

# NEW JERSEY



# REGISTER

**IN THIS ISSUE--  
"INDEX OF ADOPTED RULES"\***

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# RULE PROPOSALS

## BANKING

### (a)

#### DIVISION OF CONSUMER COMPLAINTS, LEGAL AND ECONOMIC RESEARCH

#### Restrictions on Real Property Transactions

#### Proposed Readoption: N.J.A.C. 3:1-10

Authorized By: Michael M. Horn, Commissioner,  
Department of Banking,  
Authority: N.J.S.A. 17:1-8.1.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before February 3, 1984. These submissions, and any inquiries about submissions and responses, should be addressed to:

Dominick A. Mazzagetti  
Deputy Commissioner  
Department of Banking  
Division of Banking  
CN 040  
Trenton, NJ 08625

The Department of Banking thereafter may adopt this proposal without further notice (see: N.J.A.C. 3:30-3.5). The readoption of these rules becomes effective upon acceptance for filing by the Office of Administrative Law on the notice of their readoption.

This proposal is known as PRN 1984-20.

The agency proposal follows:

#### Summary

The Department of Banking proposes to readopt its restrictions on real property transaction rules (N.J.A.C. 3:1-10). The rules are scheduled to expire on February 8, 1984 pursuant to Executive Order No. 66.

The restrictions on real property transactions were originally adopted on February 21, 1978 pursuant to the authority of N.J.S.A.

17:1-8.1, N.J.S.A. 17:9D-11D et seq., and N.J.S.A. 17:12B-20 et seq.

P.L.1958, c.66, N.J.S.A. 17:1-8.1 specifically authorizes and empowers the Commissioner of Banking to promulgate regulations to effectuate the proposes of the Act.

The rules were adopted to specify the circumstances under which the Department of Banking considers a real property transaction with an affiliated person to be an unsafe or unsound banking practice. The rules make clear that the Department of Banking will take appropriate supervisory action when it determines that a transaction with an affiliated person is an unsafe or unsound banking practice. The rules also clarify what transactions are subject to the regulatory requirements.

N.J.A.C. 3:1-10 seeks to achieve these goals by prescribing review, approval and application requirements with respect to certain real estate transactions with affiliated persons.

These rules were amended effective February 8, 1979 by substituting the "Executive" for "Senior" officer and by deleting the previous prohibition section and implementing an application system required on real property transactions with an affiliated person together with criteria for the approval or denial of those applications.

The rules were subsequently amended effective August 2, 1982, to conform with a legislative amendment, of N.J.S.A. 17:9A-71 which provides a definition of an executive officer of a bank.

In order to clarify the current rules, they will be briefly outlined below.

N.J.A.C. 3:1-10.1 is a definitional section and as such is necessary for the clear interpretation of the rules.

N.J.A.C. 3:1-10.2 provides when an institution must file a real estate application with the Commissioner for his approval.

N.J.A.C. 3:1-10.3 provides the criteria under which there will be approval or denial of real estate applications.

N.J.A.C. 3:1-10.4 provides the authority under which the Commissioner's deliberations will be held and the confidentiality thereof; it further provides that objectors are not precluded from raising similar or parallel objections as they may relate to the applicable statutory criteria for the particular application involved.

The Department of Banking has reviewed these rules in accordance with Executive Order No. 66(1978) and has determined that they are "necessary, adequate, reasonable, efficient, understandable and responsive to the purpose for which they were promulgated."

## NEW JERSEY REGISTER

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**Social Impact**

The rules proposed for readoption have a beneficial social impact by minimizing abusive self dealing by affiliated persons of banks through establishment of procedures designed to:

1. Insure that bank boards of directors supervise insider transactions effectively; and
2. Better enable the Commissioner of Banking to identify and analyze such transactions. The readoption of these rules will beneficially impact both the banking industry and the public by giving the public greater confidence and in the trustworthiness of banking institutions by the elimination of the potential abuse of affiliated persons engaging in unauthorized real estate transactions with banks subject to these rules. This confidence should be reflected in greater use of the institutions affected and a more stable economy. The rules seem to achieve these goals by prescribing review and approval with respect to certain transactions.

**Economic Impact**

The requirements of N.J.A.C. 3:1-10 that the terms and conditions of real estate transactions which are conducted with an affiliated person are in the best interest of the institution itself and that such financial terms be equal to or better than those which could have been obtained with a third party should have a positive economic impact on the institutions affected by the rules. Since the rules prevent the leasing or sale of real estate by a bank to an affiliated person for a greater amount than a bank would pay to a third party, the bank thereby has its assets, stockholders and depositors protected. The greater confidence by the public which the readoption of these rules will entail will be reflected by the increased utilization of these institutions which will in turn allow the banking industry by virtue of the loans and services it provides to assist in the growth of the economy of New Jersey. There will however be a degree of economic impact on the funding of the operations of the Division of Banking in that real estate applications under certain circumstances, will have to be reviewed by the Commissioner, which costs cannot be determined.

Full text of the proposed readoption can be found in the New Jersey administrative Code at N.J.A.C. 3:1-10 et seq.

Michael L. Tickin, Esq.  
 Administrative Practice Officer  
 Division of Housing and Development  
 CN 804  
 Trenton, NJ 08625

At the close of the period for comments, the Department of Community Affairs may adopt this proposal, with minor changes not in violation of the rulemaking procedure at N.J.A.C. 1:30-3.5. Upon adoption of these rules, a notice of the adoption shall be published in the Register. The adopted rules shall become effective upon publication of that notice of adoption in the Register.

This proposal is known as PRN 1984-17.

The agency proposal follows:

**Summary**

In accordance with P.L. 1983, c.338, the Department proposes to adopt regulations providing that the fees to be charged by private agencies for onsite inspection and plan review services shall be identical to those charged by the Department when it serves as a local enforcing agency pursuant to N.J.S.A. 52:27D-128 and setting forth standards to be observed by municipalities in evaluating proposals submitted by private agencies for inspection services or plan review services within the municipality. The proposal also contains a provision allowing the Commissioner to order the repayment of excessive fees.

**Social Impact**

Observance of the required standards of selection should result in the appointment of private agencies that will competently serve the public at a reasonable cost.

