and Career Preparation, Department of Education, 225 West State Street, CN 500, Trenton, New Jersey 08625, or at the Office of Administrative Law, CN 301, Trenton, New Jersey 08625.

2. This document may be purchased from the National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269.

6:53-8.2 Hazardous materials

(a)-(b) (No change.)

**SUBCHAPTER 9. PERSONAL PROTECTION**

6:53-9.1 General provisions

(a)-(b) (No change.)

(c) Individuals engaged in any [activity as part of a] vocational education course [of] or program activity in which there is a recognized hazard from falling or flying objects shall wear industrial quality head protection meeting the requirements and specifications contained in ANSI Z89.1- [1969] **1981, [as revised,] "Safety Requirements for Industrial Head Protection[.]" which with all subsequent amendments and supplements is hereby adopted as a rule.**

1. This document is available for review at the Division of Vocational Education and Career Preparation, Department of Education, 225 West State Street, CN 500, Trenton, New Jersey 08625, or at the Office of Administrative Law, CN 301, Trenton, New Jersey 08625.

2. This document may be purchased from the American National Standards Institute, Inc., 1430 Broadway, New York, New York 10018.

6:53-9.2 Foundry operations

(a) Individuals engaged in the melting of metal to be cast[.] or the pouring of molten metals shall be protected by the wearing of the following:

1.-2. (No change.)

3. Inhibited asbestos or fireproof duck[-]bib-type apron that extends below the top of leggings, or equivalent;

4. Inhibited asbestos or fireproof duck[-]spring-type leggings;

5.-7. (No change.)

(b) [Rules concerning crucible shanks are as follows.

1.] Crucible shanks used for pouring molten metal from the crucible shall be equipped with a safety lock designed to prevent the crucible from dropping or slipping out of the shank while the molten metal is being poured or transported.

6:53-9.3 Spray finishing operations

(a) Individuals engaged in spray finishing operations shall wear **approved** respirators of a type designed to protect [the individual] **them** from inhaling the mist, fumes or vapors as specified by the manufacturer of the finishing material.

(b) Respirators may be of the disposable or [non-disposable] **nondisposable** type. Provisions shall be made for sterilization of shared, [non-disposable] **nondisposable** type respirators.

6:53-9.4 Emergency eyewash facilities

(a) (No change.)

(b) Emergency eyewash stations may be of the portable or permanently installed type. **The device shall be capable of providing a continuous flow of eyewash liquid for at least 15 minutes.** Eyewash stations shall be inspected and maintained in accordance with the recommendations of the manufacturer.

6:53-9.5 Compressed air used for cleaning

(a)-(b) (No change.)

**ENVIRONMENTAL PROTECTION**

(a)

**DIVISION OF FISH, GAME AND WILDLIFE**

**Shellfisheries**

**Taking of Oysters**

**Proposed Amendment: N.J.A.C. 7:25-7.10**

Authorized By: Robert E. Hughey, Commissioner of the Department of Environmental Protection.

Authority: N.J.S.A. 50:1-5.

DEP Docket No.: 016-82-05

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before July 21, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Gale Critchlow, Chief  
Bureau of Shellfisheries  
Division of Fish, Game and Wildlife  
CN 400  
Trenton, N.J. 08625

The Department of Environmental Protection thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-218.

The agency proposal follows:

**Summary**

The proposed amendment will reestablish a "no charge" oyster license for New Jersey residents over the age of 62. Such a license was available to senior citizens under provisions of N.J.S.A. 50:2-3 as a combined oyster and clam license until L. 1979 c. 199 was signed into law September 19, 1979.

**Social Impact**

The social impact of this amendment will be to restore a privilege accorded senior citizens in 1971 by an amendment of N.J.S.A. 50:2-3 which deals with shellfish license fees. The free license is a permanent license which was originally for the taking of clams and oysters. Although the great majority of licensees are clambers, there are a few senior citizen oyster fishermen who would be in violation of the regulation without the passage of this amendment.

**Economic Impact**

There will be no adverse economic impact on the economy of the State or the user of the license from this amendment of the oyster tonging regulation.

Full text of the proposal follows (additions show in boldface thus; deletions indicated in brackets [thus]).

7:25-7.10 Taking of oysters

(a) No person shall catch, take or attempt to catch or take by tonging or by any hand operated device any oysters in the water of this State unless such person has in his possession a valid oyster license issued by the Bureau of Shellfisheries in the Division of Fish, Game and Wildlife.

1. The fee for such a license shall be \$10.00 and it shall expire at the end of the calendar year in which it was issued [.] , except that no fee shall be charged for a recreational license to a person who is 62 or more years of age; provided such a person is a resident of this State.

(b) (No change.)

HUMAN SERVICES

(a)

DIVISION OF PUBLIC WELFARE

Ruling 11

Salary Increases for County Welfare Agency Employees

Proposed Amendment: N.J.A.C. 10:109 (Appendix II)

Authorized By: George J. Albanese, Commissioner, Department of Human Services. Authority: N.J.S.A. 44:7-6 and 44:10-3.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before July 21, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

G. Thomas Riti, Director
Division of Public Welfare
CN 716
Trenton, New Jersey 08625

The Department of Human Services thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-235.

The agency proposal follows:

Summary

These revisions to Appendix II of Ruling 11 are being proposed so that the County Welfare Agencies will be authorized to grant salary increases to their employees to the extent of having parity with State employees. The present compensation schedules in effect in a particular CWA are in most cases the result of labor negotiations. The revision to Appendix II will authorize the counties to grant salary increases from five percent to seven percent effective July 1, 1982 or thereafter on the basis of the various schedules being proposed.

Social Impact

This amendment directly affects the employees of the 21 county welfare agencies. These employees will be directly benefitted by the salary increases which represent more adequate compensation for the duties performed. The authority to grant salary increases should promote more harmonious labor relations between the CWAs and employee unions.

The client population and the general public should benefit from the efficient operation of the agency.

Economic Impact

As above, the employees of the CWAs will be directly affected by the salary increases. The exact cost to the taxpaying public cannot be determined since the particular salary schedules in effect in each CWA are subject to collective bargaining. The revisions to Appendix II reflect the maximum permissible increases.

Full text of the proposal follows (additions indicated in boldface thus; deletions indicated in brackets [thus]).

Appendix II

COMPENSATION SCHEDULES [A] I THROUGH [I] 40
Effective July 1, 198[1]2)
[AND COMPENSATION SCHEDULES A THROUGH X
(Effective January 1, 1982)]

The formula for developing the compensation schedule for across the board increases is as follows:

1.-6. (No change; see 13 N.J.R. 742.)

The new schedules are based on the following old schedules and across the board increases.

Table with 4 columns: [NEW], EFFECTIVE DATE, OLD, INCREASE INCREASE. Rows A through X showing schedule transitions and percentage increases.

Table with 4 columns: NEW, EFFECTIVE DATE, OLD, INCREASE. Rows 1 through 4 showing new schedule details.

5	7/1/82	I	7.0%		Schedule L	
6	7/1/82	M	5.0%	Hudson	Ruling 11 1980	7-1-80
7	7/1/82	M	5.5%		Schedule L	
8	7/1/82	M	6.0%	Hunterdon	Ruling 11 1979	7-1-79
9	7/1/82	M	6.5%		Schedule H	
10	7/1/82	M	7.0%	Mercer	Ruling 11 1980	7-1-80
11	7/1/82	P	5.0%		Schedule L	
12	7/1/82	P	5.5%	Middlesex	Ruling 11 1980	7-1-80
13	7/1/82	P	6.0%		Schedule L	
14	7/1/82	P	6.5%	Monmouth	Ruling 11 1980	7-1-80
15	7/1/82	P	7.0%		Schedule C	
16	7/1/82	R	5.0%	Morris	Ruling 11 1980	1-1-81
17	7/1/82	R	5.5%		Schedule E	
18	7/1/82	R	6.0%	Ocean	Ruling 11 1980	1-1-81
19	7/1/82	R	6.5%		Schedule L	
20	7/1/82	R	7.0%	Passaic	Ruling 11 1980	7-1-80
21	7/1/82	T	5.0%		Schedule L	
22	7/1/82	T	5.5%	Salem	Ruling 11 1980	10-1-80
23	7/1/82	T	6.0%		Schedule L	
24	7/1/82	T	6.5%	Somerset	Ruling 11 1980	1-1-81
25	7/1/82	T	7.0%		Schedule L	
26	7/1/82	V	5.0%	Sussex	Ruling 11 1980	10-1-80
27	7/1/82	V	5.5%		Schedule L	
28	7/1/82	V	6.0%	Union	Ruling 11 1980	7-1-80
29	7/1/82	V	6.5%		Schedule L	
30	7/1/82	V	7.0%	Warren	Ruling 11 1980	1-1-81
31	7/1/82	W	5.0%		Schedule L]	
32	7/1/82	W	5.5%			
33	7/1/82	W	6.0%			
34	7/1/82	W	6.5%			
35	7/1/82	W	7.0%			
36	7/1/82	X	5.0%			
37	7/1/82	X	5.5%			
38	7/1/82	X	6.0%			
39	7/1/82	X	6.5%			
40	7/1/82	X	7.0%			

<b>County Welfare Agencies</b>		<b>Compensation Schedule</b>
Atlantic		L of Ruling 11 1980
		†M of Ruling 11 1982
Bergen		X of Ruling 11 1982
Burlington		X of Ruling 11 1982
Camden		X of Ruling 11 1982
Cape May		X of Ruling 11 1982
		†P of Ruling 11 1982
Cumberland		V of Ruling 11 1982
Essex		T of Ruling 11 1982
Gloucester		X of Ruling 11 1982
Hudson		L of Ruling 11 1980
Hunterdon		I of Ruling 11 1981
Mercer		X of Ruling 11 1982
Middlesex		X of Ruling 11 1982
Monmouth		X of Ruling 11 1982
Morris		I of Ruling 11 1982
Ocean		L of Ruling 11 1980
Passaic		X of Ruling 11 1982
Salem		W of Ruling 11 1982
Somerset		X of Ruling 11 1982
Sussex		T of Ruling 11 1982
Union		T of Ruling 11 1982
Warren		L of Ruling 11 1980

OFFICE OF ADMINISTRATIVE LAW NOTE: Copies of the compensation schedules, which were developed using the above formula, can be obtained from:

Division of Public Welfare  
CN 716  
Trenton, New Jersey 08625

or

Office of Administrative Law  
Filings Section  
CN 301  
Trenton, New Jersey 08625

A list of which compensation schedules are presently being utilized by the county welfare agencies is reproduced below.

[ County Welfare Agencies	Compensation Schedule	Effective Date
Atlantic	Ruling 11 1980 Schedule L	1-1-81
Bergen	Ruling 11 1980 Schedule L	7-1-80
Burlington	Ruling 11 1980 Schedule L	7-1-80
Camden	Ruling 11 1980 Schedule L	7-1-80
Cape May	Ruling 11 1980 Schedule L	7-1-80
Cumberland	Ruling 11 1980 Schedule L	1-1-81
Essex	Ruling 11 1980 Schedule C	7-1-80
Gloucester	Ruling 11 1980	7-1-80

†Employees not in the bargaining unit.

OFFICE OF ADMINISTRATIVE LAW NOTE: See the November 2, 1981 Register at 741(a) for the full text of the rules that are being proposed for amendment in this notice.

**LAW AND PUBLIC SAFETY****(a)****DIVISION OF MOTOR VEHICLES****Titles****Application for "Title Only"****Proposed Repeal: N.J.A.C. 13:21-4.5**

Authorized By: Clifford W. Snedeker, Director, Division of Motor Vehicles.

Authority: N.J.S.A. 39:10-4.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before July 21, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Clifford W. Snedeker, Director  
Division of Motor Vehicles  
Department of Law and Public Safety  
25 South Montgomery Street  
Trenton, New Jersey 08666

The Division of Motor Vehicles thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-227.

The agency proposal follows:

**Summary**

The proposed repeal will eliminate the practice of issuing "title only" certificates of ownership to out-of-State wholesalers, dealers and importers.

Investigations into the practice of issuing "title only" certificates of ownership indicate that fraudulent or misrepresentative source documents from other states have been used to obtain valid New Jersey titles. The regulation was used when New Jersey was one of the few title states. Since this is no longer the case and since titles can be obtained by dealers, wholesalers, and importers within their own states, the regulation is no longer necessary.

**Social Impact**

There will be a savings in the amount of time spent by law enforcement persons in cases of fraud and misrepresentation.

**Economic Impact**

No significant economic impact will arise from the repeal of the regulation. The Division of Motor Vehicles will lose some revenue from the discontinuance of the "title only" certificates of ownership. However, since titles can now be obtained in all states, New Jersey does not issue significant numbers of "title only" certificates, making the revenue loss small. The loss is offset by the amount saved in law enforcement in cases of fraud or misrepresentation.

**Full text** of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

13:21-4.5 [Application for "title only"; purpose] (**Reserved**)

[(a) Motor vehicle importers, wholesalers and dealers of other states, in order to take advantage of the integrity of the New Jersey Certificate of Ownership to a motor vehicle, may apply for "title only" and not registration.

(b) The purpose of "title only" is to provide acceptable evidence of ownership, which they cannot obtain in their own state, when selling the vehicles in still other states.]

**(b)****BOARD OF MEDICAL EXAMINERS****Standards of Certified Nurse Midwife Practice****Proposed Amendments: N.J.A.C. 13:35-9**

Authorized By: Board of Medical Examiners, Edwin H. Albano, M.D., President.

Authority: N.J.S.A. 45:9-2 and 45:10-1 et seq.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before July 21, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Edwin H. Albano, M.D.  
President  
Board of Medical Examiners  
28 West State Street  
Trenton, New Jersey 08608

The Board of Medical Examiners thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-229.

The agency proposal follows:

**Summary**

The amendments would increase the circumstances in which a certified nurse midwife (C.N.M.) may participate in management of high-risk pregnancies, beyond those permitted in the current rule. They also require a physician affiliation procedure for lay midwives, to implement existing law.

**Social Impact**

The proposed amendments will provide more opportunities than did the original rule and its amendments for C.N.M. care to be available in geographic areas recognized as having a disproportionately large number of high-risk patients. For the patients of the few remaining lay midwives in this State, the amendments require an express arrangement with a physician for emergency back-up services.

**Economic Impact**

The proposed amendments will provide more opportunities than did the original rule for quality prenatal and delivery care to be available to persons needing clinic services. There will be no impact on lay midwives as the new rule requirements simply provide a procedure for implementing the existing requirement of law.

**Full text** of the proposal follows. **Delete** the existing text of N.J.A.C. 13:35-9 and replace with the text below.

**SUBCHAPTER 9. CERTIFIED NURSE MIDWIFE**

13:35-9.1 Midwife and Certified Nurse Midwife practice rule

(a) A midwife licensed by the Board of Medical Examiners, pursuant to the provisions of N.J.S.A. 45:10-1 et seq. alone, shall be considered a lay midwife and shall perform only the functions

expressly set forth in the statute; that is, attend a woman in childbirth without the use of any medications or surgical procedures.

(b) Definition: A Certified Nurse Midwife shall mean a registered professional nurse licensed in New Jersey who, by virtue of added knowledge and skill gained through an organized program of study and clinical experience, manages the care of essentially normal newborns at the time of delivery and essentially normal women during the antepartum, intrapartum and post-partum periods, including family planning as expressly limited and set forth below.

(c) A Certified Nurse Midwife shall register as such with the board to discharge those responsibilities set forth in this subchapter.

(d) The Certified Nurse Midwife shall not work alone in an individual or independent practice but shall function within a health care system which provides for consultation, collaborative management and referral with a physician licensed to practice medicine and surgery in the State of New Jersey (hereinafter referred to as "the physician"). A Certified Nurse Midwife holding that title shall, during the effective period of such registration only, use the title "Certified Nurse Midwife" and the abbreviation "C.N.M." in any professional context in this State.

### 13:35-9.2 Qualifications

(a) A Certified Nurse Midwife shall demonstrate the following qualifications in order to be registered by the board:

1. Proof of at least 18 years of age;
2. Diploma of a legally chartered school of Nurse Midwifery approved by the American College of Nurse Midwives;
3. Certification by the American College of Nurse Midwives;
4. Current registration as a professional nurse in the State of New Jersey;

5. A minimum of two years of obstetrical clinical experience in a licensed health care facility or comparable experience satisfactory to the board.

(b) The requirements of (a) above notwithstanding, a midwife certified by the American College of Nurse Midwives and licensed as a midwife in the State of New Jersey and licensed as a registered professional nurse in the State of New Jersey on the effective date of this rule shall be eligible to register as a Certified Nurse Midwife.

### 13:35-9.3 Minimal conditions of practice

(a) The C.N.M. shall establish written agreement(s) with one or more licensed physicians in the State of New Jersey who practice obstetrics and who have hospital privileges. The agreement shall include a written protocol setting forth:

1. Criteria for ineligibility for patient care solely by the C.N.M., which shall exclude patients defined as high-risk in N.J.A.C. 13:35-9.4(e) and (f) and 9.5;
2. Standing orders for approved laboratory tests;
3. Standing orders for approved medications which may be dispensed by the C.N.M. which shall include identification, quantity, dosage and indications for use. Other than parenteral local anesthesia, no Controlled Dangerous Substances may be used outside of a licensed hospital, except upon prescription of the physician;
4. Periodic conference for review of patient records as needed;
5. Availability of the physician (or designated qualified substitute physician who practices obstetrics and is responsible for back-up care) for consultation and emergency assistance or medical management when needed.

(b) The C.N.M. shall file with the board a notice listing the name and address of the affiliated physician and the effective date of the agreement at the time of application for registration with the board. In the event of a change of physician(s), the C.N.M. shall promptly notify the board.

(c) The lay midwife, functioning within the more limited scope of such practice as set forth in N.J.S.A. 45:10-1 et seq., shall file with the board a notice listing the name and address of a physician(s) who has agreed to serve as backup for the purposes set forth in N.J.S.A. 45:10-8 and 9.

### 13:35-9.4 Minimal standards of C.N.M. and lay midwife practice during prenatal stages

(a) A lay midwife shall not manage the care of high-risk patients under any circumstances.

(b) The C.N.M. shall take the patient's history; perform a physical examination; order laboratory tests; recommend non-prescription medication as necessary; dispense medications in accordance with the standing orders of the physician and maintain written patient records of findings and evaluation. Pre-signed prescriptions should not be utilized.

(c) A C.N.M. may participate in the management of high-risk patients only under the circumstances set forth in N.J.A.C. 13:35-9.5, and may also perform all services within the scope of practice of a registered professional nurse acting at the direction and under the supervision of a licensed physician.

(d) Except as permitted in N.J.A.C. 13:35-9.5, the C.N.M. and the lay midwife shall promptly refer the patient to the physician at such time as any abnormal condition appears.

(e) The criteria establishing high-risk include, but are not limited to, the following:

#### 1. Demographic indices:

- i. Chronological age under 16 in primigravida at the time of last menstrual period;
- ii. Chronological age of 35 or over in primigravida at the time of last menstrual period;
- iii. Chronological age of 40 and over in multigravida at the time of last menstrual period.

(1) Notwithstanding the provisions of (e)1i, ii and iii above, the C.N.M. may participate in the management of patients in those categories with an obstetrician under the following circumstances:

(A) The patient shall be examined by a licensed obstetrician during the first trimester or second visit and again during the third trimester to confirm satisfactory status under C.N.M. management;

(B) A licensed obstetrician is on the premises and available for consultation when these patients are examined during prenatal management;

(C) Delivery shall take place in a licensed hospital having a licensed obstetrician on the premises 24 hours/day.

#### 2. Documented problems in maternal medical history:

- i. Cardiovascular: Acute and/or chronic hypertension defined as diastolic over 90 on two separate occasions; congenital and/or acquired heart disease; history of thrombophlebitis within one year of pregnancy or two episodes; history of pulmonary emboli;
- ii. Urinary system: Impaired renal function, chronic or acute renal disease or severe urinary tract infection refractory to treatment;
- iii. Psycho-neurological epilepsy or any other seizure disorder; alcoholism, drug addiction and/or methadone maintenance; previous psychotic episode; use of any psychotropic drug for medical disorders;
- iv. Endocrine: Diabetes mellitus and/or gestational diabetes; other endocrine abnormalities;
- v. Respiratory: Asthmatics under therapy; moderately severe chronic bronchitis; chronic emphysema; past history of chronic T.B.; other significant pulmonary diseases;
- vi. Other systems: Bleeding disorders and/or hemolytic disease including leukemia or Hodgkins Disease; orthopedic problems precluding a normal spontaneous delivery including kyphoscoliosis; previous malignancy other than skin.

#### 3. Documented problems in maternal obstetrical history:

- i. Estimated date of confinement less than 12 months from date of previous delivery;
- ii. Previous retained placenta;
- iii. Previous RH sensitization;
- iv. Parity of six or more;
- v. The use of fertility drugs such as Pergonal and/or Clomid;
- vi. Previous C-section or other surgery involving the uterine wall;
- vii. Previous placenta abruptio and/or significant bleeding in this pregnancy;
- viii. Previous significant postpartum hemorrhage;

- ix. Two or more poor outcomes of pregnancy.
- 4. Documented problems in previous infants:
  - i. Two or more infants larger than approximately 10 pounds (4500 gms);
  - ii. One infant with lethal or life-threatening congenital anomalies.
- 5. Findings on physical examination of pregnant patient:
  - i. Significant obesity defined as 20 percent above standard for height and weight according to standard chart;
  - ii. Poor nutritional status;
  - iii. Clinical evidence of significant uterine myomata, malformation of the genito-urinary tract, abdominal or adnexal mass;
  - iv. Cardiac diastolic murmur, systolic murmur grade III, and/or combined with cardiac enlargement;
  - v. Hydramnios or oligohydramnios;
  - vi. Any other significant deviations from the normal.
- 6. Findings as a result of laboratory or radiologic studies:
  - i. Hematocrit less than 31;
  - ii. Pap smear - Class III (or cytology equivalent) or greater, dependent on medical evaluation;
  - iii. Evidence of active tuberculosis;
  - iv. SS hemoglobin or any hemoglobinopathies.
- (f) Conditions requiring antepartal referral to the physician shall include but are not limited to the following:
  - 1. Multiple gestation confirmed by sonogram;
  - 2. Evidence of fetal chromosome or other congenital disorder confirmed by amniocentesis;
  - 3. Evidence of intrauterine growth retardation;
  - 4. Development of thrombophlebitis;
  - 5. Symptoms of gestational diabetes affirmed by abnormal glucose tolerance curve;
  - 6. Abnormal weight gain (at term) less than 12 pounds or greater than 50 pounds;
  - 7. Non-vertex presentation at onset of labor;
  - 8. Laboratory evidence of sensitization in RH negative women;
  - 9. Post-datism defined as 42 weeks or 294 days' gestation;
  - 10. Any recent history or visible evidence of genital herpes;
  - 11. No prenatal care before 24th week of pregnancy;
  - 12. Development of symptoms of pre-eclampsia.

#### 13:35-9.5 Management by a physician-C.N.M. team for high-risk patients

(a) Notwithstanding any of the limitations set forth in N.J.A.C. 13:35-9.4, a C.N.M. may render nurse-midwife services to high-risk patients as part of a physician-C.N.M. team under the following circumstances:

- 1. The high-risk patient shall receive all scheduled prenatal care in:
  - i. A professional office having a full-time physician on the premises; or
  - ii. In a licensed hospital clinic. Labor and delivery shall take place in a licensed hospital; and
- 2. A licensed physician(s) has assumed responsibility for the patient; and
- 3. The physician shall personally examine all known high-risk patients initially; and
- 4. All patients determined to be high-risk on a subsequent visit shall be examined and their charts reviewed by the physician at the time when such assessment is made; and
- 5. The physician shall review the chart of a known high-risk patient on the occasion of each subsequent visit and shall delegate to the C.N.M. such care as deemed appropriate; and
- 6. Prior to the high-risk patient's discharge from each scheduled visit, the physician shall review and sign the chart.

#### 13:35-9.6 Intrapartum management

(a) Both the lay midwife and the C.N.M. may manage the labor and delivery of the normal patient at any location including the patient's home, provided that the licensee has ascertained the availability of a physician on call.

(b) At any location the lay midwife may not use any prescription drug medications and may not perform surgical procedures but shall contact the physician for assumption of patient care for anything other than a normal spontaneous delivery.

(c) The C.N.M. may administer medications according to the protocol, may perform an episiotomy and repair it and may use local or pudendal block anesthesia provided that labor and delivery take place in a licensed health care facility which may include a birthing center located within the vicinity of a hospital or within a reasonable distance thereof, which:

1. Has an obstetrician-gynecologist licensed in the State of New Jersey who is designated as responsible for backup care and, pursuant to an established protocol, is available on call; and

2. Which facility is subject to filed rules of the Department of Health providing for appropriate plant, staffing, equipment requirements, regular inspection, transportation services, and backup services agreement with a licensed hospital.

(d) For a home delivery, the C.N.M. may use a local anesthetic only and may perform and repair an episiotomy.

(e) The C.N.M. shall refer all second, third and/or fourth degree lacerations for repair by the licensed physician.

(f) The lay midwife and C.N.M. may evaluate and manage the third (placental) and fourth (post-partum) stages of labor. However, they shall immediately report any sign of hemorrhage or retention of placenta to a licensed physician; except in an emergency, neither the lay midwife nor the C.N.M. shall deliver a retained placenta manually.

(g) The C.N.M. and the lay midwife shall perform immediate screening of the newborn, initiate immediate procedures to resuscitate the newborn as necessary; report to a licensed physician all deviations from the normal which occur; record and report the birth.

(h) Labor and delivery shall not be managed by the C.N.M. or by the lay midwife in any abnormal circumstances including, but not limited to the following:

1. Evidence of fetal distress indicated by significant meconium staining or abnormal heart tones such as severe irregularity, a rate below 100 or above 200 beats per minute not corrected by position change;

2. Development of hypertension defined as a rise of 30 points of systolic and/or 15 points of diastolic blood pressure and/or elevated blood pressure of 150/90 or the development of signs of pre-eclampsia;

3. Prolapse of cord;

4. Intrapartum and/or postpartum blood loss greater than 500 cc estimated;

5. Evidence of active infection;

6. Development of other severe medical/surgical problems;

7. Any condition requiring more than 12 hours post-partum observation.

(i) Labor and delivery of patients in the following abnormal circumstances may be managed by the C.N.M. if the physician is present in the hospital's labor and delivery suite and has determined that the delivery is likely to involve no greater risk than a normal spontaneous delivery.

1. Premature labor at less than 37th week of gestation;

2. Assessment of infant at less than approximately 5 lbs 8 ozs (2500 gms) or more than approximately 8 lbs 12 ozs (4000 gms);

3. Premature rupture of membranes more than 12 hours before onset of regular contractions;

4. Failure to progress in labor using the Friedman curve manifested as follows:

i. First stage: Lack of steady progress in dilation and/or descent after 12 hours in the primipara and six hours in the multi-para;

ii. Second stage: More than two hours, after which consultation with physician must occur;

iii. Third stage: Greater than one hour;

5. Soft tissue problems such as severe vulvar varicosities or marked edema of cervix.

13:35-9.7 Postpartum and other care

(a) Conditions requiring infant transfer to a licensed hospital shall include, but not be limited to, the following:

1. Apgar score less than seven at five minutes;
2. Signs of pre- or post-maturity;
3. Low weight defined as less than approximately 4 lbs 10 ozs (2200 gms). Moreover, if the infant weighs less than approximately 5 lbs 8 ozs (2500 gms), a pediatrician shall immediately be consulted;
4. Respiratory problems such as severe grunting, retraction or rate above 60 at age of four hours;
5. Jaundice, defined as bilirubin of greater than 10 mg/100 ml in the first 36 hours of life;
6. Extreme color variation;
7. Persistent hypothermia, defined as less than 97° Fahrenheit, taken rectally after two hours of life;
8. Exaggerated tremors;
9. Major congenital anomaly;
10. Any condition requiring more than 12 hours observation post-delivery.

(b) The C.N.M. may provide postpartum care and, notwithstanding the provisions of any other section of this subchapter, family planning, counseling and health screening.

(c) Within a physician's office or a licensed health care facility having a licensed physician on the premises during the procedure, the C.N.M. may insert and remove intrauterine devices (I.U.D.'s).

(d) Within a physician's office or a licensed health care facility employing a full-time licensed physician on the premises during all hours that the location is open to patients, the C.N.M. may dispense medication as required, only in conjunction with family planning programs, in accordance with written protocol.

(e) A C.N.M. may dispense family planning medication in a physician's office or a licensed health care facility having less than full-time physician presence, but only upon prior approval by the board of the program. Board review shall include the following factors (with the goal of providing the greatest access to services consistent with the public health, safety and welfare, and law in effect at the time):

1. Numbers of physicians and C.N.M.'s employed;
2. Written protocol and degree of supervision;
3. Location and number of patient visits/day/C.N.M.

**(a)**

**BOARD OF NURSING**

**Fee Schedule**

**General Provisions**

**Proposed Amendment: N.J.A.C. 13:37-12.1**

Authorized By: New Jersey State Board of Nursing, Anne Kellett, President.

Authority: N.J.S.A. 45:1-3.2.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before July 21, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Marianna Bacigalupo, Executive Secretary  
 State Board of Nursing  
 1100 Raymond Boulevard, Room 319  
 Newark, New Jersey 07102

The Board of Nursing thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-228.

The agency proposal follows:

**Summary**

The proposal sets fees for examination and licensure, reexamination and licensure, and licensure by endorsement of professional and practical nurses. It also sets a fee for the biennial renewal of license; obtaining of verification, renewal, late renewal, and duplicate licenses from the Board of Nursing.

The proposal implements the regulatory structure as authorized by N.J.S.A. 45:1-3.2 allowing the Board to prescribe or change the charges for examinations and licensures, and other services it performs as shall be necessary to defray all proper expenses incurred.

**Social Impact**

There will be no social impact upon the public as a whole because the total expenses of the Board are borne by the licensees. There will be an insignificant impact upon the licensees since the increase in payments is minimal.

**Economic Impact**

The fees as amended are designed to defray all of the increasing necessary and proper expenses of the Board (salaries, office and printing costs, telephone, postage, rent and office equipment) as authorized by N.J.S.A. 45:1-3.2. They pose minimal impact upon the licensees because the changes are reasonable in view of the services performed and required of the Board.

**Full text** of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

13:37-12.1 Fee schedule

(a) The following fees shall be charged by the Board.

1. [Examination] **Certification for original examination and licensure:**
  - i.-ii. (No change.)
2. [Reexamination] **Certification for reexamination and licensure:**
  - i. Professional nurse - [~~\$30.00~~] **\$35.00;**
  - ii. Practical nurse - [~~\$15.00~~] **\$25.00.**
3. [License without examination] **Licensure by endorsement:**
  - i. Professional nurse - [~~\$25.00~~] **\$30.00;**
  - ii. Practical nurse - [~~\$15.00~~] **\$20.00.**
4. [Authenticated copy] **Verification** - [~~\$5.00~~] **\$25.00.**
5. **Renewal of license (Biennial)** - [~~\$5.00~~] **\$18.00.**
6. **Late renewal of license** - [~~\$8.00~~] **\$23.00.**
7. **Duplicate license** - [~~\$5.00~~] **\$10.00.**
- [8. Name change - \$2.50.]

**(b)**

**STATE ATHLETIC COMMISSIONER**

**General Administrative Regulations**

**Reservation of Dates for Conduct of Boxing Programs of New Jersey**

**Proposed Amendments: N.J.A.C. 13:46-18.15**

**Proposed Repeal: N.J.A.C. 13:46-18.12 and 18.18**

Authorized By: Jersey Joe Walcott, State Athletic Commissioner.

Authority: N.J.S.A. 5:2-5.

**Interested persons** may submit in writing, data, views or

arguments relevant to the proposal on or before July 21, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Jersey Joe Walcott, Commissioner  
Office of the State Athletic Commission  
143 East State Street, CN 500  
Trenton, New Jersey 08608

The Office of the State Athletic Commission thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-234.

The agency proposal follows:

#### Summary

Historically, the State Athletic Commission has had an administrative policy whereby the Commission only permitted one boxing program to be staged by one promoter in a given city on a given day. This policy has been one that has been adhered to throughout the country by boxing commissions of the various states. The rationale has been that the larger promoter (with greater capital and more famous fighters) would overwhelm the venture of smaller promoters if both programs were staged in the same city on the same day both artistically and financially. This could ultimately lead to the larger promoters monopolizing the sport.

This rationale of exclusivity (one boxing program staged by one promoter in a given city on a given day) has always been based on the premise that the "live gate" was the paramount consideration and that multiple programs in the same city on the same day would cause the smaller promoters' ventures to be relatively unattended and financially unrewarding.

Since the advent of casino gambling in Atlantic City and since television financial interests in boxing have soared, the policy of exclusivity has been re-examined to determine whether modifications in this policy can be made without causing harm to boxing and with an eye toward taking advantage of potentially greater tax dollars to the State of New Jersey. The proposed rule change retains the general policy of exclusivity but permits the Commissioner to exercise his discretion in permitting multiple programs on the same date so long as he is satisfied that the promoters are not unduly competing with each other for the same audience.

In addition, the proposed rule amendment sets out with great particularity the manner in which boxing dates may be reserved by promoters. These changes would eliminate the confusion that has arisen in the past as to which promoter had properly reserved the date.

#### Social Impact

The possibility of multiple boxing programs in the same city on the same day by different promoters can only add to New Jersey's growing reputation as the "Boxing Capital of the country". The boxing public will likely be afforded the opportunity of seeing more than one fine boxing program in the same city on the same day.

Boxing promoters shall be better able to identify the specific procedures that must be followed in order to properly reserve a date for a boxing program in New Jersey.

#### Economic Impact

Since the State of New Jersey derives a percentage of both the live gate receipts and the television revenue as taxable income, it becomes apparent that the State will generate greater revenues if the number of boxing programs conducted in the State increases.

**Full text** of the proposal follows (additions indicated in boldface thus; deletions indicated in brackets [thus]).

13:46-18.12 [Filing of boxing contracts; secret agreements]  
(Reserved)

[(a) Copies of all boxing contracts must be filed with the office of the State Athletic Commissioner. For the main bout, contracts shall be filed 30 days in advance of the contest or at such time as shall be determined at the discretion of the Commissioner. For undercard bouts, contracts shall be filed 14 days in advance of the contest.

(b) The making of secret agreements contrary to the terms of the contracts so filed is prohibited under penalty of suspension of all parties hereto.]

13:46-18.15 [Reservation of dates for boxing matches]Exclusivity and reservation of dates

[No licensed promoter will be permitted to reserve any date or dates for the conduct of boxing programs unless such licensed promoter submits, to the Commissioner for approval, the proposed match in the main contest in club contract form signed by the contestants and their respective managers.]

(a) **The Commission shall permit no more than one boxing program on any day within a 20-mile radius of the site of that program. Nevertheless, the Commissioner may permit more than one such program within the specified geographical area during a particular day under circumstances indicating to his satisfaction that the programs will not unduly compete with each other for the same audience.**

(b) **A licensed promoter may reserve a date for a boxing program as follows:**

1. **He may tentatively reserve a date by submitting to the Commission in written form (letter, telegram, telex, and so forth) the names of the fighters for the main event contest, the date and time of the contest and the city where the contest is to occur.**

2. **Within five business days of forwarding to the Commissioner the written communication tentatively reserving the date, the promoter shall confirm with the Commission the site of the bout and shall submit to the Commission signed contracts of the boxers for the main event or telegraphic acceptance of the contract by the boxers of their respective managers.**

3. **Upon the promoter's complying with the foregoing requirements, the Commission shall finally reserve the date, time and site location by issuing a permit to the promoter.**

4. **With respect to programs scheduled for Saturdays and Sundays, a promoter may tentatively and finally reserve not more than three days within a three-month period, unless special application is made to the Commissioner. The Commissioner in his discretion may permit reservation of more than three such dates upon condition that a forfeiture fee of not more than \$10,000 for each bout in excess of three is posted with the Commission within 45 days of each of those scheduled bouts. In the event that any date is not utilized by the promoter and a forfeiture fee has been posted, such fee shall be refunded to the promoter if the date was relinquished by the promoter at least 31 days before the main event.**

5. **There shall be no limit of the number of dates which may be reserved by a promoter on days other than Saturday or Sunday.**

13:46-18.18 [Filing period for promoter's contract]  
(Reserved)

[All contracts between licensed boxing promoters and boxers or managers of a boxer affecting or calling for the services of a boxer shall be filed with the office of the State Athletic Commission by such licensed boxing promoter within 48 hours after the execution of such a contract.]

# TRANSPORTATION

## (a)

### TRANSPORTATION OPERATIONS

#### Restricted Parking and Stopping

**Routes 4, 17, 20, 21, 23, 27, 28, 33, 34, 33-34, 35, 35-71, 37, 47, 53, 57, 59, 62, 63, 67, 70, 71, 73, 77, 79, 87, 94, 153, 159, 161, 173, 182, 208, 280, 287, I-80, I-280, I-295, US 1, 9, 22, 33, 40-50, 130, 202, 206, 322, 322-45**

#### Proposed Amendments: N.J.A.C. 16:28A

#### Proposed New Rules: N.J.A.C. 16:28A

Authorized By: Melvin R. Lehr, Acting Commissioner,  
Department of Transportation.

Authority: N.J.S.A. 27:1A-5, 27:1A-6, 39:4-138.1, 39:4-139 and 39:4-199.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before July 21, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Charles L. Meyers  
Administrative Practice Officer  
Department of Transportation  
1035 Parkway Avenue  
Trenton, New Jersey 08625

The Department of Transportation thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-220.

The agency proposal follows:

#### Summary

N.J.A.C. 16:28A-1.1 and 1.2: This proposal will establish "no parking" zones along Routes US 1 and US 1 and 9 in Middlesex, Bergen and Union Counties. It will restrict parking in the areas designated and appropriate signs have been erected advising the motoring public.

N.J.A.C. 16:28A-1.4: This proposal will establish "no parking" zones along Route 4 in Bergen County and at designated bus stops. Appropriate signs have been erected to advise the motoring public.

N.J.A.C. 16:28A-1.7: This proposal will establish "no parking" zones along Route US 9 in Cape May, Ocean and Atlantic Counties. Appropriate signs have been erected advising the motoring public.

N.J.A.C. 16:28A-1.9, 1.10, 1.11 and 1.13: This proposal will establish "no parking" zones along Route 17, 20, 21 and US 22 in Bergen, Passaic, Warren, Somerset and Union Counties. Appropriate signs have been erected advising the motoring public.

N.J.A.C. 16:28A-1.15: This proposal will establish "no parking" zones along Route 23 in Morris, Sussex and Essex Counties and at designated bus stops. Appropriate signs have been erected advising the motoring public.

N.J.A.C. 16:28A-1.18: This proposal will establish "no parking" zones along Route 27 in Union, Mercer and Middlesex Counties and at established bus stops. Appropriate signs have been erected to advise the motoring public.

N.J.A.C. 16:28A-1.19: This proposal will establish "no

parking" zones along Route 28 in Middlesex and Union Counties and at designated bus stops. Appropriate signs have been erected advising the motoring public.

N.J.A.C. 16:28A-1.23 and 1.24: This proposal will establish "no parking" zones along Routes 33 and 34 in Mercer and Monmouth Counties. Appropriate signs have been erected to advise the motoring public.

N.J.A.C. 16:28A-1.25: This proposal will establish "no parking" zones along the areas indicated and at designated bus stops in Monmouth, Ocean, and Middlesex Counties. Appropriate signs have been erected to advise the motoring public.

N.J.A.C. 16:28A-1.33: This proposal will establish "no parking" zones along Route 47 in Cumberland, Cape May and Gloucester Counties. Appropriate signs have been erected to advise the motoring public.

N.J.A.C. 16:28A-1.36, 1.71 and 1.70: This proposal will establish "no parking" zones along Route 57 in Warren County, Route 67 in Bergen County and Route 70 in Camden County. Appropriate signs have been erected to advise the motoring public.

N.J.A.C. 16:28A-1.38: This proposal will establish "no parking" zones along Route 71 in Monmouth and Ocean Counties. Appropriate signs have been erected to advise the motoring public.

N.J.A.C. 16:28A-1.40, 1.41 and 1.42: This proposal will establish "no parking" zones along Route 73 in Burlington County, Route 77 Gloucester County and Route 79 in Monmouth County. Appropriate signs have been erected to advise the motoring public.

N.J.A.C. 16:28A-1.45 and 1.46: This proposal will establish "no parking" zones along Route 94 in Warren County and Route US 130 in Middlesex, Salem and Mercer Counties. Appropriate signs have been erected to advise the motoring public.

N.J.A.C. 16:28A-1.52 and 1.67: This proposal will establish "no parking" zones along Route 173 in Warren and Hunterdon Counties; Route 63 in Hudson and Bergen Counties and at designated bus stops. Appropriate signs have been erected advising the motoring public.

N.J.A.C. 16:28A-1.55: This proposal will establish "no parking" zones along Route US 202 in Hunterdon and Morris Counties causing appropriate signs to be erected advising the motoring public.

N.J.A.C. 16:28A-1.57: This proposal will establish "no parking" zones along Route US 206 in Mansfield and Bordentown Townships, Burlington County; Mount Olive and Roxbury Townships, Morris County; Lawrence Township and Princeton Borough, Mercer County; Peapack-Gladstone Borough and Bedminster Township, Somerset County and Montague Township, Sussex County. Appropriate signs have been erected to advise the motoring public.

N.J.A.C. 16:28A-1.74, 1.75 and 1.76: This proposal will establish "no parking" zones along Routes 33-34, 35 and 35-71 and 37 in Wall Township, and Belmar Borough, Monmouth County Seaside Heights Borough, Berkeley Township and Dover Township, Ocean County respectively. Appropriate signs have been erected to advise the motoring public.

N.J.A.C. 16:28A-1.77 and 1.78: This proposal will establish "no parking" zones along Routes US 40-50 in Hamilton Township, Atlantic County and Route 53 in Morris Plains Borough, Denville Township and Parsippany-Troy Hills Township, Morris County. Appropriate signs have been erected to advise the motoring public.

N.J.A.C. 16:28A-1.79, 1.80 and 1.81: This proposal will establish "no parking" zones along Routes 59, I-80 and 87 in Union, Morris and Atlantic Counties respectively. Appropriate signs have been erected advising the motoring public.

N.J.A.C. 16:28A-1.82, 1.83 and 1.84: This proposal will establish "no parking" zones along Routes US 130 and 33 in Washington Township, Mercer County, Route 153 in the Town of Secaucus, Hudson County and Route 159 in Montville Township, Morris County. Appropriate signs have been erected advising the motoring public.

N.J.A.C. 16:28A-1.85, 1.86 and 1.87: This proposal will

establish "no parking" zones along Routes 161 in Clifton City, Passaic County; Route 182 in the Town of Hackettstown, Warren County and Route 62 in West Paterson and Totowa Boroughs, Passaic County. Appropriate signs have been erected advising the motoring public.

N.J.A.C. 16:28A-1.88, 1.89, 1.90 and 1.91: This proposal will establish "no parking" zones along Route 208 in Fair Lawn, Glen Rock, Franklin Lakes and Oakland Boroughs and Wyckoff Township, Bergen County and Hawthorne Borough, Passaic County. Appropriate signs have been erected to advise the motoring public.

N.J.A.C. 16:28A-1.92, 1.93 and 1.94: This proposal will establish "no parking" zones along Route I-295 in Cherry Hill Township, Camden County, US 322 in Harrison and Monroe Townships, Gloucester County and US 322 and 45 in Harrison Township, Gloucester County. Appropriate signs have been erected to advise the motoring populace.

### Social Impact

N.J.A.C. 16:28A-1.1 and 1.2: These amendments will restrict parking along the areas designated, enhance the safety of the populace and establish bus stops for the safe and efficient on/off loading of passengers.

N.J.A.C. 16:28A-1.4: This amendment will restrict parking in areas specified and enhance the safety and efficient on/off loading of passengers at designated bus stops.

N.J.A.C. 16:28A-1.7: This amendment will restrict parking in the areas designated and at bus stops for the efficient flow of traffic and the enhancement of the safe and efficient on/off loading of passengers and well-being of the populace.

N.J.A.C. 16:28A-1.9, 1.10, 1.11 and 1.13: These amendments will restrict parking along the areas designated and enhance the safety within the Counties listed.

N.J.A.C. 16:28A-1.15: This amendment will restrict parking in the areas designated, provide for the safe and efficient on/off loading of passengers at bus stops and enhance the safety and well-being of the populace.

N.J.A.C. 16:28A-1.18: This amendment will restrict parking at the areas designated and at established bus stops to provide the safe and efficient on/off loading of passengers and enhance safety within the Counties listed.

N.J.A.C. 16:28A-1.19: This amendment will restrict parking along the Route and at established bus stops to provide the safe and efficient on/off loading of passengers and enhance safety within Middlesex and Union Counties.

N.J.A.C. 16:28A-1.23 and 1.24: These amendments will restrict parking in the Boroughs and Townships of the Counties indicated and enhance the safety and well-being of the populace.

N.J.A.C. 16:28A-1.25: This amendment will restrict parking in the areas indicated and at bus stops for the safe off/on loading of passengers, thus enhancing the safety and well-being of the populace.

N.J.A.C. 16:28A-1.33: This amendment will restrict parking along Route 47 and the areas designated for the efficient flow of traffic and the enhancement of the safety and well-being of the populace.

N.J.A.C. 16:28A-1.36, 1.70 and 1.71: These amendments will restrict parking along the Routes, Boroughs, Township and Counties indicated for the efficient flow of traffic and the enhancement of the safety and well-being of the populace.

N.J.A.C. 16:28A-1.38: This amendment will restrict parking along the Route and in areas designated for the efficient flow of traffic and the enhancement of the safety and well-being of the populace.

N.J.A.C. 16:28A-1.40, 1.41 and 1.42: These amendments will restrict parking in the areas and along the Routes indicated for the efficient flow of traffic and the enhancement of the safety and well-being of the populace.

N.J.A.C. 16:28A-1.45 and 1.46: These amendments will restrict

parking along the Routes indicated for the efficient flow of traffic and the enhancement of public safety within the Counties listed.

N.J.A.C. 16:28A-1.52 and 1.67: These amendments will restrict parking in the areas and bus stops designated for the efficient flow of traffic, the safe on/off loading of passengers and the enhancement of safety within the Counties noted.

N.J.A.C. 16:28A-1.55: This amendment will restrict parking along the areas designated and at bus stops for the safe and efficient on/off loading of passengers thus enhancing the safety and well-being of the populace.

N.J.A.C. 16:28A-1.57: This amendment will restrict parking along the Route and areas designated to enhance the safety and well-being of the populace in the Boroughs and townships indicated.

N.J.A.C. 16:28A-1.74, 1.75 and 1.76: These new Rules will restrict parking in the Boroughs and Townships indicated enhancing the safety and well-being of the populace.

N.J.A.C. 16:28A-1.77 and 1.78: These new rules will restrict parking in the Townships and Boroughs indicated for the enhancement of the safety and well-being of the populace.

N.J.A.C. 16:28A-1.79, 1.80 and 1.81: These new rules will restrict parking along the Routes in areas and Townships indicated for the enhancement of the safety and well-being of the populace.

N.J.A.C. 16:28A-1.82, 1.83 and 1.84: These new rules will restrict parking in the Townships and Counties indicated for the enhancement of the safety and well-being of the populace.

N.J.A.C. 16:28A-1.85, 1.86 and 1.87: These new rules will restrict parking in the City, Town, Boroughs and Counties indicated for the enhancement of the safety and well-being of the populace.

N.J.A.C. 16:28A-1.88, 1.89, 1.90 and 1.91: These new rules will restrict parking along the Routes, Boroughs, Townships and Counties indicated for the enhancement of safety and the well-being of the populace.

N.J.A.C. 16:28A-1.92, 1.93 and 1.94: These new rules will restrict parking in Townships and Counties indicated for the enhancement of safety and the well-being of the populace.

### Economic Impact

As to these amendments and new rules, the Department incurred direct and indirect costs for its workforce and the placement of signs. Costs were dependent upon mileage, personnel and equipment requirements.

**Full text** of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

16:28A-1.1 Route US 1

(a) The certain parts of State highway Route US 1 described [herein below] in (a) of this section shall be [, and hereby are,] designated and established as "no parking" zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1. (No change.)

**2. No stopping or standing in South Brunswick Township, Middlesex County:**

**i. Along the southbound side:**

**(1) From the center line of Black Horse Lane, to the center line of Henderson Road.**

**3. No stopping or standing in Edison Township, Middlesex County:**

**i. Along both sides of Route US 1:**

**(1) From the northerly curb line of Grandview Avenue to the southerly curb line of Parsonage Road including all ramps and connections thereto which are under the jurisdiction of the Commissioner of Transportation.**

16:28A-1.2 Route US 1 and 9

(a) The certain parts of State highway Route US 1 and 9 described [herein below] in (a) of this section shall be [, and hereby are,] designated and established as "no parking" zones where stopping

or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1.–2. (No change.)

3. No stopping or standing in Ridgefield Borough, Bergen County:

i. Along the northbound side:

(1) From the Fairview Borough-Ridgefield Borough corporate line, to the center line of Edgewater Avenue;

(2) From a point 240 feet north of the center line of Edgewater Avenue, to the Ridgefield Borough-Palisades Park Borough corporate line.

ii. Along the southbound side:

(1) From the center line of Elm Avenue, to the center line of Virgil Avenue;

(2) From a point 280 feet south of the center line of Banta Place, to a point 150 feet south of the center line of River Street;

(3) From a point 75 feet north of the center line of Edgewater Avenue, to the Ridgefield Borough-Fairview Borough corporate line.

(b) (No change.)

(c) The certain parts of State highway Route US 1 and 9 described [herein below] in (c) of this section shall be [, and hereby are,] designated and established as “no parking” zones where parking is prohibited at all times. [and in] In accordance with the provisions of N.J.S.A. 39:4-139 permission is hereby granted to erect appropriate signs at the following established bus stops:

1. (No change.)

2. Along the northbound side in the City of Elizabeth, Union County:

i. Far side bus stops:

(1) East Jersey Street (120 feet);

(2) East Grand Street (105 feet);

(3) Anna Street (105 feet);

(4) Olive Street (105 feet);

(5) Fairmount Avenue (105 feet).

ii. Near side bus stop:

(a) North Avenue (105 feet).

3. Along the southbound side:

i. Far side bus stops:

(1) Neck Lane (105 feet);

(2) North Avenue (105 feet);

(3) Fairmount Avenue (105 feet);

(4) Olive Street (105 feet);

(5) Anna Street (105 feet);

(6) East Grand Street (105 feet);

(7) Myrtle Street (105 feet).

4. All bus stops to be the above specified length, measured from the curb line of the intersecting street, or the prolongation of the curb line of the street which intersects.

16:28A-1.4 Route 4

(a) The certain parts of State highway Route 4 described [herein below] in (a) of this section shall be[, and hereby are,] designated and established as “no parking” zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1. (No change.)

2. No stopping or standing in East Paterson Borough, Bergen County:

i. Along the northerly (westbound) side:

(1) Between a point 60 feet west of the westerly curb line of Sterling Street and a point 240 feet westerly thereof.

3. No stopping or standing in Fair Lawn Borough, Bergen County:

i. Along the eastbound side:

(1) From a point 120 feet west of the centerline of Midland Avenue, to a point 70 feet east of the centerline of Midland Avenue;

(2) From a point 115 feet west of the centerline of Plaza Road, to a point 135 feet west of the centerline of 26th Street;

(3) From the centerline of 26th Street, to a point 100 feet east of the centerline of 27th Street;

(4) From a point 185 feet west of the centerline of Fair Lawn Parkway, to the centerline of Fair Lawn Parkway;

(5) From a point 115 feet west of the centerline of 34th Street, to the centerline of 34th Street;

(6) From a point 80 feet west of the centerline of West Amsterdam Avenue, to the centerline of East Amsterdam Avenue;

(7) From a point 150 feet east of the centerline of Tunbridge Road, to a point 145 feet west of the centerline of Bluehill Avenue;

(8) From the centerline of Bluehill Avenue, to the Fair Lawn Borough-Paramus Borough Corporate Line.

ii. Along both sides of ramps and streets under State jurisdiction for their entire length on the eastbound side of Route 4 as described herein below:

(1) Along Plaza Road, Ramp PS and 26th Street;

(2) Along East Amsterdam Avenue, Ramp C and Yerger Road.

iii. Along the westbound side:

(1) From the Paramus Borough-Fair Lawn Borough Corporate Line to the Junction of Route 208;

(2) From a point 1,000 feet east of the centerline of Virginia Drive, to the centerline of Virginia Drive;

(3) From a point 150 feet west of the centerline of Virginia Drive, to the centerline of 35th Street;

(4) From a point 145 feet west of the centerline of 35th Street, to a point 140 feet west of the centerline of 33rd Street;

(5) From the centerline of 32nd Street, to a point 125 feet west of the centerline of 32nd Street;

(6) From a point 155 feet east of the centerline of 26th Street, to the centerline of 26th Street;

(7) From a point 70 feet east of the centerline of Plaza Road, to the centerline of Plaza Road;

(8) From the centerline of Hartley Place, to a point 165 feet west of the centerline of Hartley Place;

(9) From the centerline of Banta Place, to a point 100 feet west of the centerline of Banta Place;

(10) From a point 480 feet east of the centerline of 17th Street, to the centerline of 17th Street;

(11) From the centerline of Summit Avenue, to the centerline of Lyncrest Avenue.

iv. Along both sides of ramps and streets under State jurisdiction for their entire length on the westbound side of Route 4 as described herein below:

(1) Along 33rd Street, Ramp B and 32nd Street;

(2) Along 26th Street, Ramp PN and Plaza Road;

(3) Along Zink Place and 17th Street.

v. Along both sides of Route 4 between the hours of 2:00 A.M. and 5:00 A.M.:

(1) Within the corporate limits of Fair Lawn Borough.