**Economic Impact**

The establishment of the uniform fee schedule will prevent abuses such as bidding below cost to drive out competition and overcharging in municipalities for whose business there is little or no competition. Any order of the Commissioner for the repayment of excessive fees will be of economic benefit to those who were required to pay the fees.

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

**5:23-4.5A Selection of private onsite inspection and plan review agencies**

(a) Whenever a local enforcing agency elects to contract with a private onsite inspection and plan review agency to carry out the enforcement of one or more subcodes, as permitted by N.J.A.C. 5:23-4.14, the agency shall be selected in accordance with the provisions of this section.

1. Selection in accordance with the provisions of this section shall not be required if a municipality wishes to contract again for a new contract period with an agency already under contract to the municipality for the subcode in question. The required selection procedure shall be followed, however, whenever a municipality wishes to consider the employment of an agency not already under contract for the enforcement of a specific subcode.

(b) Prior to the selection of an onsite inspection agency, a local enforcing agency shall notify each such agency authorized by the Department to serve as a subcode official for the subcode(s) to be contracted. The notification shall be by certified mail, return receipt requested. No other notice shall be required. The notice shall specify that a proposal is requested in accordance with N.J.A.C. 5:23-4.5A, shall identify the subcode(s) for which a proposal is requested and shall state the date and time by which proposals must be submitted, which shall be not less than 30 days following the date of mailing of the request for proposals.

**COMMUNITY AFFAIRS**

(a)

**DIVISION OF HOUSING AND DEVELOPMENT**

**Uniform Construction Code  
 Private Onsite Inspection and Plan Review  
 Agencies; Fee Appeals**

**Proposed New Rules: N.J.A.C. 5:23-4.5A  
 Proposed Amendments: N.J.A.C. 5:23-4.18  
 and 4.21**

Authorized By: John P. Renna, Commissioner, Department of Community Affairs.  
 Authority: N.J.S.A. 52:27D-124, as amended by L.1983 c.338.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before February 3, 1984. These submissions, and any inquiries about submissions and responses, should be addressed to:

(c) All proposals submitted by onsite inspection agencies to serve as subcode officials shall be in writing and shall contain all of the information required by this subsection. Any omission shall result in automatic disqualification of the proposal. No additional information shall be required. The required information is as follows:

1. The name and principal business address of the agency;
2. The name of the person who will serve as the agency's responsible official and representative if the agency is awarded the contract;
3. A full listing of all agency technical, field inspection and supervisory personnel, grouped by job classification and title. The listing shall include the technical, educational and licensure qualifications of each person;
4. A full listing of the municipalities served by the agency. This list shall specifically identify the subcodes enforced in each case and the number of permits supervised and the number of inspections performed during an average month during the preceding year in each municipality;
5. A table of organization for the agency which is correlated by job title to the required personnel list;
6. The manner in which the agency compensates each class of employees (for example, full-time salaried, part-time salaried, full-time hourly, part-time hourly, piece work). Where employees of a given class are compensated in more than one way, a percentage breakdown shall be provided;
7. The full address of each agency office which is open and staffed at least 35 hours per week by salaried or hourly agency employees;
8. A narrative description of the arrangements the agency plans to make for the issuance of minor work and single trade permits and the arrangements it will make to discharge its plan review obligations.
9. Any performance guarantees with regard to inspection or plan review response time which exceed the minimum requirements established by these regulations. If an agency only guarantees minimum performance, its proposal shall so state.

(d) The following agency selection procedure shall be followed:

1. Written, sealed proposals shall be submitted to the construction official of the local enforcing agency prior to the date and time established in the original notice of request for proposals.
2. The construction official shall, within 15 days of receipt of the proposals, recommend to the governing body having jurisdiction the acceptance of one of the proposals. The recommendation shall be in writing.
3. If the governing body shall accept the recommendation of the construction official, then a contract shall be entered into in accordance with the procedures set forth in the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)
4. If the local governing body shall not accept the recommendation of the construction official and shall instead wish to award the contract to another agency, then the governing body shall inform each agency which submitted a proposal of this intent and of the reasons for rejecting the construction official's recommendation. Each agency shall be given an opportunity to comment before the governing body at a public hearing. At least seven days' notice of such hearing shall be given to each agency by certified mail. After the conclusion of the hearing, the governing body shall enter into a contract with the selected agency in accordance with the procedures set forth in the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.).

(e) When considering proposals submitted by authorized onsite inspection agencies to act as a subcode official, local enforcing agencies and governing bodies shall base their selection on the following criteria:

1. The speed with which the agency can respond, or has responded, to requests for required inspections from the construction industry;
  2. The speed with which the agency can perform, or has performed, plan reviews upon assignment by the construction official;
  3. The technical qualifications and capabilities of agency staff;
  4. The thoroughness with which the agency can carry out, or has carried out, its inspection and enforcement work in other jurisdiction;
  5. The adequacy of the arrangements the agency is prepared to make to provide emergency inspection services, including response time;
  6. The ability of the agency to ensure, through its organizational structure, and the qualifications of its management staff, positive control and direction of its field and office staff.
- (f) It is recognized that the criteria set forth in (e) above are subjective and cannot be readily quantified. Inspection services being essentially technical and professional in nature, an agency cannot be chosen on a quantitative basis. These criteria are intended to set forth a framework within which the construction official can exercise his professional judgment and determine which among several agencies is most likely to provide the highest quality, and most responsive, code enforcement services.

5:23-4.18 Standards for municipal fees

(a)-(j) (No change.)

(k) Rules concerning the appeal of fees are:

1. (No change.)

2. In addition to any other actions that he may take upon determining that the fees established by a municipality fail to meet the standards of this section, the commissioner may order the repayment of the excess amount of such fees to the persons who have paid them.