(b) The certain parts of State highway Route 4 described [herein below] in (b) of this section shall be[, and hereby are,] designated and established as “no parking” zones where parking is prohibited at all times. In accordance with the provisions of N.J.S.A. 39:4-199 permission is hereby granted to erect appropriate signs at the following established bus stops and taxi stand:

1.–4. (No change.)

5. Along the eastbound side in Fair Lawn Borough, Bergen County:

i. Far side bus stops:

(1) Whitehall Street (100 feet);

(2) Fair Lawn Parkway (100 feet);

(3) 34th Street (100 feet);

(4) East Amsterdam Avenue (1000 feet);

(5) Tunbridge Road (100 feet).

ii. Near side bus stops:

(1) 26th Street (105 feet);

- (2) 28th Street (105 feet);
- (3) 30th Street (105 feet);
- (4) Bluehill Avenue (105 feet).

iii. Taxi stand:

(1) From a point 332 feet east of the centerline of Midland Avenue, to a point 420 feet east of the centerline of Midland Avenue.

6. Along the westbound side in Fair Lawn Borough, Bergen County:

i. Far side bus stops:

- (1) Over Route 208 (area provided) (100 feet);
- (2) Virginia Drive (100 feet);
- (3) 35th Street (100 feet);
- (4) Plaza Road (100 feet);
- (5) 17th Street (100 feet);
- (6) Lyncrest Avenue (100 feet);
- (7) Cyril Avenue (100 feet).

ii. Near side bus stops:

- (1) 32nd Street (105 feet);
- (2) 30th Street (105 feet);
- (3) 27th Street (105 feet);
- (4) Hartley Place (105 feet).

iii. Mid-block bus stop:

(1) From a point 480 feet east of the centerline of 17th Street, to a point 610 feet east of the centerline of 17th Street (130 feet).

7. Along the eastbound side in the Borough of Paramus, Bergen County:

i. At the bus shelters:

- (1) Sprout Brook Bridge (on the ramp) (135 feet);
- (2) Fairview Avenue Overpass (135 feet);
- (3) Spring Valley Overpass (135 feet);
- (4) Pedestrian Overpass (Korvettes-Bergen Mall) (135 feet).

8. Along the westbound side in the Borough of Paramus, Bergen County:

i. At the bus shelters:

- (1) Pedestrian Overpass (Korvettes-Bergen Mall) (135 feet);
- (2) Spring Valley Road Overpass (135 feet);
- (3) Fairview Avenue Overpass (135 feet);
- (4) Sprout Brook Bridge (135 feet).

16:28A-1.7 Route US 9

(a) The certain parts of State highway Route US 9 described in (a) of this section shall be [, and hereby are,] designated and established as "no parking" zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1.-13. (No change.)

14. No stopping or standing in Upper Township, Cape May County:

i. Along both sides:

(1) From the centerline of Harbor Road to a point 475 feet north of the centerline of Harbor Road.

15. No stopping or standing in Dennis Township, Cape May County:

i. Along the southbound side:

(1) From a point 1,300 feet north of the center line of Seaville Avenue, to a point 1,450 feet north of the center line of Seaville Avenue.

16. No stopping or standing in Eagleswood Township, Ocean County:

i. Along the northbound side:

(1) From a point 100 feet south of the southerly curblineline of Bay Avenue to a point 100 feet north of the northerly curblineline of Bay Avenue.

17. No stopping or standing in Linwood City, Atlantic County:

i. Along both sides:

(1) For the entire length within the corporate limits of the City of Linwood.

(b) The certain parts of State highway Route US 9 described [herein below] in (b) of this section shall be[, and hereby are,]

designated and established as "no parking" zones where parking is prohibited at all times [and in]. In accordance with the provisions of N.J.S.A. 39:4-199 permission is hereby granted to erect appropriate signs at the following established bus stops:

1.-22. (No change.)

Renumber 23. as 29.

23. Along the easterly (northbound) side in Stafford Township, Ocean County:

i. Far side bus stops:

(1) Stafford Avenue (105 feet).

24. Along the westerly (southbound) side in Stafford Township, Ocean County:

i. Near side bus stop:

(1) Route 180 (120 feet).

25. Along the easterly (northbound) side in Lakewood Township Ocean County:

i. Far side bus stops:

(1) Tenth Street (105 feet);

(2) County Line Road (105 feet).

26. Along the westerly (southbound) side in Lakewood Township, Ocean County:

i. Near side bus stops:

(1) County Line Road (120 feet).

27. Along the northbound side in Union Township, Ocean County:

i. Near side bus stop:

(1) East Bay Avenue (120 feet).

28. Along the southbound side in Union Township, Ocean County:

i. Near side bus stop:

(1) West Bay Avenue (120 feet).

Renumber 23. as 29.

16:28A-1.9 Route 17

(a) The certain parts of State highway Route 17 described [herein below] in (a) of this section [shall be, and hereby are,] are designated and established as "no parking" zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1.-3. (No change.)

4. No stopping or standing in Carlstadt Borough, Bergen County:

i. Along both sides:

(1) Within the entire corporate limits of Carlstadt Borough, (from the centerline of Paterson Plank Road to a point 810 feet north of the centerline of Passaic Avenue).

5. No stopping or standing in North Arlington Borough, Bergen County:

i. Along the northbound side:

(1) From the center line of Route 7, to a point 90 feet north of the center line of Route 7;

(2) From a point 75 feet south of the center line of Noel Drive, to the center line of Noel Drive;

(3) From a point 125 feet south of the center line of Canterbury Avenue, to the center line of Canterbury Avenue.

ii. Along the southbound side:

(1) From a point 75 feet north of the center line of Ridge Park Drive, to a point 160 feet south of the center line of Ridge Park Drive;

(2) From a point 150 feet north of the center line of Sunset Avenue, to the center line of Sunset Avenue;

(3) From a point 125 feet north of the center line of Garden Terrace, to the center line of Garden Terrace;

(4) From a point 120 feet north of the center line of Route 7, to the center line of Route 7.

(b) (No change.)

16:28A-1.10 Route 20

(a) The certain parts of State highway Route 20 described [herein

below] in this section shall be [and hereby are,] designated and established as "no parking" zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1. (No change.)

2. No stopping or standing in the City of Paterson, Passaic County:

i. Along both sides:

(1) Within the corporate limits of the City of Paterson including all ramps and connections thereto which are under the jurisdiction of the Commissioner of Transportation.

16:28A-1.11 Route 21 including [o]Old Route 21 (Passaic Place)

(a) The certain parts of State highway Route 21 described [herein below] in this section shall be [and hereby are,] designated and established as "no parking" zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1.-3. (No change.)

4. No stopping or standing in the City of Clifton, Passaic County:

i. Along both sides:

(1) For its entire length within the corporate limits of the City of Clifton, including all ramps and connections thereto which are under the jurisdiction of the Commissioner of Transportation.

16:28A-1.13 Route US 22

(a) The certain parts of State highway Route US 22, described in (a) of this section shall be [and hereby are,] designated and established as "no parking" zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1.-5. (No change.)

6. No stopping or standing in Pohatcong and Greenwich Townships, Warren County:

i. Along the eastbound side:

(1) From a point 3100 feet west of the centerline of Route 173, eastbound to the centerline of Route 173, eastbound.

ii. Along the westbound side:

(1) Along the westbound side of Route 173, westbound (island nose) to a point 2200 feet west of Route 173, westbound (island nose).

7. No stopping or standing in Greenwich Township, Warren County:

i. Along the westbound lanes - Median side only:

(1) From a point 1525 feet west of the centerline of Straw Church Road to a point 1665 feet west of the center line of Straw Church Road.

8. No stopping or standing in Watchung Borough, Somerset County and Scotch Plains Township, Union County:

i. Along the eastbound side:

(1) From the center line of Terrill Road to a point 425 feet east of the center line of Union Avenue;

(2) From the center line of Victor Street to a point 825 feet east of the center line of Victor Street.

ii. Along the westbound side:

(1) From a point 425 feet east of the center line of Union Avenue to the center line of Terrill Road.

16:28A-1.15 Route 23

(a) (No change.)

(b) [In accordance with the provisions of N.J.S.A. 39:4-138.1, the] The certain parts of State highway Route 23 described [herein below] in (b) of this section shall be [, and hereby are,] designated and established as "no parking" zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1.-3. (No change.)

4. No stopping or standing in Pequannock Township, Morris County:

i. Along the northbound side:

(1) From the center line of Garden Place to a point 1,200 feet north of the center line of Garden Place;

(2) From the Pequannock Township-Riverdale Borough corporate line to a point 1,000 feet southerly thereof.

ii. Along the southbound side:

(1) From the Pequannock Township-Riverdale Borough corporate line to a point 1,000 feet southerly thereof;

(2) From a point 1,150 feet north of the center line of Garden Place.

5. No stopping or standing in Sussex Borough, Sussex County:

i. Along both sides:

(1) For the entire corporate limits of Sussex Borough.

6. No stopping or standing in Verona Borough, Essex County:

i. Along the northbound side:

(1) From the northerly curb line of Nassau Road to the northerly curb line of Woodland Avenue.

ii. Along the southbound side:

(1) From the southerly curb line of Woodland Avenue to a point 300 feet south of the southerly curb line of Linden Avenue.

(c) The certain parts of State highway Route 23 described in (c) of this section shall be designated and established as "no parking" zones where parking is prohibited at all times [,.] [and in] In accordance with the provisions of N.J.S.A. 39:4-199 permission is hereby granted to erect appropriate signs at the following bus stops:

1.-2. (No change.)

3. Along the northbound side in Cedar Grove Township, Essex County:

i. Far side bus stops:

(1) Harper Terrace (90 feet);

(2) Ridge Road (90 feet);

(3) Ozone Avenue (90 feet);

(4) East Bradford Avenue (90 feet);

(5) Bowden Road (90 feet);

(6) Myrtle Avenue (90 feet);

(7) Fairview Avenue (90 feet);

(8) Commerce Road (90 feet);

(9) East Lindsley Road (90 feet);

(10) Montclair Avenue (90 feet).

ii. Near side bus stops:

(1) Eaton Place (105 feet);

(2) Scheiber Terrace (105 feet);

(3) Sweetwood Drive (105 feet);

(4) Grissing Court (105 feet);

(5) Union Street (105 feet);

(6) Cedar Street (105 feet);

(7) Peckmantown Road (105 feet);

(8) Little Falls Road (105 feet);

(9) Brunswick Road (105 feet);

(10) Bortic Road (105 feet);

(11) Beech Street (105 feet);

(12) Stevens Avenue (105 feet);

(13) North Bradford Avenue (105 feet);

iii. Mid-block bus stop:

(1) From a point 750 feet north of the center line of Stevens Avenue, to a point 850 feet north of the center line of Stevens Avenue.

4. Along the southbound side in Cedar Grove Township, Essex County:

i. Far side bus stops:

(1) North Bradford Avenue (90 feet);

(2) Stevens Avenue (90 feet);

(3) Beech Street (90 feet);

(4) Cedar Grove Parkway (90 feet);

(5) Grove Avenue (90 feet);

(6) Franklin Street (90 feet);

ii. Near side bus stops:

(1) West Lindsley Road (105 feet);

(2) Fairview Avenue (105 feet);

(3) Mawal Drive (105 feet);

- (4) Brunswick Road (105 feet);
  - (5) Young Avenue (105 feet);
  - (6) Myrtle Avenue (105 feet);
  - (7) Church Street (105 feet);
  - (8) Vreeland Lane (105 feet);
  - (9) West Bradford Avenue (105 feet);
  - (10) Ozone Avenue (105 feet);
  - (11) South Mountain Avenue (105 feet);
  - (12) Highland Road (105 feet);
  - (13) Harper Terrace (105 feet).
  - iii. Mid-block bus stops:
    - (1) From a point 100 feet north of the center line of Montclair Avenue to a point 235 feet north of the center line of Montclair Avenue;
    - (2) From a point 1,850 feet south of the Center line of West Lindsley Road, to a point 1,950 feet south of the center line of West Lindsley Road;
    - (3) From a point 290 feet south of the center line of Vreeland Lane, to a point 400 feet south of the center line of Vreeland Lane;
    - (4) From a point 60 feet south of the center line of Sweetwood Drive, to a point 160 feet south of the center line of Sweetwood Drive.
  - 5. Along the northbound side in Verona Borough, Essex County:
    - i. Far side bus stops:
      - (1) Nassau Road (105 feet).
  - 6. Along the southbound side in Verona Borough, Essex County:
    - i. Near side bus stop:
      - (1) Martin Road (120 feet);
- [3.]7. [All bus stops to be the above specified length, measured from the curb line of the intersecting street of the prolongation of the curb line of the street which intersects.] All bus stops shall be the length specified, measured from the curb line of the intersecting street where the bus stop is established.

## 16:28A-1.18 Route 27

- (a) The certain parts of State highway Route 27 described [herein below] in (a) of this section shall be, [and hereby are,] designated and established as "no parking" zones where stopping or standing are prohibited at all times except as provided in N.J.S.A. 39:4-139.
- 1.-4. (No change.)
- 5. No stopping or standing in Roselle Borough, Union County:
    - i. Along the westerly (southbound) side:
      - (1) Between a point 200 feet northerly thereof, and the north curb of Carolyn Terrace.
  - 6. No stopping or standing in Elizabeth City, Union County:
    - i. Along the northerly (southbound) side:
      - (1) At all times:
        - (A) Between a point 150 feet east of, and the easterly curb line of Morris Avenue;
        - (2) Between the hours of 7:00 A.M. and 9:00 A.M.; and 3:00 P.M. and 6:00 P.M.:
          - (A) Between the intersection of North Broad Street and a point 150 feet east of the easterly curb line of Morris Avenue.
      - ii. Along the southerly (northbound) side:
        - (1) At all times:
          - (A) Between the intersections of North Broad Street and Morris Avenue.
  - 7. No stopping or standing in Princeton Borough, Mercer County:
    - i. Along the southerly side:
      - (1) Between a point 75 feet east of Bayard Lane and Mercer Street;
      - (2) Between a point 155 feet west of, and the westerly curb line of Charlton Street;
      - (3) Between Murray Place, and a point 70 feet east of Harrison Street;

- (4) Between a point 30 feet west of the prolongation of the westerly curb line of Scott Lane and Wilton Street.
  - ii. Along the northerly side:
    - (1) Between a point 82 feet east of, and the easterly curb line of Bayard Lane (US 206);
    - (2) Between Palmer Square East and Palmer Square West;
    - (3) Between points 120 feet east of, and 50 feet west of Moore Street;
    - (4) Between Snowden Lane and Maple Street.
- 8. No stopping or standing from 8:00 A.M. to 9:00 A.M. and from 4:00 P.M. to 6:00 P.M. in Princeton Borough, Mercer County:
  - i. Along the southerly side between Charlton Street and Murray Place.
- 9. No stopping or standing in Highland Park Borough, Middlesex County:
  - i. Along the northbound side:
    - (1) From the City of New Brunswick-Borough of Highland Park corporate line to the prolongation of the northerly curb line of Lincoln Avenue;
    - (2) From a point 110 feet north of the northerly curb line of Lincoln Avenue to the southerly curb line of South Adelaide Avenue;
    - (3) From a point 110 feet north of the northerly curb line of South Adelaide Avenue to the southerly curb line of Cedar Avenue;
    - (4) From a point 110 feet north of the northerly curb line of Woodbridge Avenue to a point 120 feet south of the southerly curb line of South Ninth Avenue;
    - (5) From the northerly curb line of South Ninth Avenue to a point 120 feet south of the southerly curb line of South Tenth Avenue;
    - (6) From the northerly curb line of South Tenth Avenue to a point 120 feet south of the southerly curb line of South Eleventh Avenue;
    - (7) From the northerly curb line of South Eleventh Avenue to a point 120 feet south of the southerly curb line of Merilind Avenue;
    - (8) From the northerly curb line of Merilind Avenue to a point 120 feet south of the southerly curb line of Marlboro Road;
    - (9) From the northerly curb line of Marlboro Road to a point 120 feet south of the southerly curb line of Amherst Street;
    - (10) From the northerly curb line of Amherst Street to the southerly curb line of Barnard Street;
    - (11) From the northerly curb line of Rolfe Avenue to a point 120 feet south of the southerly curb line of Columbia Street;
    - (12) From the northerly curb line of Columbia Street to the Borough of Highland Park-Edison Township corporate line.
  - ii. Along the southbound side:
    - (1) From the Edison Township-Borough of Highland Park corporate line to a point 120 feet north of the northerly curb line of Lexington Avenue;
    - (2) From the southerly curb line of Lexington Avenue to a point 120 feet north of the northerly curb line of Washington Avenue;
    - (3) From the southerly curb line of Washington Avenue to a point 120 feet north of the northerly curb line of Highland Avenue;
    - (4) From the southerly curb line of North Eleventh Avenue to a point 120 feet north of the northerly curb line of North Tenth Avenue;
    - (5) From the southerly curb line of North Tenth Avenue to a point 120 feet north of the northerly curb line of North Ninth Avenue;
    - (6) From the southerly curb line of North Ninth Avenue to a point 120 feet north of the northerly curb line of North Seventh Avenue;
    - (7) From the southerly curb line of North Seventh Avenue to a point 120 feet north of the northerly curb line of North Sixth Avenue;

Avenue;

(8) From a point 75 feet north of the northerly curb line of North Third Avenue to the northerly curb line of North Third Avenue;

(9) From the prolongation of the southerly curb line of South First Avenue to a point 120 feet north of the northerly curb line of North Adelaide Avenue;

(10) From the southerly curb line of North Adelaide Avenue to a point 120 feet north of the northerly curb line of Lincoln Avenue;

(11) From the southerly curb line of River Road to the Borough of Highland Park-City of New Brunswick corporate line.

10. No stopping or standing-4:00 P.M.-6:00 P.M. in Highland Park Borough, Middlesex County:

i. Along the northbound side:

(1) From the northerly curb line of Cedar Avenue to the southerly curb line of South First Avenue.

11. No stopping or standing - Monday-Saturday in Highland Park Borough, Middlesex County:

i. Along the northbound side:

(1) From the northerly curb line of South Fifth Avenue to the southerly curb line of South Sixth Avenue.

12. No stopping or standing- 2:00 A.M.-6:00 A.M. in Highland Park Borough, Middlesex County:

i. Along the northbound side:

(1) From the northerly curb line of South First Avenue to the southerly curb line of South Fifth Avenue.

ii. Along the southbound side:

(1) From the southerly curb line of North Sixth Avenue to a point 74 feet north of the northerly curb line of North Third Avenue.

(2) From the southerly curb line of North Third Avenue to the northerly curb line of North Second Avenue.

13. No stopping or standing- 7:00 A.M.-9:00 A.M. and 4:00 P.M.-6:00 P.M. in Highland Park Borough, Middlesex County:

i. Along the southbound side:

(1) From a point 110 feet south of the southerly curb line of North Second Avenue to a point 150 feet north of the prolongation of the northerly curb line of South First Avenue.

(b) The certain parts of State highway Route 27 described in (b) of this [subsection] section shall be, [and hereby are,] designated and established as "no parking" zones where parking is prohibited at all times. In accordance with the provisions of N.J.S.A. 39:4-199 permission is hereby granted to erect appropriate signs at the following established bus stops:

1.-17. (No change.)

18. Along the northbound side in Elizabeth City, Union County:

i. Far side bus stops:

- (1) Dewey Place, 105 feet;
- (2) Grove Street, 105 feet;
- (3) Rahway Avenue, 105 feet;
- (4) Murray Street, 105 feet;
- (5) Cherry Street, 105 feet;
- (6) Lowden Street, 105 feet;
- (7) Magnolia Avenue, 105 feet;
- (8) Mary Street, 105 feet;
- (9) Fairmount Avenue, 105 feet;
- (10) Waverly Place, 105 feet;
- (11) North Avenue, 105 feet;
- (12) Durant Street, 105 feet;

ii. Near side bus stops:

- (1) Hayes Avenue, 120 feet;
- (2) South Street, 120 feet;
- (3) Chestnut Street, 120 feet;
- (4) North Broad Street, 150 feet;
- (5) Alina Street, 120 feet;

19. Along the southbound side in Elizabeth City, Union County:

i. Far side bus stops:

- (1) Alina Street, 105 feet;
- (2) Durant Street, 105 feet;
- (3) North Avenue, 105 feet;
- (4) Waverly Place, 105 feet;
- (5) Fairmount Avenue, 105 feet;
- (6) North Broad Street, 250 feet;
- (7) Parker Road, 105 feet;
- (8) Morris Avenue, 120 feet;
- (9) Cherry Street, 105 feet;
- (10) Chilton Street, 105 feet;
- (11) DeHart Place, 105 feet;
- (12) Grove Street, 105 feet;
- (13) Clover Street, 105 feet;

ii. Near side bus stops:

- (1) Prince Street, 120 feet;
- (2) Lowden Street, 120 feet.

20. All bus stops are to be the above length specified, measured from the curb line of the intersecting street, or the prolongation of the curb line of the street which intersects.

16:28A-1.19 Route 28

(a) The certain parts of State highway Route 28 described in (a) of this section shall be [and hereby are,] designated and established as "no parking" zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1.-8. (No change.)

9. No stopping or standing in Middlesex Borough, Middlesex County:

i. Along the both sides:

(1) Between the intersection of Washington Avenue and a point 700 feet east of the easterly curb lines of Mountain Avenue and Dayton Avenue.

10. No stopping or standing in Fanwood Borough, Union County:

i. Along the both sides:

(1) For the entire length within the corporate limits of Fanwood Borough.

11. No stopping or standing in Elizabeth City, Union County:

i. Along the eastbound side:

(1) From a point 330 feet west of the center line of Route 439 to the center line of Route 439.

12. No stopping or standing - 7:00 A.M. - 9:00 A.M. and 4:00 P.M. - 6:00 P.M. in Elizabeth City, Union County:

i. Along the westbound side:

(1) From a point 210 feet east of the center line of Route 439 to the center line of Route 439.

(b) The certain parts of State highway Route 28 described in (b) of this section shall be [, and hereby are,] designated and established as "no parking" zones where parking is prohibited at all times. [and in] In accordance with the provisions of N.J.S.A. 39:4-199 permission is hereby granted to erect appropriate signs at the following established bus stops:

1.-7. (No change.)

8. Along the westbound side in Elizabeth City, Union County:

i. Far side bus stops:

- (1) Cherry Street, 105 feet;
- (2) Chilton Street, 105 feet;
- (3) Magie Avenue, 105 feet;
- (4) Stiles Street, 105 feet;
- (5) Elmora Avenue, 120 feet;
- (6) Colonial Road, 105 feet;
- (7) Hillside Road, 105 feet.

ii. Near side bus stop:

(1) Morristown Road, 120 feet.

5. Along the eastbound side in Elizabeth City, Union County:

i. Far side bus stops:

- (1) Hillside Road, 105 feet;

- (2) Monmouth Road, 105 feet;
- (3) Springfield Road, 105 feet;
- (4) Elmore Avenue, 150 feet;
- (5) Stiles Street, 105 feet;
- (6) Orchard Street, 105 feet;
- (7) Chilton Street, 105 feet.

**6. Along the westbound side in Cranford Township, Union County:**

**i. Near side bus stops:**

- (1) John Street, 120 feet;
- (2) Forest Avenue, 120 feet;
- (3) Orchard Street, 120 feet.

**ii. Mid-block bus stop:**

(1) 240 feet west of the westerly curb line of Springfield Avenue, 135 feet.

**7. Along the eastbound side in Cranford Township, Union County:**

**i. Near side bus stops:**

- (1) Forest Avenue, 120 feet;
- (2) John Street, 120 feet.

**ii. Far side bus stop:**

- (1) Orchard Street, 120 feet.

[.] 8. All bus stops [to] shall be the [above specified] length specified, measured from the curb line of the intersecting street or the prolongation of the curb line of the street which intersects[.], where the bus stop is established.

16:28A-1.23 Route 33

(a) The certain parts of State highway Route 33 described in [ (a) of] this section shall be, [and hereby are,] designated and established as "no parking" zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1.-3. (No change.)

**4. No stopping or standing in East Windsor Township, Mercer County:**

**i. Along both sides:**

(1) From a point 75 feet west of the center line of Davison Road, to the center line of Woodside Avenue.

**5. No stopping or standing in Millstone Borough, Monmouth County:**

**i. Along both sides:**

(1) From the center line of Prodelin Way - Perrineville Road to the center line of Millstone Road.

**6. No stopping or standing in Hamilton Township, Mercer County:**

**i. Along the eastbound side:**

(1) From the easterly curblin of Lynwood Avenue to the westerly curblin of Norway Avenue;

(2) From the easterly curblin of Dickinson Avenue to the Hamilton Township - Washington Township corporate line.

**ii. Along the westbound side:**

(1) From the Washington Township - Hamilton Township corporate line to a point 135 feet east of the easterly curblin of North Hamilton Avenue;

(2) From the westerly curblin of North Hamilton Avenue to the easterly curblin of Alberta Avenue;

(3) From the westerly curblin of Klockner Road to a point 115 feet east of the prolongation of the easterly curblin of Dickinson Avenue.

**7. No stopping or standing in Washington Township, Mercer County:**

**i. Along both sides:**

(1) From a point 250 feet west of the center line of Edinburg Road (Co. Rd. 526) to a point 450 feet east of the center line of Edinburg Road (Co. Rd. 526).

(b)-(c) (No change.)

16:28A-1.24 Route 34

(a) The certain parts of State highway Route 34 described [herein

below] in this section shall be [, and hereby are,] designated and established as "no parking" zones where stopping or standing are prohibited at all times except as provided in N.J.S.A. 39:4-139.

1.-3. (No change.)

**4. No stopping or standing in Matawan Township, Monmouth County:**

**i. Along both sides:**

(1) Within the corporate limits of Matawan Township including all ramps and connections thereto which are under the jurisdiction of the Commissioner of Transportation.

**5. No stopping or standing in Colts Neck Township, Monmouth County:**

**i. Along both sides:**

(1) From the southerly curb line of County Road No. 537-522 to a point 3,600 feet southerly thereof.

**6. No stopping or standing in Matawan Borough, Monmouth County:**

**i. Along the southbound side:**

(1) From a point 100 feet south of the prolongation of the southerly curb line of Jackson Street to the Matawan Borough-Matawan Township corporate line.

**ii. Along the northbound side:**

(1) From the Matawan Township-Matawan Borough corporate line to the southerly curb line of Franklin Street.

16:28A-1.25 Route 35

(a) The certain parts of State highway Route 35 described in (a) of this section are designated and established as "no parking" zones where stopping or standing are prohibited at all times except as provided in N.J.S.A. 39:4-139.

1.-7. (No change.)

**8. No stopping or standing in Middletown Township, Monmouth County:**

**i. Along both sides:**

(1) Within the corporate limits of Middletown Township, including all ramps and connections thereto which are under the jurisdiction of the Commissioner of Transportation.

**9. No stopping or standing in Shrewsbury and New Shrewsbury Boroughs, Monmouth County:**

**i. Along the southbound side:**

(1) From the Red Bank Borough-Shrewsbury Borough corporate line, to the center line of Obre Place;

(2) From 470 feet north of the center line of Sycamore Avenue to the Shrewsbury Borough-New Shrewsbury Borough corporate line;

(3) From the Shrewsbury Borough-New Shrewsbury Borough corporate line, to the New Shrewsbury Borough-Eatontown Borough corporate line.

**ii. Along the northbound side:**

(1) From the Eatontown Borough-Shrewsbury Borough corporate line, to the Shrewsbury Borough-Red Bank Borough corporate line.

**10. No stopping or standing between the hours of 2:00 A.M. and 5:00 A.M. in Shrewsbury and New Shrewsbury Boroughs, Monmouth County:**

**i. Along the southbound side:**

(1) From the center line of Obre Place to 470 feet north of the center line of Sycamore Avenue.

**11. No stopping or standing in Eatontown Borough, Monmouth County:**

**i. Along both sides:**

(1) Within the corporate limits of the Borough of Eatontown, including the Lewis Street jug handle connector from Route 35 to Route 71.

**12. No stopping or standing in Point Pleasant Beach and Point Pleasant Boroughs, Ocean County including all ramps and connections which are under the jurisdiction of the Commissioner of Transportation.**

**i. Along both sides northbound (Cincinnati Avenue and Hawthorne Avenue:**

(1) Between the Bay Head Borough-Point Pleasant Beach Borough corporate line and the southerly curb line of McLean Avenue;

(2) Between the northbound and southbound connection (formerly Holly Avenue) and the Point Pleasant Beach Borough-Brielle Borough corporate line.

ii. Along both sides southbound (Richmond Avenue):

(1) Between Point Pleasant Beach Borough-Brielle Borough corporate line and a point 100 feet south of the southerly curb line of the northbound and southbound connection (formerly Holly Avenue);

(2) Between the northerly curb line of Arnold Avenue and a point 100 feet northerly thereof;

(3) Between the northerly curb line of Laurel Avenue-American Legion Way and a point 110 feet northerly thereof.

(4) Between the southerly curb line of Washington Avenue and the northerly curb line of Sea Avenue.

13. No stopping or standing in Sayreville Borough, Middlesex County:

i. Along the southbound side:

(1) From the centerline of Old Spye Road-Tyler Street, to the centerline of First Street.

14. No stopping or standing in Dover Township, Ocean County:

i. Along the easterly side of the northbound roadway:

(1) From the Seaside Heights Borough-Dover Township corporate line, to the center line of Holiday Road.

ii. Along both sides of the northbound roadway:

(1) From the center line of Holiday Road, to the center line of Eisenhower Avenue;

(2) From the center line of Plainfield Avenue-Kathryn Street, to the center line of Strickland Boulevard.

15. No stopping or standing in Brick and Dover Townships, Lavallette Borough, Ocean County:

i. Along both sides of the southbound roadway:

(1) From a point 300 feet north of the center line of Curtis Point Drive, to the center line of Eisenhower Avenue.

ii. Along the westerly side of the southbound roadway:

(1) From the center line of Eisenhower Avenue, to the Dover Township-Seaside Heights Borough corporate line.

16. No stopping or standing in Hazlet Township, Monmouth County:

i. Along both sides of Hazlet-Holmdel Road:

(1) From a point 275 feet north of the northerly curb line of Route 35 to a point 275 feet south of the southerly curb line of Route 35.

17. No stopping or standing in Brielle Borough, Monmouth County:

i. Along both sides of exit ramp southbound:

(1) From the westerly curb line of Route 35 southbound at Euclid Avenue to the easterly curb line of Higgins Avenue.

18. No stopping or standing in Neptune City Borough, Monmouth County, including all ramps and connections thereto which are under the jurisdiction of the Commissioner of Transportation.

i. Along the northbound side:

(1) From a point 300 feet south of the center line of Steiner Avenue to the center line of Ridge Road.

ii. Along the southbound side:

(1) From the center line of Morris Avenue to the center line of Oak Terrace.

19. No stopping or standing in Seaside Park and Seaside Heights Boroughs, Ocean County:

i. Along both sides:

(1) Within the entire limits of Seaside Park Borough and Seaside Heights Borough including all ramps and connections thereto which are under the jurisdiction of the Commissioner of Transportation.

(b) The certain parts of State highway Route 35 described in (b)

of this section [shall be and hereby] are designated and established as "no parking" zones where parking is prohibited at all times. [and in] In accordance with the provisions of N.J.S.A. 39:4-199 permission in hereby granted to erect appropriate signs at the following established bus stops:

1.-6. (No change.)

Renumber 7. as 9.

7. Along the easterly (northbound) side in Middletown Township, Monmouth County:

i. Far side bus stops:

- (1) Navesink River Road;
- (2) Chestnut Avenue;
- (3) Chapel Hill Road;
- (4) Crestview Drive;
- (5) Applebrook Farm Road;
- (6) Woodland Drive;
- (7) Twin Brook Road;
- (8) Tindall Road;
- (9) New Monmouth Road;
- (10) Harmony Road.

ii. Near side bus stops:

- (1) Cherry Tree Lane;
- (2) Palmer Avenue.

8. Along the westerly (southbound) side in Middletown Township, Monmouth County:

i. Far side bus stops:

- (1) Palmer Avenue;
- (2) Cherry Tree Lane;
- (3) New Monmouth Road;
- (4) Kings Highway West;
- (5) Twin Brook Road;
- (6) Woodland Drive;
- (7) Applebrook Farm Road;
- (8) Crestview Drive;
- (9) Oak Hill Road;
- (10) Chestnut Avenue.

ii. Near side bus stops:

- (1) Upper Kings Highway;
- (2) River Plaza.

Renumber 7. as 9.

16:28A-1.33 Route 47

(a) The certain parts of State highway Route 47 described in (a) of this section [herein below shall be, and hereby] are designated and established as "no parking" zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1.-7. (No change.)

8. No stopping or standing in the City of Millville, Cumberland County:

i. Along the easterly (northbound) side:

- (1) Between a point 100 feet south of the southerly curb line of Garfield Street and the intersection of Main Street;
- (2) Between points 50 feet south of the southerly curb line and 50 feet north of the northerly curb line of Mulberry Street;
- (3) Between points 50 feet south of the southerly curb line and 50 feet north of the northerly curb line of Harrison Street.

ii. Along the westerly (southbound) side:

- (1) Between the south curb line of Harrison Street and a point 100 feet southerly thereof;
- (2) Between the south curb line of Broad Street and a point 50 feet southerly thereof;
- (3) Between the south curb line of Mulberry Street and a point 50 feet southerly thereof;
- (4) Between points 60 feet north of and the northerly curb line of Main Street;
- (5) Between the southerly curb line of Main Street and a point 100 feet south of the southerly curb line of Smith Street;
- (6) Between a point 75 feet north of and the northerly curb line of Maylin Street.

iii. Along the westerly (southbound) side between 4:00 P.M. Friday and 8:00 A.M. Monday.

(1) Between the intersections of Garfield Avenue and Henderson Avenue.

9. No stopping or standing in Middle Township, Cape May County:

i. Along northbound side:

(1) From the center line of Route US9 to a point 430 feet north of the center line of New York Avenue.

10. No stopping or standing in Glassboro Borough, Gloucester County including all ramps and connections thereto which are under the jurisdiction of the Commissioner of Transportation.

i. Along the northbound side:

(1) From a point 150 feet south of the center line of US 322-High Street to the center line of US 322-High Street;

(2) From the center line of US 322-West Street to the center line of East Foler Street;

(3) From the center line of Market Place to the center line of Green Tree Road;

(4) From the center line of Bristol Drive to the center line of Heston Road.

ii. Along the southbound side:

(1) From the center line of Heston Road to the prolongation of the southerly curb line of Green Tree Road;

(2) From the center line of Spencer Street to the center line of Market Place;

(3) From the center line of US 322-High Street to a point 120 feet south of the center line of US 322-High Street.

11. No stopping or standing in Westville Borough, Gloucester County:

i. Along the northbound side:

(1) Between a point 160 feet south of the prolongation of the southerly curb line of the safety island at the intersection of Route 47 and Broadway and the Borough of Westville-Borough of Brooklawn corporate line at Big Timber Creek;

(2) From the Deptford Township-Westville Borough corporate line to the southerly curb line of Alamonesson Avenue.

ii. Along the southbound side:

(1) Between the Borough of Brooklawn-Borough of Westville corporate line at Big Timber Creek and a point 115 feet south of the prolongation of the southerly curb line of the safety island at the intersection of Route 47 and Broadway;

(2) From the Deptford Township-Westville Borough corporate line to a point 250 feet north of the northerly curb line of Olive Street.

16:28A-1.36 Route 57

(a) The certain parts of State highway Route 57 described in (a) of this section [shall be and hereby] are designated and established as "no parking" zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1.-3. (No change.)

4. No stopping or standing in Hackettstown Town, Warren County:

i. Along the westbound side:

(1) From the center line of Route 182 to the centerline of Lawrence Drive.

(b) In accordance with the provisions of N.J.S.A. 39:4-138.1 the certain parts of State highway Route 57 described in (b) of this section are designated and established as "no parking" zones for designated curb loading zones.

1. No Parking between the hours of 8:00 A.M. and 6:00 P.M. in Washington Borough, Warren County:

i. Along the westbound side:

(1) From a point 35 feet west of the westerly curb line of School Street, to a point 86 feet west of the westerly curb line of School Street.

ii. Along the eastbound side:

(1) From a point 174 feet east of the easterly curb line of Broad Street, to a point 248 feet east of the easterly curb line of Broad Street.

16:28A-1.37 Route 70

(a) The certain parts of State highway Route 70 described in (a) of this section [shall be, and hereby] are designated and established as "no parking" zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1.-6. (No Change.)

7. No stopping or standing in Cherry Hill Township, Camden County:

i. Along the northerly (westbound) side:

(1) Between the Evesham Township-Cherry Hill Township corporate line and intersection of Maine Avenue;

(2) Between a point 150 feet east of, and the easterly curb line of Georgia Avenue.

ii. Along the southerly (eastbound) side:

(1) Between a point 250 feet west of the Ellisburg traffic circle and the Evesham Township-Cherry Hill Township corporate line;

(2) Between a point 80 feet west of, and the westerly curb line of Edison Avenue.

iii. Along both sides:

(1) Between the intersection of Cuthbert Boulevard and the Stoy's Landing Road traffic circle.

(2) Including all ramps and connections thereto which are under the jurisdiction of the Commissioner of Transportation.

16:28A-1.38 Route 71

(a) The certain parts of State highway Route 71 described in this section [shall be, and hereby] are designated and established as "no parking" zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1.-5. (No change.)

6. No stopping or standing in Long Branch City, West Long Branch Borough, and Ocean Township, Monmouth County:

i. Along both sides (Norwood Avenue):

(1) Between Cedar Avenue and Park Avenue.

ii. Along both sides (Cedar Avenue):

(1) Between Norwood Avenue and Monmouth Road.

7. No stopping or standing in Deal Borough, Monmouth County:

i. Along the easterly side:

(1) From 40 feet south of, to 40 feet north of the following intersections:

(A) Brighton Avenue;

(B) Phillips Avenue;

(C) Poplar Avenue;

(D) Morgan Avenue.

ii. Along the westerly side:

(1) From 40 feet north of, to 40 feet south of the following intersections:

(A) Campbell Court;

(B) Brighton Avenue.

8. No stopping or standing in Eatontown Borough, Monmouth County:

i. Along the southerly (southbound) side:

(1) At all times:

(A) Between the easterly curb line of Route 35 and a point 219 feet easterly thereof;

(2) Between the hours of 4:00 P.M. and 6:00 P.M.:

(A) Between a point 219 feet east of the easterly curb line of Route 35 and the intersection of White Street.

ii. Along the northerly (northbound) side:

(1) At all times:

(A) Between the northerly curb line of Rose Court and the southerly curb line of Kellys Lane;

(B) Between a point 314 feet east of, and the easterly curb line of Route 35.

## PROPOSALS

## TRANSPORTATION

(2) Between the hours of 4:00 P.M. and 6:00 P.M. in Eatontown Borough, Monmouth County:

(A) Between the intersection of White Street and a point 314 feet east of the easterly curb line of Route 35.

9. No stopping or standing in Ship Bottom Borough, Ocean County:

i. Along both sides of the eastbound roadway (Ninth Street):

(1) Within the entire corporate limits of Ship Bottom Borough including all ramps and connections thereto which are under the jurisdiction of the Commissioner of Transportation.

ii. Along both sides of the westbound roadway (Eighth Street):

(1) Within the entire corporate limits of Ship Bottom Borough including all ramps and connections thereto which are under the jurisdiction of the Commissioner of Transportation.

(b) In accordance with the provisions of N.J.S.A. 39:4-138.1, the certain parts of State highway Route 71 described in (b) of this section are designated and established as "no parking" zones.

1. No parking-loading zones in the City of Asbury Park, Monmouth County:

i. Along the westerly (southbound) side (Main Street):

(1) Between points 30 feet south of, and 70 feet south of the southerly curb line of Lake Avenue;

(2) Between points 25 feet south of, and 65 feet south of the southerly curb line of Asbury Avenue.

2. No stopping or standing at taxi stands in the City of Asbury Park, Monmouth County:

i. Along (Main Street) west side:

(1) From a point 35 feet north of the northerly curb line of Second Avenue to a point 75 feet northerly therefrom.

16:28A-1.40 Route 73

(a) The certain parts of State highway Route 73 described [herein below shall be, and hereby] in (a) of this section are designated and established as "no parking" zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1.-3. (No change.)

4. No stopping or standing in Maple Shade and Mount Laurel Townships, Burlington County:

i. Along both sides:

(1) Between the interchanges of Route 295 and Route 38, including all ramps and connections thereto which are under the jurisdiction of the Commissioner of Transportation.

5. No stopping or standing in Palmyra Borough, Burlington County:

i. Along the northbound side:

(1) From the center line of West Broad Street to the center line of West Fifth Street.

16:28A-1.41 Route 77

(a) The certain parts of State highway Route 77 described in (a) of this section are designated and established as "no parking" zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1.-3. (No change.)

4. No stopping or standing in Harrison Township, Gloucester County:

i. Along the easterly (northbound) side:

(1) Between the intersection of County Road No. 581 and the intersection of Route 45.

(b)-(c) (No change.)

16:28A-1.42 Route 79

(a) The certain parts of State highway Route 79 described [herein below shall be, and hereby] in (a) of this section are designated and established as "no parking" zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1.-3. (No change.)

4. No stopping or standing in Marlboro Township, Monmouth County:

i. Along the southbound side:

(1) From a point 190 feet north of the northerly curb line of Tennent Road County Road 3) to the northerly curb line of Tennent Road (County Road 3).

16:28A-1.45 Route 94

(a) The certain parts of State highway Route 94 described [herein below shall be, and hereby] in (a) of this section are designated and established as "no parking" zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139. Route 94 is considered a North - South Route.

1.-4. (No change.)

5. No stopping or standing in Knowlton Township, Warren County:

i. Along both sides:

(1) From the southerly curb line of Read Road to the Knowlton Township - Blirstown Township corporate line.

16:28A-1.46 Route US 130

(a) The certain parts of State highway Route US 130 described [herein below shall be, and hereby] in (a) of this section are designated and established as "no parking" zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1.-5. (No change.)

6. No stopping or standing in South Brunswick Township Middlesex County:

i. Along both sides:

(1) Between the North Brunswick Township-South Brunswick Township corporate line and the bridge over Davidsons Mill Pond.

ii. Along the westerly (southbound) side:

(1) Between the intersections of Broadway Road and Dey Road.

7. No stopping or standing in Cranbury Township, Middlesex County:

i. Along both sides:

(1) Within the corporate limits of Cranbury Township.

8. No stopping or standing in Penns Grove Borough and Upper Penns Neck Township, Salem County:

i. Along the northbound side:

(1) From the northerly curb line of Grant Street to the southerly curb line of Regional Drive.

ii. Along the southbound side:

(1) From the northerly curb line of Regional Drive to the southerly curb line of Grant Street.

9. No stopping or standing in East Windsor Township, Mercer County:

i. Along both sides:

(1) For the entire length within the corporate limits of East Windsor Township.

16:28A-1.52 Route 173

(a) The certain parts of State highway Route 173 described [herein below shall be, and hereby] in (a) of this section are designated and established as "no parking" zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1. (No change.)

2. No stopping or standing in Greenwich Township, Warren County:

i. Along the westbound side:

(1) From a point 200 feet east of the center line of the Stewartsville-Bloomsbury-Warren Glen Road to the center line of the Stewartsville-Bloomsbury-Warren Glen Road.

3. No stopping or standing in Clinton Town, Hunterdon County:

i. Along the eastbound side:

(1) From a point 500 feet west of the center line of Main Street to the Town of Clinton - Clinton Township corporate line.

ii. Along the westbound side:

## TRANSPORTATION

## PROPOSALS

(1) From the Clinton Township - Town of Clinton corporate line to the easterly end of the bridge over the South Branch of the Raritan River.

4. No stopping or standing along both sides for the entire length within the corporate limits of Bloomsbury Borough, Hunterdon County.

(b) The certain parts of State highway Route 173 described in (b) of this section are designated and established as "no parking" zones where parking is prohibited at all times. In accordance with the provisions of N.J.S.A. 39:4-199 permission is hereby granted to erect appropriate signs at the following established bus stops:

1. Along the westbound side in the Town of Clinton, Hunterdon County:

i. Far side bus stop:

(1) New Street (90 feet).

16:28A-1.55 Route US 202

(a) The certain parts of State highway Route US 202 described in (a) of this section [shall be, and hereby] are designated and established as "no parking" zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1.-5. (No change.)

6. No stopping or standing in Readington Township, Hunterdon County:

i. Along both sides:

(1) Within the corporate limits of Readington Township including all ramps and connections thereto which are under the jurisdiction of the Commissioner of Transportation.

7. No stopping or standing in Morris Plains Borough, Morris County:

i. Along the northbound side:

(1) From a point 200 feet north of the prolongation of the northerly curb line of Hanover Avenue to the prolongation of the northerly curb line of Rosedale Avenue;

(2) From a point 100 feet north of the prolongation of the northerly curb line of Academy Road to the prolongation of the southerly curb line of Morris Plains Avenue;

(3) From the prolongation of the northerly curb line of Allen Place to the prolongation of the southerly curb line of Route 53.

ii. Along the southbound side:

(1) From the prolongation of the southerly curb line of Route 53 to the prolongation of the northerly curb line of Franklin Place;

(2) From the prolongation of the southerly curb line of Glennbrook Road to a point 500 feet south of the prolongation of the southerly curb line of Glennbrook Road;

(3) From the prolongation of the southerly curb line of Rosedale Avenue to a point 120 feet north of the prolongation of the northerly curb line of Hanover Avenue.

8. No stopping or standing; 7:00 A.M.-9:00 A.M. and 4:00 P.M.-6:00 P.M. in Morris Plains Borough, Morris County:

i. Along the northbound side:

(1) From the prolongation of the northerly curb line of Rosedale Avenue to the prolongation of the southerly curb line of Academy Road;

(2) From a point 105 feet north of the prolongation of the northerly curb line of Morris Plains Avenue to the prolongation of the southerly curb line of Allen Place.

ii. Along the southbound side:

(1) From a point 500 feet south of the prolongation of the southerly curb line of Glennbrook Road to a point 120 feet north of the prolongation of the northerly curb line of Hillview Avenue;

(2) From the prolongation of the southerly curb line of Hillview Avenue to the prolongation of the northerly curb line of Rosedale Avenue.

(b) (No change.)

(c) The certain parts of State Highway Route US 202 described

in (c) of this section shall be designated and established as "no parking" zones where parking is prohibited at all times. In accordance with the provisions of N.J.S.A. 39:4-199 permission is hereby granted to erect appropriate signs at the following established bus stops:

1. Along the easterly (northbound) side (Mount Kemble Avenue) in Morris Township, Morris County:

i. Mid-block:

(1) Between Byron Avenue and Skyline Drive beginning 54 feet south of the southerly curb line of Byron Avenue and extending 120 feet southerly therefrom.

2. Along the northbound side in Morris Plains Borough, Morris County:

i. Far side bus stops:

(1) Hanover Avenue (200 feet);

(2) Academy Road (100 feet);

(3) Morris Plains Avenue (105 feet).

3. Along the southbound side in Morris Plains Borough, Morris County:

i. Far side bus stops:

(1) Franklin Place (105 feet).

ii. Near side bus stops:

(1) Glenbrook Road (120 feet);

(2) Hillview Avenue (120 feet);

(3) Hanover Avenue (120 feet).

4. All bus stops to be the above specified length, measured from the curb line of the intersecting street, or the prolongation of the curb line of the street which intersects.

16:28A-1.57 Route US 206

(a) [In accordance with the provisions of N.J.S.A. 39:4-138.1 t] The certain parts of the of State highway Route US 206 described in (a) of this section [shall be, and hereby] are designated and established as "no parking" zones where stopping or standing are prohibited at all times except as provided in N.J.S.A 39:4-139.

1.-14. (No change.)

15. No stopping or standing in Mansfield Township, Burlington County:

i. Along both sides:

(1) Between the intersection of Old York Road and Spring Hill Brook.

16. No stopping or standing in Peapack - Gladstone Borough and Bedminster Townships, Somerset County:

i. Along both sides:

(1) Between the intersections of Holland Road and Ski Hill Drive.

17. No stopping or standing in Bedminster Townships, Somerset County:

i. Along the easterly (northbound) side:

(1) Between a point 83 feet south of the end of the concrete highway divider, at milepost 79 plus 330 feet, and a point 600 feet northerly thereof.

18. No stopping or standing in Mount Olive Township, Morris County:

i. Along both sides:

(1) Within the corporate limits of the Township of Mount Olive.

ii. Along both sides:

(1) Between the intersection of Flanders-Bartley Road and the intersection of Main Street-Flanders Road.

19. No stopping or standing in Bordentown Township, Burlington County:

i. Along the eastbound (southerly) side of Maple Avenue:

(1) From the prolongation of the easterly curb line of Route US 206, to a point 110 feet easterly thereof.

ii. Along the westbound (northerly) side of Maple Avenue:

(1) From the prolongation of the easterly curb line of Route US 206, to a point 150 feet easterly thereof.

iii. Along both sides:

## PROPOSALS

## TRANSPORTATION

(1) Within the entire corporate limits of Bordentown Township, including all ramps and connections thereto which are under the jurisdiction of the Commissioner of Transportation.

20. No stopping or standing in Lawrence Township, Mercer County:

i. Along the northbound side:

(1) From the junction of Route US 1 Traffic Circle to the southerly curblineline of Fairfield Avenue;

(2) From the northerly curblineline of Gedney Road to a point 55 feet north of the prolongation of the northerly curblineline of Gordon Avenue;

(3) From the prolongation of the southerly curblineline of Cold Soil Road to the Lawrence Township-Princeton Township corporate line.

ii. Along the southbound side:

(1) From the Princeton Township-Lawrence Township corporate line to the northerly curblineline of Manning Lane;

(2) From a point 140 feet north of the northerly curblineline of Gordon Avenue to a point 135 feet south of the southerly curblineline of Gordon Avenue;

(3) From the southerly curblineline of Craven Lane to the junction of Route US 1 Traffic Circle.

21. No stopping or standing—Monday-Saturday in Lawrence Township, Mercer County:

i. Along the northbound side:

(1) From a point 55 feet north of the prolongation of the northerly curblineline of Gordon Avenue to the prolongation of the southerly curblineline of Cold Soil Road.

22. No stopping or standing in Montague Township, Sussex County:

i. Along both sides:

(1) From a point 1275 feet south of the center line of Pollaras Lane to a point 425 feet north of the center line of Pollaras Lane.

23. No stopping or standing in Princeton Borough, Mercer County:

i. Along the northbound side:

(1) From the center line of Lovers Lane to a point 120 feet north of the center line of Edgehill Street;

(2) From a point 230 feet south of the center line of Bayard Lane to the center line of Leigh Avenue.

ii. Along the southbound side:

(1) From the center line of Leigh Avenue to the center line of Lovers Lane.

24. No stopping or standing in Roxbury Township, Morris County:

i. Along the southbound side:

(1) From a point 480 feet north of the center line of Mountain Road (Old Ledgewood Road) to the center line of Mountain Road (Old Ledgewood Road).

16:28A-1.67 Route 63

(a) The certain parts of State highway Route 63 described in (a) of this section [shall be, and hereby] are designated and established as “no parking” zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1. (No change.)

2. No stopping or standing in Fairview Borough, Bergen County:

i. Along the southbound side:

(1) From 120 feet north of, to 120 feet south of the center line of Industrial Avenue.

3. No stopping or standing in North Bergen Township, Hudson County and Fairview Borough, Bergen County:

i. Along the northbound side:

(1) From the center line of J.F. Kennedy Boulevard and the North Bergen Township, Hudson County-Fairview Borough, Bergen County corporate line.

ii. Along the southbound side:

(1) From the center line of Sherman Place, to the center line of 91st Street.