(l) Private onsite inspection and plan review agencies shall be subject to the following:

1. Where the local enforcing agency uses the services of a private onsite inspection and plan review agency to enforce one or more subcodes, then the fees charged by the municipality shall not be set by ordinance. The fees charged by the municipality shall be identical to those charged by the Department pursuant to N.J.A.C. 5:23-20 as follows:

i. Building subcode: Where a private onsite agency performs building subcode services, the fees charged by the municipality shall be the sum of 60 percent of the volume or cost-based fees, as appropriate to the type of work, which are set forth at N.J.A.C. 5:23-4.20(c) 2 i, and 100 percent of the mechanical fee set forth at N.J.A.C. 5:23-4.20(c)2,iv.

ii. Fire subcode: Where a private onsite agency performs fire subcode services, the fees charged by the municipality shall be the sum of 40 percent of the volume of cost based fees, as appropriate to the type of work, which is set forth at N.J.A.C. 5:23-4.20 (c)2,i and 100 percent of the sprinkler and stand pipe fee which is set forth at N.J.A.C. 5:23-4.20(c)2,v.

iii. Plumbing subcode: Where a private onsite agency performs plumbing subcode services, then the fees charged by the municipality shall be those based on plumbing fixtures and stacks as set forth at N.J.A.C. 5:23-4.20(c)2.ii.

iv. Electrical subcode: Where a private onsite agency performs electrical subcode services then the fees charged by the municipality shall be those based on electrical fixtures and devices which are set forth at N.J.A.C. 5:23-4.20(c)2.iii.

v. Other work: Where a private onsite inspection agency performs any subcode services for any subcode, the fees for demolitions, removals, signs and certificates of occupancy shall be set by the municipality by ordinance.

vi. Where a private onsite agency performs building subcode

services or fire subcode services but not both, then the fees charged for that subcode shall be those set by the Department as set forth in this section. The fees charged by the municipality for the subcode which it enforces directly shall be as set by ordinance. The municipality shall only collect the following portions of these fees in such cases:

- (1) Where the municipality enforces the building subcode and an onsite agency enforces the fire subcode:
  - (A) 60 percent of the volume or cost charges.
  - (B) 100 percent of any mechanical system fee.
  - (C) 0 percent of any sprinkler and standpipe fee.
- (2) Where the municipality enforces the fire subcode and an onsite agency enforces the fire subcode.
  - (A) 40 percent of the volume or cost based charge.
  - (B) 0 percent of any mechanical fee.
  - (C) 100 percent of any sprinkler or standpipe fee.

5:23-4.21 Private enforcing agency fees

(a) Authorization fee: Any onsite inspection agency submitting an application to the Department under N.J.A.C. [5:23-4.11] 5:23-4.12 for approval as an inspection agency shall pay a fee of [\$500.00] **\$2000.00** for each subcode for which authorization is sought. The total fee for an inplant agency application shall be \$500.00.

(b) Reauthorization fee: Any onsite inspection agency submitting an application to the department under N.J.A.C. 5:23-4.12 for reapproval as an inspection agency shall pay a fee of [\$250.00] **\$1000.00** for each subcode for which authorization is sought. The total fee for reauthorization of an inplant inspection agency shall be \$250.00.

(c) Monitoring fee: Any onsite inspection agency shall pay to the Department a monitoring fee of 5 percent of gross earnings made pursuant to all construction code enforcement activities. These fees shall be paid to the Department monthly. The payment for any month shall be made prior to the last business day of the month next following.

(d) Fees charged to a municipality by any private agency for inspection or plan review services shall be identical to those charged for such services by the Department when it serves as a local enforcement agency and set forth in N.J.A.C. 5:23-4.20 less an amount as set forth below which shall be retained by the local enforcing agency to cover administrative costs. This portion shall be as follows:

1. Electrical subcode enforcement- 5 percent;
2. Plumbing subcode enforcement- 5 percent;
3. Fire protection subcode enforcement- 5 percent;
4. Building subcode enforcement- 10 percent.
5. Where a local enforcing agency uses an onsite inspection and plan review agency as building subcode official but carries out fire protection subcode official responsibilities directly on through the local fire service, then a total of 40 percent of the agency fees for mixed building and fire protection subcode enforcement shall be retained by the local enforcing agency to cover the administrative costs and the cost of fire protection subcode enforcement.
6. Where plan review is required to be performed more than one month before inspections or where a project does not go forward after an agency has performed plan review, then the agency shall be paid 20 percent of the amount otherwise due and owing pursuant to this section.
7. Where a local enforcing agency uses an onsite inspection and plan review agency and those agencies are required to perform inspections related to demolitions, removals, or signs then the fees charged to the municipality shall be as follows:
  - i. Building subcode: 40 percent of the fee charged by the municipality for the permit.
  - ii. Fire subcode: 15 percent of the fee charged by the municipality except in the case of signs where no payment shall be made to an agency responsible for fire subcode enforcement.

iii. Plumbing subcode: 20 percent of the fee charged by the municipality except in the case of signs when no payment shall be made to an agency responsible for plumbing subcode enforcement.

iv. Electrical subcode: 20 percent of the fee charged by the municipality except in the case of unlighted signs where no payment shall be made to an agency responsible for electrical subcode enforcement.

## ENVIRONMENTAL PROTECTION

(a)

### DIVISION OF WATER RESOURCES

#### Flood Hazard Area Delineations Delineation of Portions of the Rockaway Creek and the South Branch Rockaway Creek in Readington Township, Hunterdon County

#### Proposed Amendments: N.J.A.C. 7:13-1.11(d)

Authorized By: Robert E. Hughey, Commissioner,  
Department of Environmental Protection.  
Authority: N.J.S.A. 13:1D-1 et seq. and 58:16A-50 et seq.

A public hearing on this matter was held by the Department on July 6, 1983 at the Readington Township Municipal Building, Whitehouse Station, New Jersey. Interested parties were notified of this public hearing by publication in newspapers of general circulation and by direct mailing to municipalities within the affected flood plain. No testimony was presented. Written comments were submitted by Exxon Company in favor of the adoption of the delineation.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before February 3, 1984. These submissions, and any inquiries about submissions and responses, should be addressed to:

Clark Gilman  
Bureau of Flood Plain Delineation  
Division of Water Resources  
CN 029  
Trenton, NJ 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 1984-5.

The agency proposal follows:

#### Summary

The proposed delineation is a modification of the Flood Hazard Report No. 9, Rockaway Creek and South Branch Rockaway Creek, and is based upon a study conducted by the Anderson-Nichols and Company for preparation of the Readington Township Flood Insurance Study. Review of the study indicated that the existing delineation does not accurately reflect the flood evaluations of our most recent delineation dated March 1973.

**Social Impact**

The proposed delineation amendment will be used for preparing the Township of Readington Flood Insurance Study which will convert Readington from the Initial Emergency Phase to the Regular Phase of the National Flood Insurance Program.

**Economic Impact**

The proposed delineation amendment will increase the federal flood insurance coverage available to existing and new properties within the Township of Reading. In addition, the proposed delineation amendment would more clearly define the flood hazard area, thus result in less requirements for flood insurance. Minor reductions in property value could result by restricting future development in the floodway and requiring elevated construction designs in flood fringe areas. However, minor property value diminution would be offset by the savings to governmental bodies and private homeowners due to little or no future rehabilitation and rescue expenditures from flood damage in the delineated area.

**Full text** of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]). See related proposal at 15 N.J.R. 2104(a), December 19, 1983 Register.

7:13-1.11 Delineated floodways

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

(d) A list of delineated streams in the Passaic-Hackensack Basin and a list of delineated streams in the Raritan Basin follow:

1.-10. (No change.)

11. . . . **The floodway and flood hazard area of the Rockaway Creek from approximately 3,000 feet upstream of Laminton Road to its junction with the South Branch Rockaway Creek as shown on Plate RC-3.**

12. . . . **The floodway and flood hazard area of the South Branch Rockaway Creek from its confluence with the Rockaway Creek upstream to approximately 1,200 feet upstream of the Cushetunk Lake Dam, as shown on Plate SBR-1.**

13.-50. (No change.)

**(a)**

**THE COMMISSIONER**

**Recycling Grants and Loans Program Application and Funding Criteria**

**Proposed Amendments: N.J.A.C. 7:26-15.5 and 15.7, N.J.A.C. 14A:6-1.5 and 1.7**

Authorized By: Robert E. Hughey, Commissioner, Department of Environmental Protection, and Leonard S. Coleman, Jr., Commissioner, Department of Energy.

Authority: N.J.S.A. Recycling Act, P.L. 1981, c.278; N.J.S.A. 13:1E-6(a)2 and N.J.S.A. 52:27F-11q. Department Docket Nos. DEP 071-83-12, DOE 003-84-01.

**Interested persons** may submit in writing, data, views or arguments relevant to the joint proposal on or before February 3, 1984. These submissions, and any inquiries about submissions and responses, should be addressed to:

Linda M. Scuzorzo  
Office of Regulatory and Governmental Affairs  
New Jersey Department of Energy  
101 Commerce Street  
Newark, NJ 07102

The Department of Environmental Protection and Energy may thereafter adopt this joint 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 1984-15.

The agency proposal follows:

**Summary**

The State of New Jersey enacted the Recycling Act, P.L. 1981, c.278, in order to encourage the development of recycling programs with a view toward recycling approximately 25 percent of the municipal solid waste stream by the year 1986.

The amended regulations extend the deadline for receipt of recycling grant applications to March 15 in order to give applicants more time to complete their applications. In addition, the procedures for distributing Program and Education Grants to New Jersey municipalities and counties have been modified to eliminate the requirements for matching funds and to institute minimum amounts for applications.

**Social Impact**

Most of the changes in the regulations are minor and will not generate any additional social impacts. The minimum dollar amount set by the Departments may eliminate a few smaller municipal applications. However, counties are encouraged to apply on behalf of a number of municipalities. This should eliminate any adverse impact on ineligible entities.

**Economic Impact**

The elimination of the requirement for matching funds will reduce the paperwork and personnel time necessary to implement these grants as well as allow the participation of communities that were originally excluded due to a lack of matching funds.

The institution of minimums for grant applications will reduce the number of grant awards and therefore reduce the staff time required to process contracts for these grant awards. The minimums are based on the fact that an average of \$700 in costs are incurred in executing each contract and that the processing costs should not exceed 10 percent of the cost of the contract. The minimums are set somewhat lower than required by the 10 percent figure to allow for the widest possible participation in the program consistent with the need to maintain a cost-effective program.

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

14A:6-1.5(7:26-15.5 Application and award procedures for Recycling Grants

(a) (No change.)

(b) Applications for Recycling Grants shall be accepted by the Departments between January 1 and [February 15] **March 15** of each grant year beginning in 1983 and ending in 1987. Applications shall be made on such forms as provided by the Departments and shall be submitted in triplicate to:

NJDEP and NJDOE  
Office of Recycling  
Grant and Loan Officer  
101 Commerce Street  
Newark, New Jersey 07102

(c)-(g) (No change.)

14A:6-1.7(7:26-15.7) Application and award procedures for Planning and Program Grants and Education Grants

(a) **Subject to the further restrictions contained in (c) below** [T]he following shall be eligible to apply for and receive either or both Program and Planning Grants and Education Grants, unless specifically limited to Program and Planning Grants alone or Education Grants alone:

1. Counties, provided that [as a result of such grant(s)] the county [will have] **has a recycling coordinator during the grant period;**

2. Municipalities, provided that the project is **not inconsistent** with the appropriate county solid waste district management plan(s);

3. Regional recycling coalitions, provided that an ordinance or resolution, as appropriate authorizing application and funding has been approved by the appropriate governing bodies of the coalition members, and that the project is **not inconsistent** with the appropriate county solid waste district management plan(s);

4. Non-profit groups **involved directly with the implementation of recycling or litter abatement programs**, provided that the project is **not inconsistent** with the appropriate county solid waste district management plan(s). Non-profit groups shall be eligible to apply only for Education Grants.

(b) Applications for Planning and Program Grants and Education Grants shall be made at such time as announced [and] on such forms [as] provided **and in accordance with any guidelines issued** by the Departments[, and]. **Applications** shall be submitted in triplicate to:

NJDOE and NJDEP  
Office of Recycling  
Grant and Loan Officer  
101 Commerce Street  
Newark, New Jersey 07102

(c) **Planning and Program Grants and Education Grant applications shall be subject to the following minimum amounts. The Departments shall issue such guidelines as are necessary to encourage counties to include provisions in the applications that will allocate grant monies to municipalities which require less than the minimum amounts.**

1. **For Planning and Program Grant applications, \$5,000;**
2. **For Education Grant applications, \$2,000.**

[(c)](d) Planning and Program Grants [shall not exceed 50 percent of the direct project costs, and] may be used for any legitimate administrative, planning or operating expenses associated with publicly sponsored recycling programs, including but not limited to:

1. Staff salaries and fringe benefits [, subject to such education or training requirements as may be stipulated by the Departments];
2. Office expenses;
3. Equipment purchases;
4. Enforcement; and
5. [Publicity.] **Construction of facilities.**

[(d)] (e) Education Grants [shall not exceed 75 percent of the direct project costs, and] may be used for any legitimate expenditures associated with recycling and litter abatement publicity, information and education programs, including:

- 1.-3. (No change.)