16:28A-1.71 Route 67

(a) (No change.)

(b) The certain parts of State highway Route 67 described in (b) of this section are designated and established as “no parking” zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1. No stopping or standing in Fort Lee Borough, Bergen County:

i. Along both sides:

(1) From the junction of Route 5 to the southerly curb line of Tom Hunter Road.

16:28A-1.74 Route 33-34

(a) The certain parts of State highway Route 33-34 described in (a) of this section shall be designated and established as “no parking” zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1. No stopping or standing in Wall Township, Monmouth County:

i. Along both sides:

(1) For the entire length within the corporate limits of Wall Township.

16:28A-1.75 Routes 35, 35-71

(a) The certain parts of State highway Routes 35 and 35-71 described in (a) of this section are designated and established as “no parking” zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1. No stopping or standing in Belmar Borough, Monmouth County:

i. Along the easterly (northbound) side of Route 35:

(1) Between the Wall Township-Borough of Belmar corporate line and the intersection of “L” Street.

ii. Along both sides of Route 35:

(1) Between the intersections of “L” Street of Route 71 (“H” Street).

iii. Along both sides of Route 35-71:

(1) Between the intersection of Route 35 and Route 71 (“H” Street) to the intersection of Route 35 and 71 (Eighth Avenue).

iv. Along both sides of Route 35:

(1) Between the intersection of Route 35 and 71 (Eighth Avenue) and the bridge over Shark River.

16:28A-1.76 Route 37

(a) The certain parts of State highway Route 37 described in (a) of this section are designated and established as “no parking” zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1. No stopping or standing in Seaside Heights Borough, Berkeley and Dover Townships, Ocean County:

i. Along both sides:

(1) From the junction of Route 35 to the Dover Township-Manchester Township corporate line including all ramps and connections thereto which are under the jurisdiction of the Commissioner of Transportation.

16:28A-1.77 Route US 40-50

(a) The certain parts of State highway Route US 40-50 described in (a) of this section are designated and established as “no parking” zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1. No stopping or standing in Hamilton Township, Atlantic County:

i. Along both sides:

(1) From the centerline of Route 50-Mill Street, to a point 200 feet east of the centerline of Central Avenue.

**TRANSPORTATION**

**PROPOSALS**

**16:28A-1.78 Route 53**

(a) The certain parts of State highway Route 53 described in (a) of this section are designated and established as “no parking” zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1. No stopping or standing in Morris Plains Borough, Morris County:

i. Along both sides:

(1) For the entire length within the corporate limits or Morris Plains Borough.

2. No stopping or standing in Denville Township, Morris County:

i. Along the northbound side:

(1) From the Parsippany-Troy Hills Township-Denville Township corporate line to the center line of Richwood Place;

(2) From the center line of Menagh Avenue to the center line of Bloomfield Avenue;

(3) From a point 150 feet south of the center line of Broadway-Diamond Spring Road, to the center line of Broadway-Diamond Spring Road.

ii. Along the southbound side:

(1) From the center line of Bloomfield Avenue, to the Denville Township-Parsippany Troy Hills Township corporate line.

3. No stopping or standing between the hours of 4:00 P.M. and 7:00 P.M. - Monday through Friday in Denville Township, Morris County:

i. Along the northbound side:

(1) From the center line of Bloomfield Avenue, to a point 150 feet south of the center line of Broadway-Diamond Spring Road.

4. No stopping or standing in Parsippany-Troy Hills Township, Morris County:

i. Along the northbound side:

(1) From the northerly curb line of Tarn Drive to the southerly curb line of Park Road.

ii. Along the southbound side:

(1) From a point 1,150 feet south of the prolongation of the southerly curb line of Tarn Drive to a point 1,560 feet south of the prolongation of the southerly curb line of Tarn Drive.

**16:28A-1.79 Route 59**

(a) The certain parts of Route 59 described in (a) of this section are designated and established as “no parking” zones where stopping or standing are prohibited at all times except as provided in N.J.S.A. 39:4-139.

1. No stopping or standing in Cranford Township and Garwood Borough, Union County:

i. Along both sides for its entire length.

**16:28A-1.80 Route I-80**

(a) The certain parts of State highway Route I-80 (Frontage Road Number 2) described in (a) of this section are designated and established as “no parking” zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1. No stopping or standing in Parsippany-Troy Hills Township, Morris County:

i. Along both sides:

(1) From the easterly curb line of Camelot Drive to the westerly curb line of Marmora Road.

**16:28A-1.81 Route 87**

(a) The certain parts of State highway Route 87 described in (a) of this section are, designated and established as “no parking” zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1. No stopping or standing in Atlantic and Brigantine Cities, Atlantic County:

i. Along both sides:

(1) For the entire length of Route 87 including all ramps and connections thereto which are under the jurisdiction of the Commissioner of Transportation.

**16:28A-1.82 Route US 130 and 33**

(a) The certain parts of State highway Route US 130-33 described in (a) of this section are designated and established as “no parking” zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1. No stopping or standing in Washington Township, Mercer County:

i. Along both sides:

(1) Between a point 830 feet north of Windsor Road and the Washington Township-East Windsor Township corporate line.

ii. Along the easterly (northbound) side:

(1) Between a point 250 feet south of, and the southerly curb line of Windsor Road.

iii. Along the westerly (southbound) side:

(1) Between a point 250 feet north of, and the northerly curb line of Windsor Road.

2. No stopping or standing in East Windsor Township, Mercer County:

i. Along both sides:

(1) For the entire length within the corporate limits of East Windsor Township.

**16:28A-1.83 Route 153**

(a) The certain parts of State highway Route 158 described in (a) of this section are designated and established as “no parking” zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1. No stopping or standing in the Town of Secaucus, Hudson County:

i. Along the westbound side:

(1) From the westerly end of the bridge over Route 3, to the center line of Ramp “R”.

**16:28A-1.84 Route 159**

(a) The certain parts of State highway Route 159 described in (a) of this section are, designated and established as “no parking” zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1. No stopping or standing in Montville Township, Morris County:

i. Along both sides:

(1) For the entire corporate limits of Montville Township including all ramps and connections thereto which are under the jurisdiction of the Commissioner of Transportation.

**16:28A-1.85 Route 161**

(a) The certain parts of State highway Route 161 described in (a) of this section are designated and established as “no parking” zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1. No stopping or standing in Clifton City, Passaic County:

i. Along the northbound side:

(1) From a point 115 feet south of the center line of Olga B. Terrace to a point 115 feet north of the center line of Olga B. Terrace;

(2) From the center line of St. James Place to a point 115 feet north of the center line of St. James Place.

ii. Along the southbound side:

(1) From a point 120 feet north of the center line of Sunnycrest Avenue to a point 120 feet south of the center line of Sunnycrest Avenue.

**16:28A-1.86 Route 182**

(a) The certain parts of State highway Route 182 described in (a) of this section are designated and established as “no

## PROPOSALS

## TRANSPORTATION

parking” zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1. No stopping or standing in the Town of Hackettstown, Warren County:

i. Along the southbound side:

(1) From the southerly curb line of Route US 46 to the northerly curb line of Shelley Drive;

ii. Along the northbound side:

(1) From the northerly curb line of Shelley Drive to a point 100 feet north of the northerly curb line of Water Street.

#### 16:28A-1.87 Route 62

(a) The certain parts of State highway Route 62 described in (a) of this section are designated and established as “no parking” zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1. No stopping or standing between the hours of 3:00 P.M.-6:00 P.M. in West Paterson Borough, Passaic County:

i. Along the northbound side (McBride Avenue):

(1) From the center line of West 31st Street, to the center line of Clover Avenue.

2. No stopping or standing in Totowa Borough, Passaic County:

i. Along the northbound side:

(1) From the junction of Route US 46 to a point 110 feet north of the center line of Wilson Avenue;

(2) From a point 125 feet south of the center line of Bogert Street to the center line of Redman Place;

(3) From the center line of Union Boulevard to the center line of Washington Place.

(4) From a point 100 feet east of the center line of Dewey Avenue to the Totowa Borough-West Paterson Borough corporate line.

ii. Along the southbound side:

(1) From the West Paterson Borough-Totowa Borough corporate line to the center line of Franklin Place;

(2) From the center line of William Place to the center line of Union Boulevard;

(3) From the center line of Browne Avenue to the center line of Stewart Terrace;

(4) From a point 285 feet south of the center line of Stewart Terrace to the junction of Route US 46.

3. No stopping or standing-4:00 P.M. - 6:00 P.M. in Totowa Borough, Passaic County:

i. Along the northbound side:

(1) From a point 110 feet north of the center line of Wilson Avenue to a point 125 feet south of the center line of Bogert Street.

4. No stopping or standing-7:00 A.M. - 9:00 A.M. in Totowa Borough, Passaic County:

i. Along the southbound side:

(1) From the center line of Stewart Terrace to a point 285 feet south of the center line of Stewart Terrace.

#### 16:28A-1.88 Route 208

(a) The certain parts of State highway Route 208 described in (a) of this section are designated and established as “no parking” zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1. No stopping or standing in Fair Lawn Borough, Glen Rock Borough, Wyckoff Township, Franklin Lakes Borough and Oakland Borough in Bergen County and Hawthorne Borough in Passaic County:

i. Along both sides:

(1) For its entire length, including all ramps and connections thereto which are under the jurisdiction of the Commissioner of Transportation.

#### 16:28A-1.89 Route 280

(a) The certain parts of State highway Route 280 (Collector-Distributor Road) described in (a) of this section are designated and established as “no parking” zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1. No stopping or standing (Collector-Distributor Road) in the Cities of Orange and East Orange, Essex County:

i. Along both sides of Route 280 (Collector-Distributor Roads.)

#### 16:28A-1.90 Route I-280

(a) The certain parts of State highway I-280 described in (a) of this section are designated and established as “no parking” zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1. No stopping or standing in the Town of West Orange, Essex County:

(1) Along both sides of the jughandle formed by the Service Road and Ramp 1N at Wheeler Street.

#### 16:28A-1.91 Route 287

(a) The certain parts of State highway Route 287 described in (a) of this section are designated and established as “no parking” zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1. No stopping or standing in Bedminster Township, Somerset County:

i. Along both sides of Ramp “SC”: (Ramp “SC” is shown on Plan Sheet 15 of the Route 287, Section 6E construction plans):

(1) Between the easterly curb line of Route US 202-206, northbound, and a point 375 feet easterly thereof.

#### 16:28A-1.92 Route I-295

(a) The certain parts of State highway Route I-295 described in (a) of this section are designated and established as “no parking” zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1. No stopping or standing in Cherry Hill Township, Camden County:

i. Along both sides of County Road No. 561 (Haddonfield-Berlin Road):

(1) From a point 200 feet north of the center line of Ashbrook Road, to a point 1,500 feet south of the center line of Ashbrook Road.

#### 16:28A-1.93 Route US 322

(a) The certain parts of State highway Route US 322 described in (a) of this section are designated and established as “no parking” zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1. No stopping or standing in Harrison Township, Gloucester County:

i. Along both sides:

(1) Between the southerly intersection of Route 45 and a point 1,000 feet east of the bridge over Raccoon Creek at Mill Pond;

(2) Between a point 100 feet east of the easterly curb line of Barnsboro-Elmer Road and a point 100 feet west of the westerly curb line of County Road No. 55.

2. No stopping or standing in Monroe Township, Gloucester County:

i. Along both sides (Glassboro Road):

(1) From the prolongation of the westerly curb line of Main Street, to the intersection of Curtis Avenue.

ii. Along both sides (Sicklerville Road):

(1) From the prolongation of the easterly curb line of Main Street, to a point 100 feet easterly thereof.

**16:28A-1.94 Route US 322-45**

(a) The certain parts of State highway Route US 322-45 described in (a) of this section are designated and established as "no parking" zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

**1. No stopping or standing in Harrison Township, Gloucester County:**

**i. Along the northbound side:**

**(1) For the entire length within the corporate limits of Harrison Township.**

## TREASURY-GENERAL

(a)

### STATE INVESTMENT COUNCIL

#### Mortgage Backed Securities Permissible Investments; Legal Papers

#### Proposed Amendments: N.J.A.C. 17:16-43.1 and 43.2

Authorized By: State Investment Council, Roland M. Machold, Director, Division of Investment.  
Authority: N.J.S.A. 52:18A-91.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before July 21, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Roland M. Machold  
349 West State Street  
Trenton, New Jersey 08625

The State Investment Council thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-221.

The agency proposal follows:

#### Summary

The proposed amendment liberalizes investment criteria for purchases by the Division of pools of conventional mortgages. The amendment raises the loan-to-value ratio of a portion of the pool, recognizes mortgage insurance, and permits a higher degree of participation in such pools.

#### Social Impact

No section of the public is directly affected by the regulation. The regulation applies only to the activities of the Division of Investment. The effect of the proposed change will be to broaden the Division's capability to purchase conventional mortgages, which could result in incremental earnings to the pension funds.

#### Economic Impact

There are no expected costs to the agency.

**Full text** of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

### SUBCHAPTER 43. MORTGAGE BACKED [PASS- THROUGH CERTIFICATES] SECURITIES

#### 17:16-43.1 Permissible investments

(a) Subject to the limitations contained in this subchapter, the director may invest or reinvest the moneys of any pension and annuity group fund and any trust group fund in securities which are fully collateralized by mortgage securities provided:

1. Regarding the issuer:

i. (No change.)

ii. The **90-day** delinquency rate on the mortgage portfolio managed by the issuer for **any** [each] of the five preceding years should not have exceeded three percent, **nor have averaged more than 1.5 percent for the five-year period;**

2. Regarding the collateral:

[i. The par value of the mortgage collateral must be at least equal to the size of the issue.]

[ii.]i. The individual mortgage loans **serving as collateral must be insured by the Federal Housing Administration or guaranteed by the Veterans Administration or, if not Federally insured ("conventional"),** must have a loan-to-value ratio of 80 percent or less[.]; **except that up to 20 percent of the par value of the mortgage pool may be comprised of mortgage loans having a loan-to-value a ratio of 80-90 percent, provided that all such 80-90 percent mortgages are insured against credit loss by a private mortgage insurer which:**

**(1) Is approved by the Federal Home Loan Mortgage Corporation;**

**(2) Has been engaged in the mortgage insurance business for at least three years; and**

**(3) Is licensed to write mortgage insurance in the State of New Jersey;**

[iii.]ii. [The] **Conventional** mortgages **serving as collateral** must be secured by **detached** single-family residential properties, and such properties should be geographically dispersed within the State or States served by the issuer[; and],**except that up to a total of five percent of the par value of the pool may be comprised of mortgages secured by two-four family residential properties, and up to 15 percent of the par value of the pool may be comprised of mortgages secured by primary residential townhouses and condominiums;**

[iv.]iii. The mortgages collateralizing the security must not be under the direct control of the issuer of the security but under the control of a trustee incorporated in the United States[.];

**3. As to fixed maturity bonds secured by mortgages meeting the criteria set forth in (a)2 above, such bonds shall not have a maturity of more than 10 years and shall be continually secured by mortgages having a market value equal to not less than 140 percent of the par value of the bonds;**

**4. As to pass-through certificates secured by mortgages meeting the criteria set forth in (a)2 above, the par value of the mortgage collateral must be equal to the par value of the issue, and properties securing conventional mortgages shall be covered by special hazard insurance in an amount equal to at least one percent of the amount of the pool to compensate the pool for catastrophes not normally covered by homeowner's insurance, and such mortgage pools shall be covered by mortgage credit insurance in an amount equal to at least five percent of the amount of the pool in order to compensate the pool for credit losses in excess of losses covered by individual mortgage credit insurance;**

**5.[3.]** The issue has been registered with the Securities and Exchange Commission, except that this requirement may be waived by the State Investment Council; [and]

**6. [4.]** No amount in excess of [20%] **one-third** of any one issue may be purchased; [and]

Renumber 5. as 7.

**8. [6.]** The issue must be rated at least AA by Standard & Poor's

Corporation and Aa by Moody's Investors Service, Inc., excepting that one rating is sufficient if only one rating is available.

17:16-43.2 Legal papers

(a) Prior to any commitment to purchase obligations of the type described in this subchapter, the director shall have obtained:

1. (No change.)

2. A certification signed by two members of the Division's staff and endorsed by the director stating that each proviso enumerated under **N.J.A.C. 17:16-43.1** [section 1 of this subchapter] had been checked by them and that in their opinion the security under consideration qualified as a [satisfactory] **legal** investment as outlined by **N.J.A.C. 17:16-43.1** [section 1 of this subchapter];  
**and**

3. (No change.)

---

# RULE ADOPTIONS

## COMMUNITY AFFAIRS

(a)

### LOCAL FINANCE BOARD

#### Annual Budget

#### Dedication by Rider to the Budget of the Local Unit

**Adopted Amendment: N.J.A.C. 5:30-3.3**

Proposed: April 5, 1982 at 14 N.J.R. 301(a).  
Adopted: May 11, 1982 by Local Finance Board, Helen L. Mathews, Secretary.  
Filed: May 26, 1982 as R.1982 d.186, **without change**.

Authority: N.J.S.A. 52:27BB-10(2).

Effective Date: June 21, 1982.

## EDUCATION

(b)

### STATE BOARD OF EDUCATION

#### Bookkeeping and Accounting in Local School Districts Budget and Cost Distribution Records

**Adopted Amendments: N.J.A.C. 6:20-2.3**

Proposed: April 5, 1982 at 14 N.J.R. 309(a).  
Adopted: June 2, 1982 by State Board of Education, Gustav H. Ruh, Acting Secretary.  
Filed: June 4, 1982 as R.1982 d.194, **with a technical change** not requiring additional public notice and comment.

Authority: N.J.S.A. 18A:4-15, 18A:7A-1 et seq. and 18A:22-8.

Effective Date: June 21, 1982.

**Full text** of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks **\*thus\***; deletions from proposal shown in brackets with asterisks **\*[thus]\***).

6:20-2.3 Budget and cost distribution records

- (a)-(e) (No change from proposal.)
- (f) [In preparation from the 1983-84 conversion, all districts shall crosswalk their 1982-83 budget to a program-oriented format and submit said crosswalk as part of classification documentation by July 1, 1982].

**The Commissioner of Education shall report periodically, but not less than annually, to the State Board of Education \* [of]\* \*on\* the number of districts that have adopted the approved program-oriented budget format, and the number of districts proceeding toward that end.**

(c)

### STATE BOARD OF EDUCATION

#### Health, Safety and Physical Education Audiometric Screening

**Adopted New Rules: N.J.A.C. 6:29-8.1 and 8.2**

Proposed: January 18, 1982 at 14 N.J.R. 108(a).  
Adopted: April 7, 1982 by State Board of Education, Gustav H. Ruh, Acting Secretary.  
Filed: June 4, 1982 as R.1982 d.195, **with substantive changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-3.5).

Authority: N.J.S.A. 18A:4-15 and 18A:40-4.

Effective Date: June 21, 1982.  
Operative Date: September 1, 1982.

**Full text** of the changes between proposal and adoption follows (additions to the proposal shown in boldface **thus**; deletions from proposal shown in brackets [thus]).

#### 6:29-8.1 Definitions

**"Audiometer"** means an electroacoustical generator which provides pure tones at selected frequencies of output through calibrated earphones mounted in MX41/AR earmuffs. Audiometers shall be calibrated annually **\*in accordance with ANSI S3.6-1969,\*** **\*[to the]\* American National Standard Specifications for Audiometers, \*[(ANSI 1969)]\*** **\*which with all subsequent amendments and supplements is hereby adopted as a rule.**

1. **This document is available for review at the Division of School Programs, Department of Education, 225 West State Street, CN 500, Trenton, New Jersey 08625, or at the Office of Administrative Law, CN 301, Trenton, New Jersey 08625.**

2. **This document may be purchased from the American National Standards Institute, Inc., 1430 Broadway, New York, New York 10018.\***

...

#### 6:29-8.2 Screening procedures

- (a) (No change from proposal.)
- (b) (No change from proposal.)
- 1.-2. (No change from proposal.)
- 3. Enrolled in grades 6, 8, and \*9 or \* 10;**
- 4.-7. (No change from proposal.)
- (c) (No change from proposal.)
- (d) Each pupil shall be screened individually with an audiometer which is calibrated annually \*in accordance with**

ANSI S3.6-1969,\* **\*[to the]\* American National Standards Specifications for Audiometers, **\*(ANSI 1969)\* at **\*[20db]\* **\* 20dB\* HL in a screening room at the following frequencies: 500 Hz, 1000 Hz, 2000 Hz, 3000 Hz, and 4000 Hz.********

(e)-(i) (No change from proposal.)

## ENVIRONMENTAL PROTECTION

(a)

### DIVISION OF WATER RESOURCES

#### Shellfish-Growing Water Classifications

##### Adopted New Rules: N.J.A.C. 7:12-1.4 and 1.5

##### Adopted Amendments: N.J.A.C. 7:12-1.2 and 1.3

Proposed: April 5, 1982 at 14 N.J.R. 310(a).  
Adopted: May 24, 1982 by Robert E. Hughey,  
Commissioner, Department of Environmental  
Protection.

Filed: May 25, 1982 as R.1982 d.182, **with substantive changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-3.5).

Authority: N.J.S.A. 13:1D-1, 13:1B-5, and 58:24-1.

Effective Date: June 21, 1982.  
DEP Docket No.: 003-82-03.

**Full text** of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks **\*thus\***; deletions from proposal shown in brackets with asterisks **\*[thus]\***).

#### 7:12-1.3 Growing water condemnations

(a) (No change from proposal.)

1.-30. (No change from proposal.)

31. Strathmere and Sea Isle City area (A portion is designated as [seasonal, see] **Seasonal. See: N.J.A.C. 7:12-[1.3(c)8]1.5.**)

i.-ii. (No change from proposal.)

iii. That portion of Ludlam Bay lying west of a line beginning at [the Flashing Beacon at Ludlam Beach] **\*the Department maintained marker on the southern shore of Ludlam Bay\*** and bearing approximately 330 degrees T to [the intercoastal waterway buoy number 110] **\*a marker Department maintained on an unnamed island\*** then bearing approximately 245 degrees T to the Range [marker (Department maintained)] **\*Department maintained marker\*** on the mainland.

vi.-viii. (No change from proposal.)

32.-39. (No change from proposal.)

(b)-(c) (No change from proposal.)

## HEALTH

(b)

### DRUG UTILIZATION REVIEW COUNCIL

#### Interchangeable Drug Products

##### Adopted Amendments: N.J.A.C. 8:71

Proposed: January 4, 1982 at 14 N.J.R. 22(a).  
Adopted: June 4, 1982 by Drug Utilization Review Council,  
Robert G. Kowalski, Chairman.  
Filed: June 7, 1982 as R.1982 d.197, with a portion of  
the proposal **not adopted** but still pending, and a  
portion of the proposal **not adopted**.

Authority: N.J.S.A. 24:6E-6g.

Effective Date: June 21, 1982.

The following proposed drugs with their acceptable manufacturers were **adopted**:

Furosemide tabs. 20, 40 mg.	Mylan
Hydrochlorothiazide tabs. 25, 50 mg.	Lederle
Hydrochlorothiazide tabs. 50 mg.	Steri-Med
Penicillin V Potassium tabs 250 mg., 500 mg.	Beecham
Penicillin V Potassium for Oral Sol. 125 mg/5 ml., 250 mg/5 ml	Beecham
Spiroinolacton tabs. 25 mg.	Chelsea
Tetracycline HCl caps. 250, 500 mg.	Danbury

The following drug products and their manufacturers, noticed in the proposal, **were not adopted**:

Chlorthalidone tabs. 25, 50 mg.	Danbury
Chlorzoxazone 250 mg/Acetaminophen 300 mg Tabs.	Bolar, Barr
Hydroxyzine Pamoate caps. 25, 50, 100 mg.	Bolar

The following drug products and their manufacturers, noticed in the proposal, **were not adopted but are still pending**:

Chlorthalidone tabs. 25, 50 mg.	KV, Lederle, Bolar
Dexamethasone tabs. 0.5, 0.75, 1.5, 4 mg.	Organon, Rowell
Dexamethasone tabs. 0.75 mg.	Bolar
Dexamethasone tabs. 0.25, 0.50, 0.75, 1.50 mg.	Barr
Furosemide tabs. 20, 40 mg.	Cord
Spiroinolactone tabs. 25 mg.	Barr
Spiroinolactone 25 mg/Hydrochlorothiazide 25 mg. tabs.	Chelsea
Sulfasalazine tabs. 500 mg.	Chelsea
Sulfisoxazole tabs. 500 mg.	Barr
Tolbutamide tabs. 500 mg.	Barr

OFFICE OF ADMINISTRATIVE LAW NOTE: See the April 19, 1982 Register at 14 N.J.R. 389(c) for a related notice of adoption.

# HUMAN SERVICES

(a)

## DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

### Home Health Services Manual Definitions; Covered Services; Prior Authorization Requirements

#### Adopted Amendments: N.J.A.C. 10:60-1, 2.1, 2.2 and 2.3

Proposed: March 15, 1982 at 14 N.J.R. 264(b).  
Adopted: June 7, 1982 by George J. Albanese,  
Commissioner, Department of Human Services.  
Filed: June 7, 1982 as R.1982 d.199, **with substantive  
and technical changes** not requiring additional public  
notice and comment (see N.J.A.C. 1:30-3.5).

Authority: N.J.S.A. 30:4D-6b(2) and 30:4D-7 and 7b.

Effective Date: June 21, 1982.  
Operative Date: July 1, 1982.

Full text of the changes between proposal and adoption follows  
(additions to proposal shown in boldface with asterisks **\*thus\***;  
deletions from proposal shown in brackets with asterisks **\*[thus]\***).

#### 10:60-1.1 Scope

(a) Home health agencies must provide nursing services and homemaker-home health aide services. **\*Certain\*** medical supplies must be provided by the agency~~;~~**\*[ ]\*\*.\* \*Medical\*** equipment and appliances must be arranged for by the agency. Additional services may include **\*[the provision of]\*** physical therapy, occupational therapy, speech~~—~~**language\*** pathology, medical social services and other health care related services.

**\*[(b)]\*\*1.\*** Medicaid reimbursement is available for these services when provided to **\*Medicaid Eligible\*** patients in their places of residence, such as a private home, residential hotel, residential health care facility, rooming house and boarding house, but not in a hospital, skilled nursing facility or intermediate care facility. **\*Prior authorization is required for all services/visits except for the initial evaluation visit.\***

**\*[1.]\*\*i.\*** In residential health care facilities the **\*personal care and household\*** services of a homemaker-home health aide are excluded.