[(e)] Grants awarded pursuant to this section shall be awarded on a competitive basis. Priority for Program and Planning Grants shall be given to those counties and municipalities that have or will have, as a result of the grant, implemented and enforced mandatory, multi-material recycling programs, including where feasible, programs to recycle paper, glass, oil and metal generated by county or municipality owned and operated facilities. The criteria used to evaluate applications shall include but not be limited to determinations that:

1. The project will further the goals and objectives of the State Recycling Plan;
2. The project's goals, objectives and implementation strategy are

clearly stated;

3. The project is practical and has a high probability of success;
4. The value of the materials to be recovered will be comparable to the size of the grant; and

5. The project substantially increases the quantity of recyclable materials removed from the waste stream and actually recycled.

(f) Applications shall be made on forms provided by the Departments and shall include but not be limited to the following information:

1. The name and address of the applicant;
2. A description of the manner in which the funds will be used;
3. A description of the manner in which the project to be funded will promote recycling within the applicant's municipality, including specific program goals and objectives;
4. For subsequent grants, a progress report showing the extent to which the previous year's goals were met;
5. A detailed budget; and
6. A letter from the appropriate county recycling coordinator or solid waste coordinator certifying consistency with the county solid waste district management plan.]

(f) **Planning and Program Grants and Education Grants shall be awarded competitively based on the Departments' assessments of factors which shall include but not be limited to the following:**

1. **The ability of the applicant to successfully implement the proposed project;**
2. **The relative contribution that the proposal will make toward achieving the State's recycling goals; and**
3. **The cost effectiveness and innovativeness of the proposed projects.**

(g) Applicants receiving either Planning and Program Grants or Education Grants shall file [semi]annual progress reports with the Departments during the grant year and for two years following receipt of the grant. **Applicants who receive a municipal recycling grant pursuant to N.J.A.C. 14A:6-1.5(7:26-15.5) shall be deemed to have satisfied this requirement.**

(a)

## COMMISSION ON RADIATION PROTECTION

### Bureau of Radiation Protection Radio Frequency Radiation

#### Proposed New Rule: N.J.A.C. 7:28-42

Authorized By: Commission on Radiation Protection,  
Max M. Weiss, Ph.D., Chairman.  
Authority: N.J.S.A. 13:1D-1 et seq. and N.J.S.A. 26-2D-1 et seq.  
DEP Docket No. 072-83-12.

**Public hearings** concerning this proposal will be held on the following dates:

January 24, 1984, 4:00 P.M. to 9:00 P.M.  
(Dinner break 6:00 P.M. to 7:00 P.M.)  
County College of Morris  
Route 10 and Center Grove Road  
Randolph, New Jersey 07869

January 31, 1984, 4:00 P.M. to 9:00 P.M.  
(Dinner break 6:00 P.M. to 7:00 P.M.)  
Gloucester County College  
Fine Arts Building  
10 Yard Road  
Sewell, New Jersey 08080

**Copies** of a basis and background document for the proposed new rule shall be made available, upon request, at the Department of Environmental Protection address set forth below. **Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before February 3, 1984. These submissions, and any inquiries about submissions and responses, should be addressed to:

Gene Fisher  
Bureau of Radiation Protection  
Department of Environmental  
Protection  
380 Scotch Road  
Trenton, NJ 08628

The Commission on Radiation 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 1984-16.

The agency proposal follows:

#### Summary

The proposed new rules, N.J.A.C. 7:28-42, Radio Frequency Radiation, establishes a Radio Frequency Protection Guide ("RFPG", that is, the radio frequency field strengths or equivalent plane wave power densities that shall not be exceeded) which provides maximum exposure limits to electromagnetic energy of radio frequencies between 300 kilohertz and 100 gigahertz (300 kHz and 100 GHz). This action is being taken to prevent potential harm to the public health from exposure to radio frequency radiation in the absence of Federal radio frequency population exposure guidance.

The exposure limits in the proposed rule are derived from American National Standard Institute safety levels with respect to human exposure to radio frequency electromagnetic fields 300 KHz to 100 GHz (ANSI C95.1-1982). This standard is based on sound biological data and reflects a consensus of findings by the scientific community knowledgeable in the biological effects of electromagnetic energy at radio frequencies. The ANSI standard specifically addresses non-occupational as well as occupational exposure. The proposed new rule is not intended to apply to occupational exposure, which is covered by an existing Federal regulation, 29 CFR 1910.97.

#### Social Impact

The benefit to society resulting from the use of radio frequency radiation is well known. Radio frequency radiation has made possible mass communication systems which were not available less than a century ago. Other common uses of radio frequency radiation from which society derives benefits include radar tracking systems at commercial and private airports and at military defense installations and AM/FM radio broadcasts and UHF/VHF television broadcasts.

The specific purpose of the proposed new rules is to respond to the public's apprehension concerning misuse of radio frequency radiation in the absence of national safety level guidelines. These rules provide safety levels against which the adequacy of existing

and new radio frequency emitting facilities may be evaluated with respect to the safety of the public.

#### Economic Impact

The proposed new rules provide clear guidelines against which the public will be able to measure the perceived hazards of new and existing radio frequency radiation installations. The practical effect of the application of the proposed rule will be to eliminate unnecessary time delays in the installation of new facilities with a cost savings to the industry which will ultimately result in a reduction in the cost of such service to the public.

#### Environmental Impact

The effect of the proposed rules upon the environment will be indirect only. The rules will provide the public with greater security and peace of mind regarding radio frequency devices in their environment by establishing safety requirements for the use of such devices which are located in those portions of the environment which are open to the public.

**Full text** of the proposed new rule follows.

### SUBCHAPTER 42. RADIO FREQUENCY RADIATION

#### 7:28-42.1 Scope

(a) This subchapter governs non-occupational exposure to radio frequency radiation from radio frequency devices.

(b) The provisions of this subchapter shall not limit the kind or amount of radio frequency radiation that may be intentionally administered by a person licensed to so administer such radiation under the laws of the State of New Jersey.

#### 7:28-42.2 Purpose

The purpose of this subchapter is to define safety requirements for the use of radio frequency devices that radiate in the frequency range 300 kHz to 100 GHz in order to prevent possible harmful effects in human beings from exposure to such radiation.

#### 7:28-42.3 Radio Frequency Protection Guides (RFPG)

(a) Radio frequency devices, excluding microwave ovens, shall be maintained as follows:

1. No person shall cause, suffer, allow or permit the use of a radio frequency device which exposes or may expose any member of the public in any location normally accessible to the public to radio frequency radiation which is in excess of the applicable Radio Frequency Protection Guide in N.J.A.C. 7:28-42.4.

(b) Microwave ovens shall be maintained as follows:

1. No person shall cause, suffer, allow or permit the use of a microwave oven manufactured after October 6, 1971 in any location normally accessible to the public that radiated in excess of 5 mW/cm<sup>2</sup> at any point 5 cm or greater from any external surface of the oven.

2. No person shall cause, suffer, allow or permit the use of a microwave oven manufactured before October 6, 1971 in any location normally accessible to the public that radiated in excess of 10 mW/cm<sup>2</sup> at any point 5 cm or greater from any external surface of the oven.

3. Measurements shall be made with the microwave oven operating at its maximum output and with a container of 275 ± 15 ml of tap water at an initial temperature of 20 ± 5°C placed on the carrying surface provided by the manufacturer.

i. The container shall be a low form 600 ml breaker having an inside diameter of approximately 8.5 cm and made of electrically non-conductive material such as glass or plastic.

#### 7:28-42.4 Radio Frequency Protection Guide (RFPG) for whole body exposure

Frequency Range	Maximum Allowed Mean Squared Electric Field Strength (V/m) <sup>2</sup>	Maximum Allowed Mean Squared Magnetic Field Strength (A/m) <sup>2</sup>	Equivalent Plane Wave Power Density (mW/cm <sup>2</sup> )
300 Khz-3 MHz	400,000	2.5	100
3 MHz-30 MHz	4,000 (900/f <sup>2</sup> )	0.025 (900/f <sup>2</sup> )	900/f <sup>2</sup>
30 MHz-300 MHz	4,000	0.025	1.0
300 MHz-1.5 GHz	4,000 (f/300)	0.025 (f/300)	f/300
1.5 GHz-100 GHz	20,000	0.125	5.0

- Note 1: f frequency (MHz)
- Note 2: For near field exposure, both the mean squared electric and magnetic field strengths shall be determined.
- Note 3: For frequencies below 300 MHz, both the mean squared electric and magnetic field strengths shall be determined.
- Note 4: At frequencies above 300 MHz, either the mean squared electric or magnetic field strengths shall be determined.
- Note 5: The applicable FRPG shall be averaged over any 0.1 hour interval.
- Note 6: Where electromagnetic fields are present at more than one frequency or for broadband fields, the fraction of the FRPG incurred within each frequency interval shall be determined and the sum of all such fractions shall not exceed unity.

\$60.00; Independent Institutions-\$100.00; Rutgers, NJIT, and UMDNJ-\$130.00; Out of State-No change.

**Social Impact**

The Tuition Aid Grant program provides awards based on financial need to enable students to obtain an undergraduate degree from both public and private colleges in New Jersey.

**Economic Impact**

The proposed award table is consistent with the fiscal year 1985 budget request of the Department of Higher Education and provides increased awards over the existing table, reflecting increased tuition rates and related college cost.

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

9:7-3.1 Tuition Aid Grant Award Table

The value of the grant is related to the tuition charges of the various institutional sectors in New Jersey and the student's ability to pay for educational costs. The award table below shows approximate award levels depending upon tuition and ability to pay.

(Delete the existing table in the New Jersey Administrative Code at N.J.A.C. 9:7-3.1 and at 15 N.J.R. 1427(a), 15 N.J.R. 1864(a) and **replace** it with the following table.)

**TUITION AID GRANT (TAG) AWARD TABLE FOR 1984-85**

**APPROXIMATE TUITION AID GRANT VALUES\***

**NEW JERSEY COLLEGES AND UNIVERSITIES**

**HIGHER EDUCATION**

**(a)**

**STUDENT ASSISTANCE BOARD**

**Tuition Aid Grant Program 1984-1985 Award Table**

**Proposed Amendments: N.J.A.C. 9:7-3.1**

Authorized By: Student Assistance Board, Joseph Streit, Chairman.  
 Authority: N.J.S.A. 18A:71-47(b) and 18A:71-48.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before February 3, 1984. These submissions, and any inquiries about submissions and responses, should be addressed to:

Eric M. Perkins, Esq.  
 Administrative Practice Officer  
 Department of Higher Education  
 225 West State Street  
 CN 542  
 Trenton, NJ 08625

At the close of the period for comments the Student Assistance Board may adopt this proposal, with any minor changes not in violation of the rulemaking procedures at N.J.A.C. 1:30-3.5. Upon adoption of these rules, a notice of the adoption shall be published in the Register. The adopted rules shall become effective upon publication of that notice of adoption in the Register.  
 This proposal is known as PRN 1984-19.

The agency proposal follows:

**Summary**

The proposal establishes an increased award table for the Tuition Aid Grant program for the 1984-85 academic year. Approximate increases are as follows: County Colleges-\$75.00; State Colleges-

New Jersey Eligibility Index (NJEI)	County Colleges	State Colleges	Independent Institutions	Rutgers U. of Tech., NJ Inst. & UMDNJ***	Renewal** Out-of-State Colleges & Universities
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	A	B	C	D	E	F
<b>Under 750</b>	<b>\$700</b>	<b>\$1024</b>	<b>\$1800</b>	<b>\$1490</b>	<b>\$450</b>	
750-1049	600	920	1700	1390	260	
1050-1349	500	820	1600	1290	260	
1350-1649	400	720	1500	1190	260	
1650-1949	300	620	1400	1090	200	
1950-2249	200	520	1300	990	0	
2250-2549	0	420	1200	890		
2550-2849		320	1100	790		
2850-3149		200	1000	690		
3150-3449		0	900	590		
3450-3749			800	490		
3750-4049			700	390		
4050-4349			600	290		
4350-4649			500	200		
4650-4949			400	0		
4950-5249			300			
5250-5549			200			
<b>Over 5549</b>			<b>0</b>			

\*In accordance with State guidelines, the value of your grant may decrease dependent upon appropriated funds, your college budget, your available resources and your Estimated Family Contribution. You will be notified of any increase in your grant if additional funds become available.