**\*[(c)]\*\*\*(b)\*** Home health services are provided or arranged by a participating home health agency based on the prescribed plan of care. All component services include instruction of the patient, the family, and/or interested persons toward the **\*[recipient's]\* \*** **patient's\*** ultimate degree of self-care and independence, supportive care and maintenance. Supplementation of home health care may be necessary from a variety of other available community services in order to maintain the individual in the home environment.

**\*[(d)]\*\*\*(c)\*** The provision of home health services can range from a complex concentrated professional program (for acute care cases) which could require the services of a public health nurse, registered professional nurse, a licensed practical nurse, physical therapist, **\*occupational therapist,\*** speech~~—~~**language\*** pathologist, social worker, and homemaker-home health aide to a less complicated program (as in chronic care cases) involving a homemaker-home health aide and/or therapist and minimal visits by a registered nurse.

The mixture of services provided and the duration of these services are determined by the needs of each patient.

#### 10:60-1.2 Definitions

“Dietitian” means: A person who is a graduate of an accredited college or university with courses meeting the academic standards of the American Dietetic Association, plus a dietetic internship **\* [of]\* \*or\*** dietetic traineeship or master’s degree plus six months experience. A registered dietitian is one who has met current requirements for registration.

“Discharge planning” means: That component part of a total individualized plan of care formulated by all members of the **\* agency’s\*** health care team, together with the patient and/or his family or interested person which anticipates **\*[the continuity of care for a patient with health care needs.]\* \*the health care needs of the patient in order to provide for continuity of care.\*** Such planning aims to provide humane and psychological preparation to enable the patient to adjust to his changing needs and circumstances.

**\*[1. As a significant part of the initial plan of care, a discharge plan is periodically reviewed and appropriately revised. These revisions should reflect changes in the medical, nursing, social and emotional needs of the patient, with attention to the economic factors when considering alternate methods of meeting these needs.**

2. Discharge planning takes the patient’s preferences into account when changing the intensity of care in his residence, arranging services with other community agencies, transferring to or from home health care providers. Discharge planning also provides for the transfer of appropriate information about the patient by the home health care team to the new providers to ensure continuity of health care.]\*

“Levels of care” means the following:

1. Two levels of home health services **\*, acute and chronic,\*** are provided **\*, as needed,\*** to Medicaid eligible patients, upon request of the attending physician~~.\*~~ **\*[ , as it appropriately relates to the need for care at a higher or lower level as indicated by the changing condition of the recipient. The levels of care are as follows:]\***

i. “Acute” home health care is **\*a\*** concentrated and/or complex professional and non-professional service on a continuing basis where there is anticipated change in condition and services required. **\*[Request for authorization may be approved for up to a 60 day period.]\* \*Acute home health care services may be requested and authorized for a period up to 60 days. Services may be reauthorized as needed.\***

ii. “Chronic” home health care is either a long or short-term uncomplicated professional and **\*[ /or]\*** non-professional care where there is no anticipated change in condition and services required. **\*[Request for authorization may be approved for up to a six month period.]\* \*Chronic home health care services may be requested and authorized for a period up to six months. Services may be reauthorized as needed.\***

“Medical Consultant” means a **\*[duly]\*** licensed physician based in **\*[each]\* \*the\*** Local Medical Assistance Unit whose responsibility is to review **\*, evaluate and authorize a patient’s medical need for services covered by the Medicaid Program.]\* \* and evaluate requests for prior authorization for various medical services for the Medicaid Program.\*** For Home Health Services the Medical Consultant may be assisted by a **\*Medicaid\*** nurse and social worker in the review and evaluation **\*[process.]\* \*of the prior authorization requests.\***

“Participating home health agency” means a public or private agency or organization, either proprietary or non-profit, or a subdivision of such an agency or organization, which qualifies as follows:

1. **\*[Approval]\* \*Is approved\*** by the New Jersey State

Department of Health including requirements for Certificate of Need and licensure when applicable.

2. **[Certification]** **Is certified** as a home health agency under Title XVIII (Medicare) Program **[, or a determination that the home health agency meets the requirements for such participation.]**

3. **[Approval]** **Is approved** for participation as a home health agency provider by the New Jersey Medicaid Program.

"Physical therapist" means a person who is licensed as a physical therapist by the state in which the physical therapist is practicing and who meets one of the following requirements:

1. Has graduated from a physical therapy curriculum approved by the American Physical Therapy Association, or by the Council on Medical Education **[and Hospitals of the American Medical Education]** of the American Medical Association **[and the American Physical Therapy Association]**; or

2.-5. (No change from proposal.)

"Plan of care" means the individualized and documented program of health care services to be provided by all members of the home **[health care team]** **agency** involved in the delivery of health care services to a patient. **The plan** includes short and long-term goals for rehabilitation, restoration or maintenance made in cooperation with the patient and/or responsible family member or interested person. Appropriate instruction of patient, and/or the family or interested person as well as a plan for discharge are also essential components of the treatment plan. The plan is reviewed periodically and revised appropriately according to the observed changes in the patient's condition.

"Speech-language pathologist" means a person who meets the education and experience requirements for a Certificate of Clinical Competence in speech-language pathology granted by the American Speech-Language-Hearing Association; or meets the educational requirements for certification and is in the process of accumulating the supervised experience **[required]** for **a Certificate of Clinical Competence in the appropriate area (such as speech-language pathology) granted by the American Speech-Language-Hearing Association.**

10:60-1.3 Covered home health services

(a)-(b) (No change from proposal.)

(c) The type of home health agency services covered include professional nursing by a public health nurse, registered professional nurse, or licensed practical nurse; homemaker-home health aide services; physical therapy, occupational therapy, speech-language pathology, nutritional services, and medical social services; and certain medical supplies.

(d) The services **may** **must** be directed toward rehabilitation and/or restoration of the patient to the optimal level of physical and/or mental functioning, self-care and independence; or directed toward maintaining the present level of functioning **[,]** **and** preventing further deterioration; or **directed toward** providing supportive care in declining health situations.

1. Nursing services The home health agency shall provide comprehensive nursing under the direction of a public health nurse supervisor/director as defined by the New Jersey State Department of Health. These services shall include but not be limited to the following:

i.-iii. (No change from proposal.)

iv. Skilled **[observations]** **observing** and monitoring of the patient's responses to care and treatment;

v. (No change from proposal.)

vi. Implementing restorative nursing care measures involving all body systems including but not limited to:

(1)-(2) (No change from proposal.)

(3) Developing the patient's independence in all activities of daily living by teaching self-care including ambulation **[with]** **within** the limits of the treatment plan;

(4) (No change from proposal.)

vii.-viii. (No change from proposal.)

ix. Preparing nursing documentation including nursing assessment, nursing **[histories]** **history**, clinical nursing records and nursing progress notes;

x. (No change from proposal.)

2. Homemaker-home health aide services: Homemaker-home health aide services are performed **by a New Jersey certified homemaker-home health aide** under the direction and supervision of a home health agency registered professional nurse **[by a New Jersey certified homemaker-home health aide.]** **Services include personal care, health related tasks and household duties.** In all areas of service, the homemaker-home health aide shall encourage the well members of the family, if any, to carry their share of responsibility for the care of the patient **[.]** **as per the written established plan of care.**

i. Household duties are covered services only when combined with personal care and other health services **[.]** **provided by the home health agency. Household duties can include such services as the care of the patient's room, personal laundry, shopping, meal planning and preparation. In contrast, personal care services can include assisting the patient with grooming, bathing, toileting, eating, dressing, and ambulation.** The determining factor for the authorization of household duties should be the degree of functional disability of the patient as well as the need for physician prescribed personal care and other health services, and not solely the individual's medical diagnosis.

ii. The registered professional nurse **[,]** in accordance with the physician's plan of care **[,]** prepares written instructions for the homemaker-home health aide **[,]** **to include** the amount and kind of supervision needed, the specific needs of the patient and the resources of the patient, the family, and other interested persons. Supervision of the homemaker-home health aide shall be provided by the registered professional nurse **or appropriate professional staff member** at a minimum of one visit every two weeks when in conjunction with skilled nursing, physical, **occupational** or speech-language therapy. In all other situations, supervision shall be provided as the home health agency feels necessary.

iii. The registered professional nurse, and other professional staff members shall make visits to the patient's residence **[,]** **to observe, supervise and assist,** when the homemaker-home health aide is present **[to observe, supervise and assist]** or when the aide is absent, to assess relationships and determine whether goals are being met.

3. Special therapies:

i. Special therapies, include physical therapy, speech-language pathology, and occupational therapy. Special therapists must review the initial plan of care and any change in the plan of care with the attending physician and the professional nursing staff of the home health agency. The attending physician must be given an evaluation of the **progress of** therapies provided as well as the patient's reaction to treatment and any change in the patient's condition. The attending physician must approve of any changes in the plan of care and delivery of therapy services.

ii. The attending physician must prescribe in writing the specific methods to be used by the therapist and the frequency of therapy services. "Physical therapy as needed", or similarly worded blanket order **[,]** by the attending physician is not acceptable.

iii. Special therapists shall provide instruction to the home health agency staff, the patient, the family and/or interested persons in follow-up supportive procedures to be carried out between the intermittent services of the therapists to produce the optimal and desired results.

(1) Physical therapy: When the agency provides or arranges for physical therapy services, they shall be provided by a licensed physical therapist. The duties of the physical therapist shall include but not be limited to the following:

(A) (No change from proposal.)

(B) Developing long and short-term goals to meet the individualized needs of the patient and a treatment plan to meet these goals. Physical therapy orders must be related to the active

treatment program designed by the attending physician to assist the \*recipient\* \*patient\* to his maximum level of function which has been lost or reduced by reason of illness or injury;

(C) (No change from proposal.)

(D) Documenting clinical and progress notes reflecting restorative procedures needed by the patient\*[,]\* \*care provided\*[,]\* and patient's response to therapy\*[,]\* \*along with the notification and approval received from the physician;

(E) (No change from proposal.)

(2) Speech\*-language\* pathology: When the agency provides or arranges for speech\*-language\* pathology services, they shall be provided by a certified speech\*-language\* pathologist. The duties of a speech\*-language\* pathologist shall include but not be limited to the following:

(A) (No change from proposal.)

(B) Developing long and short\*-term goals and applying speech\*-language\* pathology procedures to achieve identified goals;

(C) Coordinating activities with\*[,]\* and providing assistance to \*[,an]\* \*a certified\* audiologist, when indicated;

(D) (No change from proposal.)

(E) Documenting clinical and progress notes reflecting restorative procedures needed by the patient\*[,]\* \*care provided\* \*; and the patient's response to therapy\*[,]\* \*along with the notification and approval received from the physician\*[,]\* \*.

(3) Occupational therapy: **\*The need for occupational therapy is not a qualifying criterion for initial entitlement to home health services benefits. However, if an individual has otherwise qualified for home health benefits, his/her eligibility for home health services may be continued solely because of his/her need for occupational therapy.\*** When the agency provides or arranges for occupational therapy services, they shall be provided by a registered occupational therapist. The duties of an occupational therapist shall include\*[,]\* but not be limited to the following:

(A) (No change from proposal.)

(B) Developing long and short\*-term goals to meet the individualized needs of the patient and a treatment plan to achieve these needs;

(C) (No change from proposal.)

(D) Documenting clinical progress notes reflecting restorative procedures needed by the patient \*[,]\* \*care provided\*[,]\* \*and patient's response to therapy\*[,]\* \*along with the notification and approval received from the physician;

(E) Occupational therapy services shall include but not be limited to activities of daily living\*[,]\* \*use of adaptive equipment, and home-making task oriented therapeutic activities.

4. Medical social services: When the agency provides or arranges for medical social services, they shall be provided by a \*qualified\* social worker, or by a \*qualified\* social work assistant under the supervision of a \*qualified\* social worker. These shall include but not be limited to the following:

i. Identifying the significant social and psychological factors related to the health problems of the patient and reporting any changes to the \*home\* health \*care team\* \*agency\*;

ii. Participating in the development of the plan of care, including discharge planning, with other members of the \*home\* health \*care team\* \*agency\*;

iii.-v. (No change from proposal.)

5. Nutritional services: When the agency provides or arranges for dietary services, they shall be provided by a registered dietitian or nutritionist. These services shall include but are not limited to the following:

i. Determining the priority of nutritional care needs and developing long and short\*-term goals to meet those needs;

ii.-iii. (No change from proposal.)

iv. Evaluating the patient's nutritional needs as related to medical and socioeconomic status \*of the\* home and family resources;

v. (No change from proposal.)

vi. Instructing patient, other \*home\* health \*team\* \*agency\*

personnel and family/interested persons in dietary and nutritional therapy;

vii. (No change from proposal.)

6. Medical supplies and equipment: Medical supplies (other than drugs and biologicals) essential to enable the home health agency to carry out the plan of care established by the attending physician and agency staff, are normally supplied by the home health agency, including but not limited to gauze, cotton bandages, surgical dressing, \*catheters,\* surgical gloves, \*irrigating solutions\* and rubbing alcohol. \*[(Exception: prior authorization must be requested from the appropriate Local Medical Assistance Unit and requires a personally signed, legible prescription from the attending physician.)]\*

i. When a patient requires an unusual or an excessive amount of first aid supplies \*, that is, sterile gauze, adhesive tape, adhesive bandage, cotton,\* (costing more than \$30.00), prior authorization must be requested from the appropriate Local Medical Assistance Unit by the medical supply dealer or pharmacy. \*Such authorizations require a personally signed, legible prescription from the attending physician.\*

ii. When durable medical equipment \*(costing more than \$30.00),\* is essential in enabling the home health agency to carry out the plan of care for a patient, a request for \*such\* \*authorization for the\* equipment must be made by an approved medical supply dealer or pharmacy. \*The authorization, which is requested of the Local Medical Assistance Unit, requires a personally signed, legible prescription from the attending physician.\* Durable medical equipment either rented or owned by the home health agency cannot be billed to the Medicaid Program.

10:60-1.4 Policies and requirements for authorization of covered services

(a) Certification by attending physician: To qualify for payment of home health care benefits by the New Jersey Medicaid Program, the patient's need for services must be certified, in writing, to the Home Health Agency at least once every 60 days by the attending physician who must be licensed in the state in which he/she practices. **\*The certifications must be kept in the Home Health Agency's file for appropriate review.\***

(b) Plan of care: The plan of care shall be developed by the attending physician in cooperation with agency personnel. It shall include, but not be limited to medical, nursing, and social care information. The following shall be part of the plan of care:

1.-8. (No change from proposal.)

9. Goals-long and short\*-term;

10.-11. (No change from proposal.)

12. Discharge planning in all areas of care (coordinated with short and long term\*-goals);

i. **As a significant part of the plan of care, a patient's potential for improvement is periodically reviewed and appropriately revised. These revisions should reflect changes in the medical, nursing, social and emotional needs of the patient, with attention to the economic factors when considering alternate methods of meeting these needs.**

ii. **Discharge planning takes the patient's preferences into account when changing the intensity of care in his residence, arranging services with other community agencies, transferring to or from home health care providers. Discharge planning also provides for the transfer of appropriate information about the patient by the referring home health agency to the new providers to ensure continuity of health care.\***

13. (No change from proposal.)

(c) (No change from proposal.)

(d) Nursing \*C\*\*c\*are:

1. The home health agency professional nursing staff shall evaluate the patient's needs, make a nursing \*[diagnoses],\* \*diagnosis,\* develop a nursing plan of care, provide nursing services and coordinate other therapeutic services to implement the approved medical and nursing plan of care.

2.-4. (No change from proposal.)

(e) Required records and reports: Federal requirements for clinical records and reports shall be met and include but not necessarily be limited to the following:

1. Clinical records containing pertinent past and current information according to accepted professional standards shall be maintained by the home health agency for each patient receiving home health care services. The clinical record shall include at least the following:

i.-ii. (No change from proposal.)

iii. The name of physician, \*[his/her]\* address and telephone number.

2.-4. (No change from proposal.)

5. Transfer of the patient to alternate health care shall include transfer of appropriate information from the \*[recipient's]\* \***patient's**\* record.

(f) Prior authorization:

1. The home health agency may bill the Medicaid \*[contractor]\* \***Fiscal Agent**\* for the administrative cost of one initial evaluation visit to eligible \***Medicaid**\* patients without prior authorization. Prior authorization is required for all other visits and/or services.

2. In requesting authorization, \*or reauthorization\* a written plan of care \*[on a]\* completed \*on a\* form FD-139 \*,**Request For Home Health Care Authorization or Reauthorization**\*, must be submitted to the Local \*[Medicaid]\* \***Medical**\* Assistance Unit for approval by the Medical Consultant. If granted, such authorization may not exceed 60 days for acute cases and six months for chronic cases. Authorizations are renewable upon submission of an updated plan of care on a form FD-139. Additional information may be submitted to or be requested by the \*[LMAU]\* \***Local Medical Assistance Unit staff**\* to support the plan of care.

3. While an authorization for home health services is in effect and the condition of the patient changes, indicating a need for additional services, the home health agency, after consultation with the attending physician, may request authorization for these additional services. If the need is urgent, the request may be made and granted by telephone for no more than three additional visits \*[and;or]\* \***and/or**\* treatments. A new written plan of care on a completed Form FD-139 shall be submitted to the Local Medical Assistance Unit for written authorization.

(g) Service limitations: When the cost of home health care is equal to or in excess of the cost of institutional care over a period of six months, the Medical Consultant may opt to limit \*or deny future requests for\* home health services.

#### 10:60-2.1 Prior authorization

(a) (No change from proposal.)

(b) Following the initial visit, prior authorization is required for all persons not covered under Medicare. A claim for the initial visit must be submitted on the \*[home health claim]\* \***Home Health Claim**\* form (MC-3C) with the comment in the \*[remarks]\* \***Remarks**\* section "initial visit only".

(c)-(e) (No change from proposal.)

(f) If the request for home health care authorization or reauthorization has been approved, the contractor copy must be submitted to the \*[proper contractor]\* \***appropriate Fiscal Agent**\* for reimbursement of services provided with the home health claim form [(MC-3A)] **MC3C**.

(g)-(h) (No change from proposal.)

#### 10:60-2.2 Billing procedures

(a) A fully completed home health claim form [MC-3A] (MC-3C) must be submitted to the appropriate \*[contractor]\* \***Fiscal Agent**\* within 12 months from the [last] **earliest** date of service \*on the claim form\*. Claims not submitted timely will not be approved for payment in those instances where it is demonstrated that the claim could have been submitted or resubmitted within the time limitation as defined.

(b) When the patient is covered under both programs, only a

Medicare form\*, **Home Health Agency Report and Billing, Hospital and Medical Insurance Benefits - Social Security Act**,\* (SSA-1487) should be completed. Item 14 of the Medicare form should show the health services program case and person number. When level of care is noncovered under the Medicare program or when Medicare benefits are exhausted, a Medicaid home health claim form [(MC-3A)] **(MC-3C)** must be completed and prior authorization is required. In such cases, the agency must complete item 14 on the FD-139 form. (See [section 1 of this subchapter] N.J.A.C. 10:60-2.1.)

(a)

## DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

### Pharmaceutical Assistance for the Aged and Disabled Changes in Eligibility Standards

#### Adopted Amendments: N.J.A.C. 10:69A-2.1 and 6.2

Proposed: April 5, 1982 at 14 N.J.R. 321(b).

Adopted: June 4, 1982 by George J. Albanese,  
Commissioner, Department of Human Services.

Filed: June 7, 1982 as R.1982 d.198, with **technical changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-3.5).

Authority: N.J.S.A. 30:4D-21 and 30:4D-24.

Effective Date: June 21, 1982.

**Full text** of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks \***thus**\*; deletions from proposal shown in brackets with asterisks \*[thus]\*).

#### 10:69A-2.1 Definitions

“Lifeline Credit Program” means [the line of credit to be used to pay annual utility bills. Such credit under provisions of P.L. 1979, C.197 shall not be considered annual income for purposes of financial eligibility for PAA. Applicants and re-applicants for PAA are not required to report the benefits of the Lifeline Credit Program on the PAA application or reapplication form.]\*;]\* **the utility assistance program that offers a benefit in the form of a credit to the utility account during the heating season to eligible New Jersey residents.**

(b)

## DIVISION OF PUBLIC WELFARE

### General Assistance Manual Unearned Income/Cash Contribution

#### Adopted Amendment: N.J.A.C. 10:85-3.3

Proposed: March 15, 1982 at 14 N.J.R. 270(a).

Adopted: May 5, 1982 by George J. Albanese,  
Commissioner, Department of Human Services.

Filed: May 27, 1982 as R.1982 d.185, **without change.**

Authority: N.J.S.A. 44:8-111(d).

Effective Date: June 21, 1982.

## LAW AND PUBLIC SAFETY

### (a)

#### ATTORNEY GENERAL

##### State Police

##### Chemical Breath Testing

#### Adopted Amendment: N.J.A.C. 13:51

Proposed: April 19, 1982 at 14 N.J.R. 376(a).

Adopted: May 26, 1982 by Irwin I. Kimmelman, Attorney General, State of New Jersey.

Filed: June 1, 1982 as R.1982 d.187, **with substantive and technical changes** not requiring additional public notice and comment.

Authority: N.J.S.A. 39:4-50.3.

Effective Date: June 21, 1982.

**Full text** of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks **\*thus\***; deletions from proposal shown in brackets with asterisks **\*[thus]\***).

#### 13:51-1.1 Purpose of subchapter

This subchapter prescribes the requirements for certification of a person to conduct chemical analysis of the breath of a person arrested pursuant to N.J.S.A. 39:4-50 et seq., the conditions under which certification can occur and the general rules for holders of certificates, pursuant to the statutory requirements of L. 1966, c. 142, Sec. 3, as amended by L. 1971, c. 273, Sec. 1, **\*[(C.39:450.3)]\* \*(C.39:4-50.3)\*** hereinafter denoted as N.J.S.A. 39:4-50.3.

#### 13:51-1.6 Requirements for certification

(a) (No change from proposal.)

(b) Certification of an applicant upon an approved instrument other than that which the applicant was previously trained and certified, requires that the applicant be a certified breath test operator and whose certification is both current and valid and requires satisfactory completion of training consisting of a minimum of two days of training prescribed and conducted by the Division of State Police. Such training shall include:

1. Statutory and case law<sup>\*</sup>, instruction and training in the operation of the approved instrument<sup>\*</sup>;

**\*2. Instruction and training in the operation of the approved instrument<sup>\*</sup>;**

**\*[2.]\* \*3.\*** Laboratory practice with air samples passed through test solutions of alcohol;

**\*[3.]\* \*4.\*** A written test and a test for competency.

(c) (No change from proposal.)

(d) Recertification of an operator<sup>\*</sup>, whose certification is not subject to suspension for any reason or revoked<sup>\*</sup>, requires satisfactory completion of training consisting of a minimum one day of training as prescribed and conducted by the Division of State Police. Such training shall include:

1.-4. (No change from proposal.)

(e)-(f) (No change from proposal.)

#### 13:51-1.12 Return, loss and/or replacement of replica

(a) If an operator's certification is suspended or revoked pursuant to N.J.A.C. 13:51-1.9 and/or N.J.A.C. **\*[3:51-1.10]\* \*13:51-1.10\***, or if the operator resigns, retires or leaves the police department for any reason, it shall be the responsibility of the Chief of Police or **\*[another]\* \*other\*** executive head of the organized police department or law enforcement agency where the operator serves or served to retrieve the replica certificate from the operator and return the same to the Division of State Police with a notation of the reason for the return.

(b)-(c) (No change from proposal.)

#### 13:51-2.1 Eligibility requirements

(a)-(b) (No change from proposal.)

(c) The Attorney General's approval will be in the form of a letter to the person approved as a Breath Test Coordinator/Instructor and will be reflected on the operator's replica certificate by the words **\*\*\*Breath Test Coordinator/Instructor\*\*\***.

#### 13:51-3.2 Application for approval

(a)-(c) (No change from proposal.)

(d) Upon completion of evaluation of an instrument method and/or operational function, the Superintendent shall recommend approval or rejection of the same to the Attorney General. The Attorney General, upon review of the recommend<sup>\*</sup>[-]<sup>\*</sup>ations, shall approve or reject the instrument method and/or operational function pursuant to law. (N.J.S.A. 39:4-50.3)

#### 13:51-3.6 Approved methods for performing chemical analysis of a person's breath utilizing an approved instrument

**\*(a) Breathalyzer, Model 900 and Model 900A;\***

**\*[(a)]\* \*1.\*** The Breathalyzer Model 900 and 900A, both being approved instruments, have been determined to contain functional and operational components that are the same or perform the same or similar operations or functions and operate utilizing the same principal or theory of chemical breath analysis and utilize the same chemical compounds interchangeably in the analysis process. The term "Breathalyzer" as utilized in this chapter shall mean both the Breathalyzer Model 900 and Model 900A.

**\*[1.]\*** Any operator or Breath Test Coordinator/Instructor whose certificate specifies Breathalyzer is deemed trained and certified on the Breathalyzer Model 900 and Breathalyzer Model 900A.

2. (No change from proposal.)

**\*(b) Dominator Albreath:\***

**\*[(b)]\* \*1.\*** The Dominator Albreath, being an approved instrument, has been determined to contain operational and functional components that are the same or perform the same or similar operations or functions as the Breathalyzer as described **\*[in (a) above]\* \*at N.J.A.C. 13:51-3.6(a)1\***. It is further determined that this instrument operates upon the same principal or theory as the Breathalyzer and utilizes the same chemical compounds in the analysis process as the Breathalyzer.

**\*[1.]\* \*2.\*** The steps of operation in the check off list applicable to the Breathalyzer as found **\*[in (a)2 above]\* \*at N.J.A.C. 13:51-3.6(a)2\*** shall also apply to the operation of the Dominator Albreath when a check off list is employed.

**\*(c) Alco-Tector:\***

**\*[(c)]\* \*1.\*** The Alco-Tector, being an approved instrument, has been determined to operate on the same basic principal or theory and utilizes the same chemical compounds in the analysis process as the Breathalyzer as described **\*[in (a)1 above]\* \*at N.J.A.C. 13:51-3.6(a)1\***.

**\*[1.]\* \*2.\*** An operational check off list may be used with this device and may be prepared by either the manufacturer of the Alco-Tector or the organization using the Alco-Tector. The check off list, if used and prepared by an organization other than the manufacturer herein, shall contain, at least, the following information:

i.-ii. (No change from proposal.)

## iii. Analysis:

(1)-(2) (No change from proposal.)

(3) When red empty signal appears, wait 90 seconds, depress \* [real] \* **read** \* button number 6 and balance;

(4) (No change from proposal.)