\*\*\*"Renewals" are students who received a Tuition Aid Grant in a prior year.

\*\*\*Approved programs only at UMDNJ. Contact the financial aid office for details.

(a)

**INDEPENDENT COLLEGES AND UNIVERSITIES****Financial Aid; Audits****Proposed Amendment: N.J.A.C. 9:14-1.3 and 1.4**

Authorized By: New Jersey Board of Higher Education,  
T. Edward Hollander, Chancellor and Secretary of the Board.

Authority: N.J.S.A. 18A:72B-22.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before February 3, 1984. These submissions, and any inquiries about submissions and responses, should be addressed to:

Eric M. Perkins, Esq.  
Administrative Practice Officer  
New Jersey Department of Higher Education  
225 West State Street  
CN 542  
Trenton, New Jersey 08625

The Board of Higher 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 1984-6.

The agency proposal follows:

**Summary**

The Board of Higher Education annually distributes aid to qualified independent colleges and universities pursuant to the Independent College and University Assistance Act, N.J.S.A. 18A:72B-15 et seq. The Board has enacted N.J.A.C. 9:14-1 governing the distribution of said monies pursuant to the Act.

The proposed amendment would clarify the forms of financial aid which students must receive in order for the college or university to count the student in calculating the State assistance to the institution for which it is eligible.

**Social Impact**

The proposed amendments will have no direct impact on students. The amendments will insure that each independent institution receives its correct share of the State assistance monies for which it is eligible.

**Economic Impact**

The proposed amendments may result in minor distribution of State assistance to independent colleges, if some colleges have in the past counted ineligible students.

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

9:14-1.3 Audit of full-time equivalent enrollment

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

**(d) The Department of Higher Education shall use these audited enrollments as the basis for distributing that portion of the aid to independent colleges and universities prescribed in N.J.S.A. 18A:72B-18c. as based upon full-time equivalent enrollment.**

9:14-1.4 Audit of students receiving need-based financial aid

**(a) The audited head count of students receiving [need based] eligible financial aid should be displayed on the schedule as provided by the Department of Higher Education.**

**(b) The eligible forms of financial aid are:**

**1. Those students who receive State administered need-based financial aid (for example, TAG); and**

**2. Those students who receive school administered aid of \$1,000 or more and who meet the school's criteria for financial need.**

**(b) Students who receive both State administered need-based financial aid and \$1,000 or more in need-based financial aid from the institution should be counted only once in the audit of students receiving need-base financial aid.**

**(c) The Department will use this audited headcount of students receiving eligible financial aid as the basis for distributing that portion of the aid to independent colleges and universities prescribed in N.J.S.A. 18A:72B-18(c).**

**HUMAN SERVICES**

(b)

**DIVISION OF YOUTH AND FAMILY SERVICES****Residential Child Care****Manual of Standards for Group Homes, Teaching Family Homes and Supervised Transitional Living Homes****Proposed Repeal: N.J.A.C. 10:128  
Proposed New Rule: N.J.A.C. 10:128**

Authorized By: George J. Albanese, Commissioner,  
Department of Human Services.

Authority: N.J.S.A. 30:1-14 and 15 and N.J.S.A. 30:4C-4.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before February 3, 1984. These submissions, and any inquiries about submissions and responses, should be addressed to:

Richard Crane, Chief  
Bureau of Licensing  
Division of Youth and Family Services  
One South Montgomery Street  
CN 717  
Trenton, NJ 08625

At the close of the period for comments, the Department of Human Services may adopt this proposal, with any minor changes not in violation of the rulemaking procedures at N.J.A.C. 1:30-3.5. Upon adoption of these rules, a notice of the adoption shall be published in the Register. The adopted rules shall become effective upon publication of that notice of adoption in the Register.

This proposal is known as PRN 1983-638.

The agency proposal follows:

**Summary**

The proposal replaces the current Manual of Standards for Group Homes, which was last revised in July, 1977. It governs facilities that provide 24-hour-a-day residential care and treatment services

to 12 or fewer children who cannot be maintained in a normal family situation, and who require education and therapeutic services in a residential setting in order to overcome multiple social, emotional, mental, educational or other handicaps. The proposed manual also includes, for the first time, requirements geared specifically to teaching family homes and supervised transitional living homes, in addition to children's group homes. The Division feels that it is appropriate to consolidate regulations governing these three types of facilities into a single manual of standards, since the majority of requirements governing group homes are also applicable to teaching family homes and supervised transitional living homes. The manual specifies differential requirements for these three types of facilities and programs in those areas that call for distinct standards.

The new Manual of Standards for Group Homes, Teaching Family Homes and Supervised Transitional Living Homes simplifies and clarifies the regulations pertaining to such facilities by providing concise minimum baseline requirements governing staff, program, life/safety and transportation areas. The new proposed regulations eliminate the section on financial requirements contained in the present regulations. It is envisioned that these proposed regulations will essentially address life/safety and programmatic issues. The financial requirements were eliminated because such requirements, which have become more sophisticated since their promulgation in 1976, are addressed as a matter of contract fiscal requirements and are not appropriate for promulgation as regulations at this time.

The new manual eliminates the unspecific and vague language contained in the current manual, and will assist the State regulatory authority in efficiently fulfilling its delegated authority by providing clear and specific requirements for residential child care facilities.

#### **Social Impact**

The new manual will affect some 24 group homes; 14 teaching family homes; and 3 supervised transitional living homes now required to be approved and/or inspected in accordance with N.J.S.A. 30:1-14 and 15 and N.J.S.A. 30:4C-4. The children receiving care and treatment services in such facilities are placed there because of their need for educational and therapeutic services in an environment away from their own home. Many of the children in these facilities have experienced serious family breakdowns and suffer from a multitude of emotional, social, mental, educational or other handicaps. The children have often experienced a number of unsuccessful surrogate family placements prior to placement in a group home, teaching family home or supervised independent living home. Placement in such facilities is instituted only after all attempts to maintain a child in need of ameliorative services in his/her home have failed and all community-based alternatives have been exhausted.