**\*(d) Breathalyzer, Model 1000:\***

**\*(d) \*1.\*** The Breathalyzer, Model 1000, being an approved instrument, has been determined to operate on the same basic principal or theory and utilize the same chemical compounds in the analysis process as the Breathalyzer as described **\*[in (a) above]\*** **\*at N.J.A.C. 13:51-3.6(a)1\***. In addition, the Breathalyzer Model 1000 also incorporates computerized operational programming with digital electronic display or paper printout of the chemical analysis results.

**\*[1.] \*2.\*** An operational check list may be used with this device and may be prepared by the manufacturer of the Breathalyzer Model 1000 or the organization using the Breathalyzer Model 1000. The check off list, if used, shall contain, at least, the following information:

i.-v. (No change from proposal.)

vi. Return switch to **\*[“Rest”]\*** **\*\*\*Reset\*\*\*** position at conclusion of analysis.**(a)****NEW JERSEY RACING COMMISSION****Racing  
Thoroughbred Rules****New Rules and Repeal: N.J.A.C. 13:70**

Proposed: January 18, 1982 at 14 N.J.R. 91(a).

Adopted: March 30, 1982 by John J. Reilly, Executive Director, New Jersey Racing Commission.

Filed: May 26, 1982 as R.1982 d.183, **with substantive changes** not requiring additional public notice and comment **and** with action on N.J.A.C. 13:70-3.35 **still pending.**

Authority: N.J.S.A. 5:5-30.

Effective Date: June 21, 1982.

**Full text** of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks **\*thus\***; deletions from proposal shown in brackets with asterisks **\*[thus]\***).

## 13:70-4.2 Items requiring registration

(a) (No change from proposal.)

1.-2. (No change from proposal.)

**3. Corporate Stable Name – Initial registration** **\*[\$1,000]\* \*\$50.00\*;**

**4. Corporate Stable Name – Annual registration** **\*[\$250.00]\* \*\$50.00\*.**

13:70-5.19 [Partnerships registered] **Multiple ownership**

Each and every [partnership] multiple ownership must be registered with the Commission. **All multiple ownerships with the exception of partnerships wherein no more than two persons are involved shall race in a multiple ownership stable name. No license shall be granted to any partnership, syndicate or other form of multiple ownership to the lessee of any such entity excluding corporations wherein the number of persons having a beneficial interest therein exceeds** **\*[30]\* \*35\***.

**13:70-13A.8 Stay pending appeal**

**(a) A notice of appeal filed with the Commission pursuant to this subchapter may be accompanied by a request for a stay pending a final decision by the Commission. Such a request for a stay shall be accompanied by security of not less than \$100.00. \*[The Executive Director of the Commission may approve such stay request in matters involving:**

**1. The loss of an owner of purse money of \$500.00 or more;****2. A fine of \$200.00 or more;****3. Suspension from one or more racing activities for seven days or more.]\***

(b) (No change from proposal.)

## 13:70-14A.2 Administering medication

(a)-(b) (No change from proposal.)

(c) All horses that are placed on the new bleeders list established pursuant to and after January 1, 1978, shall be required to be brought to the detention barn no later than **\*[five]\* \*three\*** hours prior to race time and shall remain in said detention barn until race time. During the said **\*[five]\* \*three\*** hour period the horse shall be under the care and custody of a groom or caretaker appointed by the trainer. Any diuretic medication that is intended to control respiratory bleeding shall be administered by a licensed practicing veterinarian in said detention barn under the direct supervision of the State Veterinarian or an Associate State Veterinarian **\*[five]\* \*three\*** hours prior to race time. Pursuant to rule 19:41, said practicing veterinarian shall make daily reports of all such treatments.

(d) (No change from proposal.)

**All of the other rules proposed in the New Jersey Register were adopted as advertised with the exception of N.J.A.C. 13:70-3.35 on which the Racing Commission reserved decision.**

**TRANSPORTATION****(b)****TRANSPORTATION OPERATIONS****Miscellaneous Traffic Rules  
Route US 9****Adopted Emergency Amendment and  
Concurrent Proposal: N.J.A.C. 16:30-3.4**

Emergency Amendment Adopted: June 8, 1982 by John P. Sheridan, Jr., Commissioner, Department of Transportation

Gubernatorial Approval (see N.J.S.A. 52:14B-4(c)): June 8, 1982.

Emergency Amendment Filed: June 9, 1982 as R.1982 d.200.

Authority: N.J.S.A. 27:1A-5, 27:1A-6 and 39:4-6.

Emergency Amendment Effective Date: June 9, 1982.

Emergency Amendment Expiration Date: August 9, 1982.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before July 21, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Charles L. Meyers  
Administrative Practice Officer  
New Jersey Department of Transportation  
1035 Parkway Avenue  
Trenton, New Jersey 08625

This amendment was adopted on an emergency basis and became effective upon acceptance for filing by the Office of Administrative Law (see N.J.S.A. 52:14B-4(c) as implemented by N.J.A.C. 1:30-4.4). Concurrently, the provisions of this emergency amendment are being proposed for re-adoption in compliance with the normal rulemaking requirements of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq. The readopted rule becomes effective upon acceptance for filing by the Office of Administrative Law (see N.J.A.C. 1:30-4.4(d)).

The concurrent proposal is known as PRN 1982-250.

The agency emergency adoption and concurrent proposal follows:

#### Summary

The proposed rule will establish the newly constructed right-hand lane or curb lane on Route US 9 in Old Bridge Township, and Sayreville Boro, Middlesex County as a special reserved lane for buses and vehicles with three or more occupants during the peak periods on weekdays.

The intent of this regulation is to relieve the congestion which now exists on Route US 9 and to encourage the use of buses, vanpools, and carpools which in turn will reduce fuel consumption and related air pollution while improving the person-carrying capabilities for Route US 9 by carrying the same numbers of persons in fewer vehicles. The priority operation will also improve the reliability of the existing bus system by allowing the buses to bypass any congestion and is intended to supplement the Department of Transportation's efforts to increase ridesharing.

#### Social Impact

The reserving of the right lane along Route US 9 northbound will reduce the existing congestion thus saving approximately 490 person hours and 215 vehicle hours of delay per AM peak period. The southbound priority would also reduce the existing congestion thus eliminating 85 hours of person delay and 40 hours of vehicle delay per PM peak period. Mobility for the public will, therefore, be increased. The potential also exists to reduce the congestion in the future by moving the same number of people in fewer vehicles.

This decrease in congestion also would save approximately 43,000 gallons of gasoline annually. Thus, the reserving of the lane for priority vehicles provides a means of reducing the consumption of petroleum-based fuels which due to the high prices and instability of the Mideast in providing a continuous supply has become a matter of serious concern to everyone.

#### Economic Impact

The motorists of Route US 9 would save \$56,000 a year as a result of the fuel savings, assuming \$1.30 a gallon. Although not qualified in dollar terms, the air pollution improvements as a result of the reduction of congestion will be a benefit to the area. Also, due to the improved reliability of the bus system, it should become a more viable means of transportation for the thousands of commuters in the Route US 9 corridor. The Department will incur direct and indirect costs contingent upon mileage, equipment and personnel requirements for the placement of signs.

Enforcement of the proposed rule will be by the appropriate police agencies, pursuant to N.J.S.A. 39:4-81.

**Full text** of the emergency adoption and concurrent proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

16:30-3.4 Route US 9

(a) [The right hand lane (curb line) of Route US 9 for a distance of 500 feet south of the southerly curb line of Ernston Road in the township of Old Bridge, County of Middlesex, shall be reserved for the use of busses.] **The right hand lane or curb lane is hereby established for use only by buses and vehicles with three or more occupants on Route US 9 in Old Bridge Township and Sayreville Boro, Middlesex County from the Route 34 on ramp to Ernston Road, Milepost 126.8 to 128.0, in the northbound direction and from the Bordentown-Amboy Turnpike on ramp to Ernston Road, Milepost 128.0 to 128.8, in the southbound direction.**

[(b) The northbound shoulder (right hand lane or curb lane) of Route US 9 may be used by busses from Route 34 to Ernston Road, Township of Old Bridge, County of Middlesex. This is not intended to preclude normal use of the shoulder by other vehicles. "Normal use" is defined as: emergency stopping or driving on the shoulder for short distances to enter driveways or intersection roadways.]

**(b) This rule shall be in effect on weekdays or as otherwise posted between the hours of 6:30 A.M. to 8:00 A.M. in the northbound direction and 5:30 P.M. to 7:00 P.M. in the southbound direction.**

**(c) This rule is not intended to preclude right turning vehicles. "Right turning vehicles" are defined as vehicles which must enter the curb lane for short distances to enter or exit driveways or intersecting roadways.**

(a)

## TRANSPORTATION OPERATIONS

### Miscellaneous Traffic Rules

#### Route 444 (Garden State Parkway)

#### Adopted Emergency Repeal and Concurrent Proposal: N.J.A.C. 16:30-3.6

Emergency Repeal Adopted: June 3, 1982 by John P. Sheridan, Jr., Commissioner, Department of Transportation.

Gubernatorial Approval (N.J.S.A. 52:14B-4(c)): June 3, 1982.

Emergency Repeal Filed: June 7, 1982 as R.1982 d.196.

Authority: N.J.S.A. 27:1A-5, 27-1A-6 and 39:4-6.

Emergency Repeal Effective Date: June 7, 1982.

Emergency Repeal Expiration Date: August 6, 1982.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before July 21, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Charles L. Meyers  
Administrative Practice Officer  
Department of Transportation  
1035 Parkway Avenue  
Trenton, New Jersey 08625

This repeal was adopted on an emergency basis and became effective upon acceptance for filing by the Office of Administrative Law (see N.J.S.A. 52:14B-4(c) as implemented by N.J.A.C. 1:30-4.4). Concurrently, the provisions of this emergency repeal are being proposed for re-adoption in compliance with the normal rulemaking requirements of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq. The readopted rule becomes effective upon acceptance for filing by the Office of Administrative Law (see N.J.A.C. 1:30-4.4(d)).

The concurrent proposal is known as PRN 1982-246.

**Summary**

This proposal will remove the restrictions placed on traffic along Route 444 (Garden State Parkway) in the median lane in each direction between mile posts 129.7 and 141.7 pertaining to High Occupancy Vehicles. Appropriate signs referring to high occupancy vehicles will be removed.

**Social Impact**

This rule proposed for repeal will increase and enhance traffic flow along Route 444 (Garden State Parkway) affording motorists access to the median lane in both directions. Additionally it complies with the State's statute for the removal of unnecessary regulations, thus enhancing the public's image of State Government.

**Economic Impact**

The Department will incur direct and indirect costs for its workforce and the removal of signs. Costs will be dependent upon mileage, personnel and equipment requirement.

**Full text** of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

16:30-3.6 [Route 444 (Garden State Parkway)] **(Reserved)**  
[(a) The median lane in each direction of Route 444, the Garden State Parkway, under the jurisdiction of the Department of Transportation is hereby reserved exclusively for high occupancy vehicles (H.O.V.) in both northbound and southbound directions. These lanes are between milepost 129.7 and 141.7.  
1. This shall be in effect between the hours of 7:00 A.M. to 9:00 A.M. and 3:00 P.M. to 6:00 P.M. weekdays or as otherwise posted.  
2. For the purpose of this section a high occupancy vehicle (H.O.V.) is one that contains a minimum of two persons.]

**TREASURY--GENERAL**

**(a)**

**DIVISION OF INVESTMENT**

**Classification of Funds  
Temporary Reserve Group**

**Adopted Amendment: N.J.A.C. 17:16-5.5**

Proposed: September 10, 1981 at 13 N.J.R. 620(c).  
Adopted: June 1, 1982 by Division of Investment and State Investment Council, Roland M. Machold, Director, Division of Investment.  
Filed: June 1, 1982 as R.1982 d.188, **without change**.

Authority: N.J.S.A. 52:18A-91.

Effective Date: June 21, 1982.

**(b)**

**DIVISION OF INVESTMENT**

**State Investment Council  
Various Investment Rules**

**Adopted Amendments: N.J.A.C. 17:16-12.2,  
28.3, 28.4, 29.3 and 42.3  
Adopted New Rule: N.J.A.C. 17:16-11.3**

Proposed: August 6, 1981 at 13 N.J.R. 526(b).  
Adopted: June 4, 1982 by Division of Investment and State Investment Council, Roland M. Machold, Director, Division of Investment.  
Filed: June 4, 1982 as R.1982 d.192, **without change**.

Authority: N.J.S.A. 52:18A-91.

Effective Date: June 21, 1982.

**(c)**

**DIVISION OF INVESTMENT**

**State Investment Council  
Certificate of Deposits and Administrative  
Expenses**

**Adopted Amendments: N.J.A.C. 17:16-27.1,  
31.9, and 40.1**

Proposed: August 6, 1981 at 13 N.J.R. 528(a).  
Adopted: June 4, 1982 by Division of Investment and State Investment Council, Roland M. Machold, Director, Division of Investment.  
Filed: June 4, 1982 as R.1982 d.191, **without change**.

Authority: N.J.S.A. 52:18A-91.

Effective Date: June 21, 1982.

**(d)**

**DIVISION OF INVESTMENT**

**State Investment Council  
Covered Call Options**

**Adopted Amendments: N.J.A.C. 17:16-42.2  
and 42.4**

Proposed: November 2, 1981 at 13 N.J.R. 750(b).  
Adopted: June 4, 1982 by Division of Investment and State Investment Council, Roland M. Machold, Director, Division of Investment.  
Filed: June 4, 1982 as R.1982 d.193, **without change**.

Authority: N.J.S.A. 52:18A-91.

Effective Date: June 21, 1982.

# TREASURY-TAXATION

## (a)

### DIVISION OF TAXATION

#### Alcoholic Beverage Tax; Farm Winery New Jersey Wines

#### Adopted Amendments: N.J.A.C. 18:3-1.2 and 2.1

Proposed: November 16, 1981 at 13 N.J.R. 839(a).  
Adopted: May 21, 1982 by Sidney Glaser, Director,  
Division of Taxation.  
Filed: May 26, 1982 as R.1982 d.181, **with substantive  
and technical changes** not requiring additional public  
notice and comment (see N.J.A.C. 1:30-3.5).

Authority: N.J.S.A. 54:42-1 and P.L. 1982, c.280.

Effective Date: June 21, 1982.

**Full text** of the changes between proposal and adoption follows  
(additions to proposal shown in boldface with asterisks **\*thus\***;  
deletions from proposal shown in brackets with asterisks **\*[thus]\***).

#### 18:3-1.2 Definitions

...  
“**Farm winery license**” (No change from proposal.)

...  
“**Manufacture**” (No change from proposal.)

...  
“**Plenary winery license**” (No change from proposal.)

...  
“Wines” means all wines, whether known as “dry wines,” “sweet  
wines,” “still wines,” or “fortified wines” and any artificial or  
imitation wine or compound sold as wine, and any fruit juice  
containing one-half of one percentum (1/2 of 1%) or more of  
alcohol by volume, and any other beverage containing alcohol  
produced by the fermentation of the natural sugar content of fruits  
or other agricultural products containing sugar, which beverage  
contains one-half of one percentum (1/2 of 1%) or more of alcohol  
by volume, but shall not mean or include vermouth\*[, sparkling  
wine]\* or cider containing less than three and two-tenths percentum  
(3-2/10%) of alcohol by volume.

OFFICE OF ADMINISTRATIVE LAW NOTE: According to  
the Division of Taxation, the change in the definition of “wines”  
is merely a technical and clarification change to conform to the  
preemptive statutory definition (see N.J.S.A. 54:41-2). Therefore,  
this change is not in violation of N.J.A.C. 1:30-3.5.

#### 18:3-2.1 Tax rates on alcoholic beverages; certification

(a) (No change from proposal.)

1.-2. (No change from proposal.)

3. Wines, vermouth and sparkling wines at the rate of \$0.30 a  
gallon [effective: July 1, 1972.]; **except that wine\*s, vermouth  
and sparkling wines\* manufactured by holders of a farm  
winery license, or wine\*s, vermouth and sparkling wines\*  
manufactured from grapes or fruit grown in New Jersey by  
holders of a plenary winery license issued pursuant to the  
provisions of N.J.S.A. 33:1-10 shall be taxed at a rate of \$0.10**

a gallon. The farm plenary licensee and the plenary winery  
licensees must certify to the Director, Division of Taxation the  
number of gallons of wine produced in New Jersey at the \$0.10  
a gallon rate. This amended rule is effective as of September 10,  
1981.

(b)-(c) (No change from proposal.)

# OTHER AGENCIES

## (b)

### CASINO CONTROL COMMISSION

#### Applications: Forms Personal History Disclosure Form 2-A

#### Adopted Amendment: N.J.A.C. 19:41-7.14

Proposed: April 19, 1982 at 14 N.J.R. 380(b).  
Adopted: June 3, 1982 by Casino Control Commission,  
Theron G. Schmidt, Executive Secretary.  
Filed: June 3, 1982 as R.1982 d.190, **with a technical  
change** in Personal History Disclosure Form 2A, not  
requiring additional public notice and comment (see  
N.J.A.C. 1:30-3.5).

Authority: N.J.S.A. 5:12-63(c) and 70(a).

Effective Date: June 21, 1982.

A **statement** describing the changes between proposal and  
adoption in Personal History Disclosure Form 2A follows  
(additions to proposal shown in boldface with asterisks **\*thus\***;  
deletions from proposal shown in brackets with asterisks **\*[thus]\***).

1. On page 6 of the form, in the center of the page, the instructions  
pertaining to the printing of the applicant's name on his/her  
photograph is amended to read:  
Paste a recent (within the past year) photograph here.  
Print your name on the front of the photograph \*, **on the  
bottom border,\*** before attaching it.

## (c)

### CASINO CONTROL COMMISSION

#### Accounting and Internal Controls: Licensee's System of Internal Control Procedure for Acceptance, Accounting for and Redemption of Patrons Cash Deposits

#### Adopted Amendments: N.J.A.C. 19:45-1.3 and 1.24

Proposed: April 19, 1982 at 14 N.J.R. 381(a).  
Adopted: June 3, 1982 by Casino Control Commission,  
Theron G. Schmidt, Executive Secretary.  
Filed: June 3, 1982 as R.1982 d.189, **with a technical  
and language change** not requiring additional public  
notice and comment (see N.J.A.C. 1:30-3.5).

**ADOPTIONS**

**OTHER AGENCIES**

Authority: N.J.S.A. 5:12-63(c) and 70(l)(m)(n).

Effective Date: June 21, 1982.

**Full text** of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks \*thus\*; deletions from proposal shown in brackets with asterisks \*[thus]\*).

19:45-1.3 Licensee's system of internal control

(a)-(c) (No change from proposal.)

(d) The submission required by (a) [and (c)] above shall be accompanied by a report of an independent certified public accountant licensed to practice in New Jersey \*[staing]\* **\*stating\*** that the submitted system [or changes thereto] conforms in all respects to the standards of internal control set forth in the Casino Control Act and this regulation or in what respects the system [or changes thereto do] **does** not conform.

Executive Director shall report at the next meeting of the Commission on the nature of the emergency and any action taken under this section.

2. Existing sections 13, 14, 15, 16, and 17 of the ground water protected area regulations are hereby renumbered as required to reflect the addition of the the foregoing new section 13.

3. This resolution shall take effect immediately.

**(a)**

**DELAWARE RIVER BASIN COMMISSION**

**Ground Water Protected Area Regulations Emergencies**

Adopted: April 27, 1982 by Delaware River Basin Commission, W. Brinton Whitall, Secretary.

Filed: May 27, 1982 as R.1982 d.184 (**Exempt** from Administrative Procedure Act as "exempt agency" N.J.S.A. 52:14B-2(a)).

Effective Date: April 27, 1982.

**Full text** of the adoption follows:

NO. 82-5

A RESOLUTION amending the ground water protected area regulations to allow for immediate action under emergency conditions.

WHEREAS, the Commission adopted ground water protected area regulations for southeastern Pennsylvania in October 1980; and

WHEREAS, the Commission wishes to amend its ground water protected area regulations so as to provide for immediate action under emergency conditions when circumstances do not permit full review and determination in the regular course of the regulations; now therefore,

BE IT RESOLVED By The Delaware River Basin Commission:

1. The ground water protected area regulations for southeastern Pennsylvania are hereby amended by the addition of a new section 13 titled, **Emergencies**, to read as follows:

**13. Emergencies**

In the event of an emergency requiring immediate action to protect the public health and safety or to avoid substantial and irreparable injury to any private person or property, and the circumstances do not permit full review and determination in accordance with these regulations, the Executive Director with the concurrence of the Pennsylvania member of the Commission or his alternate, may issue an emergency permit authorizing an applicant to take such action relating to these regulations as the Executive Director may deem necessary and proper. In such cases, the applicant shall be fully responsible for protecting existing ground water users, as prescribed in section 9 of these regulations. The

# MISCELLANEOUS NOTICES

## ENVIRONMENTAL PROTECTION

(a)

### THE COMMISSIONER

#### State Certifications of Draft NPDES Permits

#### Public Notice

Robert E. Hughey, Commissioner of the Department of Environmental Protection, pursuant to the "New Jersey Water Pollution Control Act," N.J.S.A. 58:10A-1 et seq., is authorized to assess compliance of a surface water discharge with State law pertaining to discharges to the waters of the State. The Department is requested by the United States Environmental Protection Agency, as required by section 401 of the Federal Clean Water Act, 33 U.S.C. 1251 et seq., to certify that a discharge, as described in a draft National Pollutant Discharge Elimination System permit, will not violate the requirements of State law.

The Department publishes public notice of certifications in the DEP Bulletin. Copies of the Bulletin may be obtained by calling (609) 292-3178 or writing to the Documents Distribution Center, P.O. Box 1390, Trenton, New Jersey 08625.

# INDEX OF PROPOSED RULES

The *Index of Proposed Rules* contains rules which have been proposed in the New Jersey Register between June 4, 1981 and June 7, 1982, and which have not been adopted and filed by June 7, 1982. The index does not contain rules proposed in this Register and listed in the *Table of Rules in This Issue*. These proposals will appear in the next *Index of Proposed Rules*.

A proposed rule listed in this index may be adopted no later than one year from the date the proposal was originally published in the Register. Failure to timely adopt the proposed rule requires the proposing agency to re-submit the proposal and to comply with the notice and opportunity-to-be-heard requirements of the Administrative Procedure Act (N.J.S.A. 52:14B-1 et seq.) as implemented by the Rules for Agency Rulemaking of the Office of Administrative Law (N.J.A.C. 1:30).

The *Index of Proposed Rules* appears in the second issue of each month, complementing the *Index of Adopted Rules* which

appears in the first Register of each month. Together, these indices make available for a subscriber to the Code and Register all legally effective rules, and enable the subscriber to keep track of all State agency rulemaking activity from the initial proposal through final promulgation.

The proposed rules are listed below in order of their Code citation. Accompanying the Code citation for each proposal is a brief description of its contents, the date of its publication in the Register, and its Register citation.

The full text of the proposed rule will generally appear in the Register. If the full text of the proposed rule was not printed in the Register, it is available for a fee from:

Administrative Filings  
CN 301  
Trenton, New Jersey 08625

N.J.A.C. CITATION		PROPOSAL DATE	PROPOSAL NOTICE (N.J.R. CITATION)
<b>ADMINISTRATIVE LAW—TITLE 1</b>			
1:1-2.2	Contested cases and OAL jurisdiction	6-7-82	14 N.J.R. 486(a)
1:1-17.3	Return of cases	1-4-82	14 N.J.R. 4(b)
<b>AGRICULTURE—TITLE 2</b>			
2:2-2.1	Swine brucellosis control	6-7-82	14 N.J.R. 487(b)
2:2-2.3	Calfhood brucellosis vaccination	6-7-82	14 N.J.R. 487(a)
2:2-2.6, 2.10, 2.13-2.15, 2.17, 2.18	Swine brucellosis control	6-7-82	14 N.J.R. 487(b)
2:3-3.7	Swine brucellosis control	6-7-82	14 N.J.R. 487(b)
2:3-6.2	Goats for exhibition: Disease testing	6-7-82	14 N.J.R. 489(a)
2:50-1.1	Dairy farmers and relief from notice of intent	6-7-82	14 N.J.R. 489(b)
2:69-1.11	Commercial values of fertilizers	5-3-82	14 N.J.R. 402(a)
<b>BANKING—TITLE 3</b>			
3:1-2.20	Savings and loan branch facilities	11-2-81	13 N.J.R. 714(a)
3:1-10.1	Real property transactions: Executive officer defined	6-7-82	14 N.J.R. 490(a)
3:1-11	"Executive officer" and affiliated persons	6-7-82	14 N.J.R. 490(b)
3:2-2	Repeal plain language review of contracts	5-17-82	14 N.J.R. 454(a)
3:6-3	Standardization of executive officer classification	6-7-82	14 N.J.R. 491(a)
3:7-5, 5.1, 5.2, 5.4, 5.5	Statement of interest: Officers defined	6-7-82	14 N.J.R. 492(a)
3:38-1	Licensing of mortgage bankers and brokers (with emergency adoption)	6-7-82	14 N.J.R. 571(a)
3:38-2,3,4,5,6	Mortgage bankers and brokers: Rules of operation	6-7-82	14 N.J.R. 493(a)
<b>CIVIL SERVICE—TITLE 4</b>			
4:1-8.8B	Veterans' age reduction	5-17-82	14 N.J.R. 455(a)
4:1-13.4	Working test period for police and firemen	2-1-82	14 N.J.R. 115(a)
4:1-16.1-16.5	Layoffs and demotions	2-16-82	14 N.J.R. 184(a)
4:1-16.1-16.5	Senate Concurrent Resolution: Layoffs and demotions	2-16-82	14 N.J.R. 298(a)
4:1-17.16	Advancing of sick leave (State)	4-5-82	14 N.J.R. 299(a)
4:1-24.1, 24.3-24.12	Layoffs and demotions	2-16-82	14 N.J.R. 184(a)
4:1-24.1, 24.3-24.12	Senate Concurrent Resolution: Layoffs and demotions	2-16-82	14 N.J.R. 298(a)
4:2-2.1	Repeal rule on veterans' age reduction	5-17-82	14 N.J.R. 455(a)
4:2-7.1	Compensation for NL4 designated titles	2-16-82	14 N.J.R. 184(a)
4:2-16.1, 16.2	Senate Concurrent Resolution: Layoffs and demotions	2-16-82	14 N.J.R. 298(a)
4:2-17.14	Repeal: Credit for sick leave	4-5-82	14 N.J.R. 299(a)
4:3-2.1	Repeal rule on veterans' age reduction	5-17-82	14 N.J.R. 455(a)
4:3-13.1	Working test period for police and firemen	2-1-82	14 N.J.R. 115(a)
4:3-16.1, 16.2	Layoffs and demotions	2-16-82	14 N.J.R. 184(a)
4:3-16.1, 16.2	Senate Concurrent Resolution: Layoffs and demotions	2-16-82	14 N.J.R. 298(a)
4:3-17.6	Repeal: Credit for sick leave	4-5-82	14 N.J.R. 299(a)

**COMMUNITY AFFAIRS--TITLE 5**

5:10-2.2, 25.3	Standards for hotels and multiple dwellings	2-1-82	14 N.J.R. 119(a)
5:23-3.3	Uniform Construction Code	7-9-81	13 N.J.R. 391(a)
5:23-4.8	Remitting of UCC training fees	5-17-82	14 N.J.R. 456(a)
5:23-4.8	Interlocal Construction Code enforcement	6-7-82	14 N.J.R. 495(a)
5:23-4.10A	Manufactured homes standards	6-7-82	14 N.J.R. 496(a)
5:27-2.1	Fire safety in boarding houses	6-7-82	14 N.J.R. 496(b)
5:27-3.5	Boarding houses: Non-ambulatory residents	6-7-82	14 N.J.R. 499(a)
5:27-4.8, 5.1-5.3, 5.8, 5.9	Fire safety in boarding houses	6-7-82	14 N.J.R. 496(b)
5:27-10.6	Boarding houses: Self-administration of medicine	6-7-82	14 N.J.R. 499(a)
5:27-12	Boarding house safety improvement loans	6-7-82	14 N.J.R. 496(b)
5:30-18	Local funds in interest hearing accounts	8-6-81	13 N.J.R. 477(a)
5:80-2	Housing Finance Agency project conversions	4-5-82	14 N.J.R. 301(b)
5:90	Repeal Urban Loan Authority rules	6-7-82	14 N.J.R. 558(a)

**EDUCATION--TITLE 6**

6:2-1.1, 1.2, 1.7-1.19	Filing appeals before State Board	3-15-82	14 N.J.R. 261(a)
6:11-7	State Approval of Teacher Education	5-17-82	14 N.J.R. 456(b)
6:11-8.1, 8.2, 8.4 8.8, 8.9-8.13	Minimum standards for teacher education	4-5-82	14 N.J.R. 305(a)
6:20-3.1	Building use charge by receiving districts	5-17-82	14 N.J.R. 458(a)
6:20-3.1	Correction: Building use charge	5-17-82	14 N.J.R. 499(b)

**ENVIRONMENTAL PROTECTION--TITLE 7**

7:1A-2.5, 2.12, 2.13	Water Supply Bond Act loans	6-7-82	14 N.J.R. 499(c)
7:8	Storm water management	12-21-81	13 N.J.R. 916(a)
7:9-10.2-10.6, 10.9	Pinelands and coastal area sewerage approval	6-7-82	14 N.J.R. 504(a)
7:13-1.11	Flood hazard areas	7-9-81	13 N.J.R. 402(b)
7:13-1.11	Notice of flood hazard delineations	12-21-81	13 N.J.R. 950(a)
7:13-1.11	Delineated streams in Somerset County	4-19-82	14 N.J.R. 367(a)
7:13-1.11	Delineated streams along Upper Mullica River	4-19-82	14 N.J.R. 367(b)
7:13-1.11	Floodway delineations along Big Timber Creek, Delaware basin	6-7-82	14 N.J.R. 505(a)
7:13-1.11	Floodway delineations along Pond Run, Mercer County	6-7-82	14 N.J.R. 506(a)
7:14-2	Construction of wastewater treatment facilities	1-18-82	14 N.J.R. 75(a)
7:14A-1.9	Petition to amend 1981 NJPDES Fee Schedule	12-21-81	13 N.J.R. 922(a)
7:14A-4.3	"Wastewater treatment unit" defined	6-7-82	14 N.J.R. 506(b)
7:19-3	Water diversion fees for non-growing use	5-17-82	14 N.J.R. 459(a)
7:25-5	1982-83 Game Code	5-3-82	14 N.J.R. 402(b)
7:25-12.1	Sea clam fishery (early opening)	11-16-81	13 N.J.R. 843(a)
7:26-4.7	Registration of hazardous waste collector/haulers	4-19-82	14 N.J.R. 368(a)
7:26-7.4, 7.5, 8.15	Waste oil management as hazardous material	1-4-82	14 N.J.R. 20(a)
7:26-10	Hazardous waste facilities	9-10-81	13 N.J.R. 567(a)
7:26-15	Correction: Grants and loans for solid waste recycling	12-21-81	13 N.J.R. 950(b)
7:27-9.1	Emission averaging and high sulfur fuels	12-7-81	13 N.J.R. 870(a)
7:28-24	Licensing of nuclear medicine technologists	6-7-82	14 N.J.R. 507(a)
7:36-3.1	Green Acres reimbursement	5-17-82	14 N.J.R. 461(a)

**HEALTH--TITLE 8**

8:13-2	Soft-shell clam depuration	5-3-82	14 N.J.R. 415(a)
8:24	Retail food establishments; vending machines	6-7-82	14 N.J.R. 509(a)
8:30	Long-term care facilities	5-3-82	14 N.J.R. 417(a)
8:31-22.1	Doctors' offices in medical facilities	11-16-81	13 N.J.R. 807(a)
8:31-23.1	Parking garage standards	11-16-81	13 N.J.R. 807(b)
8:31-24.1	Hospital personnel housing	11-16-81	13 N.J.R. 808(a)
8:31B-4	Financial elements and reporting regulation	8-6-81	13 N.J.R. 487(a)
8:37	Intermediate care facilities	5-3-82	14 N.J.R. 417(a)
8:39-1 (Foreword)	Long-term care facilities	5-3-82	14 N.J.R. 417(a)
8:39-1.33	Long-term care facilities: Construction standards	11-16-81	13 N.J.R. 809(a)
8:39-1.34	Long-term care facilities: Additional standards	11-16-81	13 N.J.R. 809(b)
8:39-1.35	Long-term care facilities	5-3-82	14 N.J.R. 417(a)
8:43A-2.1, 2.2	Ambulatory care facilities: Construction standards	11-16-81	13 N.J.R. 810(a)
8:43A-9.4, 9.7, 9.11	Drug abuse treatment centers	6-7-82	14 N.J.R. 529(a)

N.J.A.C. CITATION		PROPOSAL DATE	PROPOSAL NOTICE (N.J.R. CITATION)
8:43B-3.1, 3.1A	Hospital construction standards	11-16-81	13 N.J.R. 811(a)
8:43B-15.12, 15.12A	Renal dialysis services: Construction standards	11-16-81	13N.J.R. 812(a)
8:71	Additions to generic drug list (see 14 N.J.R. 389(c), 14 N.J.R. 655(b))	1-4-82	14 N.J.R. 22(a)
8:71	Additions to generic drug list	4-19-82	14 N.J.R. 369(a)
<b>HIGHER EDUCATION--TITLE 9</b>			
9:1-1.6	Branch campuses and off-campus facilities	4-19-82	14 N.J.R. 370(a)
9:1-6.1, 6.4	Petitions from out-of-State institutions	4-19-82	14 N.J.R. 372(a)
9:4-1.2, 2.14	Branch campuses and off-campus facilities	4-19-82	14 N.J.R. 370(a)
9:4-3.1, 3.10	County college annual audit	4-5-82	14 N.J.R. 318(a)
<b>HUMAN SERVICES--TITLE 10</b>			
10:44A	Community residences for retarded	9-10-81	13 N.J.R. 574(a)
10:44A	Group homes and supervised apartments for developmentally disabled	6-7-82	14 N.J.R. 531(a)
10:49-1.2	Medicaid ID: Special Status Card	5-3-82	14 N.J.R. 418(a)
10:49-1.23	Documentation of services by Medicaid providers	11-2-81	13 N.J.R. 738(b)
10:49-1.27	Definition of "field audit"	7-9-81	13 N.J.R. 414(a)
10:51-1 (App. E)	Pharmacy Manual: Protein replacements	5-3-82	14 N.J.R. 418(b)
10:51-1.2	Non-legend device addition	4-5-82	14 N.J.R. 320(a)
10:51-1.17, 1.18	Legend drug reimbursement options	9-10-81	13 N.J.R. 576(a)
10:51--App. B, D	Non-legend device addition	4-5-82	14N.J.R. 320(a)
10:51-3.14, 5.18	Pharmaceutical payment in long-term care	6-7-82	14 N.J.R. 542(a)
10:54-3	Procedure code for nerve study test	7-9-81	13 N.J.R. 418(b)
10:56-1.14, 1.15, 3.4	Limitation on diagnostic dental services	12-7-81	13 N.J.R. 875(a)
10:63-1.2	Rehabilitation in long-term care	5-3-82	14 N.J.R. 420(a)
10:63-1.4	Long-term care consultation and services	11-2-81	13 N.J.R. 740(a)
10:63-1.6	Level III care in LTC facilities	5-17-82	14 N.J.R. 462(a)
10:63-1.16	Long-term care of psychiatric patients	11-16-81	13 N.J.R. 813(a)
10:63-1.16	Agency response to petition: Long-term care of psychiatric patients	4-5-82	14 N.J.R. 321(a)
10:63-3.20	Long-term care facilities: Reimbursement appeals	3-15-82	14 N.J.R. 269(a)
10:64	Hearing aid services revisions	10-8-81	13 N.J.R. 656(a)
10:66-1.2, 1.3, 1.6, 1.7	Ambulatory surgical center changes	8-6-81	13 N.J.R. 498(b)
10:81-6.17, 7.18	PAM: Replacement of checks	4-19-82	14 N.J.R. 373(a)
10:81-7.22	PAM: Funeral and burial contributions	5-17-82	14 N.J.R. 462(b)
10:81-7.26	PAM: Veterans' funeral expenses	4-19-82	14 N.J.R. 374(a)
10:82-4.9	ASH: Foster care rates	4-19-82	14 N.J.R. 374(b)
10:82-5.10	ASH: Emergency house furnishings allowance	4-19-82	14 N.J.R. 375(a)
10:85-3.1, 3.3	GAM: AFDC ineligible	12-21-81	13 N.J.R. 926(a)
10:85-3.4	GAM: AFDC ineligible	12-21-81	13 N.J.R. 926(a)
10:85-4.8	GAM: Funeral and burial contributions	5-17-82	14 N.J.R. 463(a)
10:85-5.1	MWD use of General Assistance funds	11-16-81	13 N.J.R. 814(a)
10:85-5.6, 8.4	GAM: Dialysis treatments	5-3-82	14 N.J.R. 420(b)
10:85-9.1	GAM: Legally responsible relatives	6-7-82	14 N.J.R. 543(a)
10:100-3.6	Special Payments Handbook: Funeral contributions	5-17-82	14 N.J.R. 463(b)
10:109-1.4	Ruling 11: Tuition Aid	4-19-82	14 N.J.R. 375(b)
10:122-4.1	Staffing of child care centers	8-6-81	13 N.J.R. 516(b)
10:122-4.1	Head and group teachers in child care centers	3-1-82	14 N.J.R. 223(a)
10:122-4.3-4.5	Staffing of child care centers	8-6-81	13 N.J.R. 516(b)
10:122-4.3-4.6	Head and group teachers in child care centers	3-1-82	14 N.J.R. 223(a)
10:122-5.1-5.4	Standards for child care centers	1-18-82	14 N.J.R. 82(a)
10:124, 10:130	Children's shelter facilities and homes	2-1-82	14 N.J.R. 125(a)
<b>CORRECTIONS--TITLE 10A</b>			
10A:70-8	Certificate of Good Conduct	9-10-81	13 N.J.R. 596(b)
10A:71-1.5	Parole Board revisions	9-10-81	13 N.J.R. 597(b)
10A:71-9	Parole Board clemency rules	9-10-81	13 N.J.R. 598(b)
<b>INSURANCE--TITLE 11</b>			
11:3-7.3,7.7	Additional personal injury protection	6-7-82	14 N.J.R. 543(b)
11:12	Legal insurance	9-10-81	13 N.J.R. 601(a)
<b>LABOR AND INDUSTRY--TITLE 12</b>			

N.J.A.C. CITATION		PROPOSAL DATE	PROPOSAL NOTICE (N.J.R. CITATION)
12:190, 12:191, 12:192, 12:193	New safety standards for explosives	8-6-81	13 N.J.R. 517(b)
12:194	New safety rules for model rocketry	8-6-81	13 N.J.R. 518(a)
<b>LAW AND PUBLIC SAFETY--TITLE 13</b>			
13:19-10.5	Reduction of driver point accumulation	9-10-81	13 N.J.R. 606(a)
13:30-6.2	Dental hygienists and hygiene school directorships	1-18-82	14 N.J.R. 89(a)
13:30-6.3	Oral hygiene schools and advisory council provision	2-1-82	14 N.J.R. 135(a)
13:30-6.6	Repeal dormitory requirement for oral hygiene schools	2-1-82	14 N.J.R. 136(a)
13:30-6.9(a)	Oral hygiene schools: Admissions	12-7-81	13 N.J.R. 880(a)
13:30-8.7	Dental personnel law test requirement	1-18-82	14 N.J.R. 89(b)
13:33-1.1-1.4, 1.7 1.11-1.13, 1.19, 1.25, 1.39, 1.42	Licensure of ophthalmic dispensers and technicians	6-7-82	14 N.J.R. 545(a)
13:33-1.5, 1.6, 1.9 1.10, 1.15-1.18, 1.34	Repeal ophthalmic licensure rules	6-7-82	14 N.J.R. 545(a)
13:35-11	In-State clinical training by foreign medical schools	6-7-82	14 N.J.R. 548(a)
13:35-11.4	Correction: In-State clinical training	7-9-81	13 N.J.R. 608(c)
13:35-12	Prolonged prescribing of Schedule II narcotics	11-16-81	13 N.J.R. 815(a)
13:39-6.4, 6.5, 6.8, 9.13	Computerized recordkeeping in pharmacy practice	2-1-82	14 N.J.R. 136(b)
13:44A-7.1	Uniform rule petitions to professional boards	10-8-81	13 N.J.R. 664(b)
13:44A-8	Licensing boards: Uniform testing process	11-16-81	13 N.J.R. 816(a)
13:44A-9	Licensing boards: Uniform complaint procedures	11-16-81	13 N.J.R. 817(a)
13:45A-18.1	Fee for consumer contract review	5-17-82	14 N.J.R. 464(a)
13:45A-18.1-18.3	Kosher food representation rules	10-8-81	13 N.J.R. 666(a)
13:45A-19.1, 19.2	Consumer notification on home appointments	10-8-81	13 N.J.R. 679(a)
13:47A-1.1, 1.8, 3.1	Securities industry: Nonduplication of fingerprinting	6-7-82	14 N.J.R. 550(a)
13:47A-5.2	Broker-dealer registration renewal: Delete outdated rule	6-7-82	14 N.J.R. 551(a)
13:47A-9.13	Repeal exemption restriction for private offering to sophisticated investors	6-7-82	14 N.J.R. 552(a)
13:48-12	Sales appeals for charitable purposes	7-9-81	13 N.J.R. 446(b)
13:70-3.35	Thoroughbred racing rules	1-18-82	14 N.J.R. 91(a)
<b>PUBLIC UTILITIES--TITLE 14</b>			
14:3-11	New major gas and electric facilities	3-1-82	14 N.J.R. 228(a)
14:9-6	Water and sewer utilities: Depreciation on contributed property	11-2-81	13 N.J.R. 744(a)
14:17-18	CATV rate regulation	5-3-82	14 N.J.R. 422(b)
<b>ENERGY--TITLE 14A</b>			
14A:3-11.3	Designation of used oil collection sites	10-8-81	13 N.J.R. 681(a)
14A:3-11.5	Used oil recycling	7-9-81	13 N.J.R. 449(b)
14A:3-11.5	Designation of used oil collection sites	10-8-81	13 N.J.R. 681(a)
14A:3-15	Correction: Grants and loans for solid waste recycling	12-27-81	13 N.J.R. 950(b)
<b>STATE--TITLE 15</b>			
15:15-8.1, 8.2	Repeal rules on Register and Code	4-19-82	14 N.J.R. 366(a)
<b>TRANSPORTATION--TITLE 16</b>			
16:28A-1.3, 1.5	Parking on Routes 3 and 5, Hudson and Bergen counties	6-7-82	14 N.J.R. 552(b)
16:28A-1.6	Parking on Route 7	5-3-82	14 N.J.R. 424(a)
16:28A-1.8	Parking and bus stops on Route 10	5-17-82	14 N.J.R. 464(b)
16:28A-1.9	Rt. 17 parking in Mahwah (with Emergency Adoption)	5-3-82	14 N.J.R. 429(e)
16:28A-1.16	Route 24 parking in Morris and Essex counties	6-7-82	14 N.J.R. 553(a)
16:28A-1.18	Parking on Route 27 in Union County	6-7-82	14 N.J.R. 554(a)
16:28A-1.20, 1.21	Parking on Routes 29 and US 30, Mercer-Hunterdon, Camden counties	6-7-82	14 N.J.R. 554(b)
16:28A-1.22	Parking on Route 31 in Warren and Hunterdon counties	6-7-82	14 N.J.R. 555(a)
16:28A-1.27	Parking on Route 38	5-3-82	14 N.J.R. 424(a)
16:28A-1.34	Parking on Route 49 in Cumberland county	6-7-82	14 N.J.R. 554(a)
16:28A-1.56	Parking on US 202-206 in Somerset county	6-7-82	14 N.J.R. 556(a)
16:28A-1.61	Bus stops and parking on US 9W	5-17-82	14 N.J.R. 465(a)
16:28A-1.63	Parking on US 202-31 in Hunterdon county	6-7-82	14 N.J.R. 556(a)
16:28A-1.64	Parking on Route 41	5-3-82	14 N.J.R. 425(a)
16:28A-1.65	Parking on Route 15	5-17-82	14 N.J.R. 466(a)
16:28A-1.72, 1.73	Parking on Routes 31-57 and 32	6-7-82	14 N.J.R. 555(a)
16:31-1.17	Left turns on Route 73, Winslow Twp.	5-17-82	14 N.J.R. 466(b)
16:53-2	Autobus specifications	11-16-81	13 N.J.R. 834(a)

N.J.A.C. CITATION		PROPOSAL DATE	PROPOSAL NOTICE (N.J.R. CITATION)
16:74	Regular route bus service: Destructive competition claims	4-5-82	14 N.J.R. 326(b)
<b>TREASURY-GENERAL-TITLE 17</b>			
17:1-1.14	Annual reports of salary changes	2-16-82	14 N.J.R. 200(a)
17:1-1.15	Credit unions and direct deposit agreements	12-7-81	13 N.J.R. 883(a)
17:1-1.24	Pensioners' Group Health Insurance	4-5-82	14 N.J.R. 328(a)
17:1-4.11	Pension purchases and final payments	4-5-82	14 N.J.R. 328(b)
17:1-12.1	Division of Pensions administrative priorities	4-5-82	14 N.J.R. 329(a)
17:2-3.3	PERS: Contributory insurance rate	2-16-82	14 N.J.R. 200(b)
17:3-1.1	Teachers' Pension: Board meetings	2-16-82	14 N.J.R. 201(a)
17:6-3.9	Police and firemen's fund: Critical disability claims	11-2-81	13 N.J.R. 749(b)
17:8-4	Supplemental Annuity: Voluntary employee contributions	6-7-82	14 N.J.R. 556(b)
17:9-5.11	Health coverage and 10-month employees	1-4-82	14 N.J.R. 36(b)
17:10-3.1	JRS insurance benefits computations	8-6-81	13 N.J.R. 526(a)
17:10-3.2	Judicial Retirement System: Maternity leave	2-16-82	14 N.J.R. 201(b)
17:10-5.10	Judicial retirement and critical disability claims	2-1-82	14 N.J.R. 140(a)
17:16-5.1-5.6	State Investment Council funds	4-5-82	14 N.J.R. 329(b)
17:28	Charitable contributions and State payroll deductions	1-18-82	14 N.J.R. 109(a)
<b>TREASURY-TAXATION-TITLE 18</b>			
18:5-12.5	Penalty for smuggling unstamped cigarettes	4-5-82	14 N.J.R. 331(a)
18:19-2.2	Retail gasoline prices display	4-5-82	14 N.J.R. 331(b)
18:35-1.15	Gross income tax withholding exclusion	11-16-82	13 N.J.R. 839(b)
18:35-1.16	All-savers interest exclusion	4-5-82	14 N.J.R. 332(a)
<b>TITLE 19 SUBTITLES A-L-OTHER AGENCIES (Except Casino Control Commission)</b>			
5:90	Repeal Urban Loan Authority rules	6-7-82	14 N.J.R. 558(a)
19:75	Rules of operation: Atlantic County Transportation Authority	3-15-82	14 N.J.R. 272(a)
<b>TITLE 19 SUBTITLE K-CASINO CONTROL COMMISSION</b>			
19:40-1.3	Conflicting terms and conditions	6-7-82	14 N.J.R. 558(b)
19:43-1.3	Service industry qualification	2-16-82	14 N.J.R. 202(b)
19:45-1.12	Craps staffing requirements	8-6-81	13 N.J.R. 534(b)
19:45-1.46	Coupon redemption and complimentary cash programs	6-7-82	14 N.J.R. 559(a)
19:46-1.19	Blackjack equipment	6-7-82	14 N.J.R. 559(b)
19:46-1.33	Issuance and use of tokens	6-7-82	14 N.J.R. 569(a)
19:47-1.6	"Double odds" option in craps	4-19-82	14 N.J.R. 382(a)
19:47-2.1	Exclusion of card counting in blackjack	5-17-82	14 N.J.R. 467(a)
19:47-2.1-2.7	Blackjack play and wagering	6-7-82	14 N.J.R. 559(b)
19:47-2.5	"Shuffle-at-will" in blackjack	5-17-82	14 N.J.R. 469(a)
19:47-2.9-2.12, 2.15, 2.16	Blackjack play and wagering	6-7-82	14 N.J.R. 559(b)
19:47-2.16-2.19	Card counting exclusion	5-17-82	14 N.J.R. 467(a)
19:47-2.20-2.22, 5.7	Blackjack play and wagering	6-7-82	14 N.J.R. 559(b)
19:52-1.4	Prohibited entertainment activity	8-6-81	13 N.J.R. 543(a)

## CONTENTS

(Continued From Front Cover)

<b>TRANSPORTATION</b>	
US 9 bus and HOV lane in Middlesex County (Emergency Adoption) .....	661(b)
HOV lanes on Parkway (Emergency Repeal) .....	662(a)
<b>TREASURY—GENERAL</b>	
Classification of funds: Temporary reserve group .....	663(a)
Investment rules .....	663(b)
Certificates of deposit and administrative expenses .....	663(c)
Covered call options: Expanded trading .....	663(d)
<b>TREASURY—TAXATION</b>	
New Jersey wines .....	664(a)
<b>OTHER AGENCIES</b>	
<b>CASINO CONTROL COMMISSION</b>	
Personal History Disclosure Form 2A .....	664(b)
Internal control; patrons' cash deposits .....	664(c)
<b>DELAWARE RIVER BASIN COMMISSION</b>	
Ground-water protection .....	665(a)
<b>MISCELLANEOUS NOTICES</b>	
<b>ENVIRONMENTAL PROTECTION</b>	
Certification of draft NPDES permits .....	666(a)
<b>INDEX OF PROPOSED RULES</b> .....	<b>667</b>

### Filing Deadlines

<b>July 6 issue</b>	
Proposals .....	<b>June 10</b>
Adoptions .....	<b>June 21</b>
<b>July 19 issue:</b>	
Proposals .....	<b>June 24</b>
Adoptions .....	<b>July 2</b>

## ADMINISTRATIVE CODE ORDER FORM

**Full Set, \$500** [ ]  
**With First Class delivery of Register, \$535** [ ]

**Individual Titles (specify Title number and name, and number of copies).**

**Payment must accompany orders:** Make checks payable to Administrative Publications, CN 301, Trenton, New Jersey 08625. Telephone: (609)292-6060.

**Name and Delivery Address:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## YOUR BASIC RULE RESEARCH STARTS WITH THE 31-VOLUME NEW JERSEY ADMINISTRATIVE CODE— THE OFFICIAL COMPILATION OF AGENCY RULES AND REGULATIONS

Virtually every undertaking in New Jersey is in some way affected by agency rulemaking. The standards, practices and procedures set by the State's executive departments and semiautonomous agencies operate with the full force of law.

Now, with Legislative Oversight a reality, rulemaking assumes even greater complexity. Without full knowledge of the substance of new regulations, every attorney practicing administrative law in this State is at a very real disadvantage—and so are his clients.

**A subscription to New Jersey Administrative Code (31 loose-leaf volumes) includes one year of updated replacement pages, plus 24 issues of the twice-monthly New Jersey Register – the official interim supplement to the Code.**

### ADMINISTRATIVE CODE TITLES Prices

Full Set (includes all Titles below)	\$500
Individual Titles (prices include one year of updated replacement pages)*	
1. Uniform Administrative Procedure .....	\$35
2. Agriculture .....	\$35
3. Banking .....	\$35
4. Civil Service .....	\$35
5. Community Affairs (two volumes) .....	\$70
6. Education (two volumes) .....	\$70
7. Environmental Protection (two volumes) .....	\$70
8. Health (three volumes) .....	\$105
9. Higher Education .....	\$35
10. Human Services (three volumes) .....	\$105
10A. Corrections .....	\$35
11. Insurance .....	\$35
12. Labor and Industry (two volumes) .....	\$70
13. Law and Public Safety (three volumes) .....	\$105
14A. Energy (includes 14—Public Utilities) .....	\$35
15. State .....	\$35
15A. Public Advocate .....	\$35
16. Transportation .....	\$35
17. Treasury—General .....	\$35
18. Treasury—Taxation (two volumes) .....	\$70
19. Other Agencies (Mortgage Finance Agency, Expressway Authority, Hackensack Meadowlands Development Commission, Highway Authority, Turnpike Authority, Public Employment Relations Commission, Sports and Exposition Authority, Election Law Enforcement Commission, Economic Development Authority, Public Broadcasting Authority) .....	\$35
19K. Casino Control Commission .....	\$35

\*Individual Title Subscribers, add on a full year of the New Jersey Register (24 issues delivered by second class mail) for just \$30 – a \$10 saving over the regular annual rate. A full year by First Class Mail is just \$65 – also a \$10 saving over the normal rate.

**Full Set Subscribers, get the Register by First Class Mail for only an additional \$35 (regular delivery is by second class mail).**