The goal of the regulations contained in the new manual is to ensure that all children in such facilities will receive the level of care and specialized services that they require.

#### **Economic Impact**

The Division expects that the proposal will minimize the costs and cause no discernible economic impact for residential child care facilities in complying with the requirements of the new Manual of Standards for Group Homes, Teaching Family Homes and Supervised Transitional Living Homes.

Opportunities for cost-saving by facilities under the new manual include: permitting for the first time the use of volunteers to substitute for paid staff members, provided that the volunteers possess the same qualifications as paid staff members; and the minimum required amount of floor space in a child's bedroom has been reduced and additional space allowances have been provided for bedrooms containing bunk beds or any combination of bunk beds and single beds, thereby permitting facilities to increase their population capacities in a way that does not jeopardize the health

or safety of the children served. In addition, less stringent, staffing requirements are provided for supervised transitional living homes, since children in these homes require less intensive services and supervision than children who are in group homes and teaching family homes.

**Full text** of the chapter proposed for repeal can be found in the New Jersey Administrative Code at N.J.A.C. 10:128.

**Full text** of the proposed new chapter follows:

### CHAPTER 128 MANUAL OF STANDARDS FOR GROUP HOMES, TEACHING FAMILY HOMES AND SUPERVISED TRANSITIONAL LIVING HOMES

#### SUBCHAPTER 1. GENERAL PROVISIONS

##### 10:128-1.1 Legal authority

(a) This chapter is promulgated pursuant to N.J.S.A. 30:1-14 and 15 and N.J.S.A. 30:4C-4.

(b) Under N.J.S.A. 30:1-14 and N.J.S.A. 30:4C-4, the Department of Human Services is authorized to inspect, evaluate and approve publicly or privately operated homes that:

1. Provide board, lodging or care for children who are placed or financed by the Division of Youth and Family Services or any other New Jersey State agency; and
2. Are not subject to licensing or regulation by any other New Jersey State agency.

(c) Under N.J.S.A. 30:1-14, the following homes shall be subject to inspection, evaluation and approval by the Department of Human Services.

1. New Jersey-based group homes, teaching family homes or supervised transitional living homes serving a maximum of 12 children, except that:

- i. Homes that are licensed and regulated pursuant to State law by the Division of Mental Retardation or the Division of Mental Health and Hospitals, both of the Department of Human Services shall be exempt from provisions of this chapter;
- ii. Homes that are licensed and regulated pursuant to State law by the State Department of Health, and/or by the State Department of Education shall be exempt from provisions of the chapter, unless five or more of the children accommodated in a home licensed or regulated by the above-noted agencies and under the supervision of the Division of Youth and Family Services, in which case the home shall also be required to meet all provisions of this chapter.

2. Out-of-state group homes, teaching family homes or supervised transitional living homes serving a maximum of 12 children and in which five or more of the children accommodated in such homes are under the supervision of the Division of Youth and Family Services.

(d) In order to be eligible to receive in-residence children, a group home, teaching family home or supervised transitional living home, described in (b) and (c), above shall demonstrate to the satisfaction of the Department of Human Services or its duly authorized agent, through such methods and procedures as may be prescribed, that it complies with each of the rules and regulations herein, which shall constitute minimum standards only.

(e) Responsibility, for insuring that such homes comply with the provisions of the statutes cited in (a) above and with the provisions of this chapter, is hereby delegated by the Department of Human Services to the Bureau of Licensing of the Division of Youth and Family Services.

(f) Under N.J.S.A. 30:1-15, the Department of Human Services is authorized to visit and inspect publicly or privately maintained institutions or other institutions and non-institutional agencies to include but are not limited to group homes, teaching family homes or supervised transitional living homes that:

1. Provide board, lodging or care for children who are not placed or financed by the Division of Youth and Family Services or any other New Jersey State agency; and

2. Are not subject to licensing or regulation by any New Jersey State agency.

(g) The Department of Human Services or its duly authorized agent is authorized to visit and inspect such homes as described in (f) above to assess the general health, safety, and well-being of the children and the care and treatment they are receiving, but cannot require its compliance with this chapter and must rely on an order from a court of competent jurisdiction, pursuant to N.J.S.A. 30:1-16, to compel correction of serious deficiencies.

#### 10:128-1.2 Definitions

The following words and terms, when used in this chapter, have the following meanings.

"Bureau" means the Bureau of Licensing of the Division of Youth and Family Services.

"Child" means any person who is under the age of 18.

"Department" means the New Jersey Department of Human Services.

"Division" means the Division of Youth and Family Services, New Jersey Department of Human Services.

"Group home" means any public or private establishment that provides room, board, care and services for the amelioration of emotional and/or behavioral disturbances for 12 or fewer children on a 24 hour-a-day basis.

"Home" means any group home, teaching family home or supervised transitional living home that provides room, board, care and services, as appropriate, to 12 or fewer children on a 24 hour-a-day basis.

"Manual of Standards for Group Homes, Teaching Family Homes and Supervised Transitional Living Homes" or "Manual of Standards" means the rules and regulations promulgated in this chapter, which shall constitute minimum requirements for homes.

"Parent" means a parent, legal guardian, or any other person having responsibility for, or custody of, a child.

"Person" means any individual, agency, corporation, company, association, organization, society, firm, partnership, joint stock company, the State or any political subdivision thereof.

"Placing agency" means an agency that assumes responsibility for payment of room and board for a child placed in a group home, teaching family home or supervised transitional living home.

"Shall" denotes a provision of this chapter that a group home, teaching family home or supervised transitional living home must meet before approval is granted by the Bureau.

"Staff member" means any person employed by or working for or with a group home, teaching family home or supervised transitional living home on a regularly scheduled basis. This shall include full-time, part-time, voluntary and substitute staff, whether paid or unpaid.

"Supervised transitional living home" means any public or private establishment that provides room, board care and services to 12 or fewer children on a 24 hour-a-day basis who require minimum supervision and guidance from staff member(s) in preparation for learning to live independently in the community. Such children shall demonstrate sufficient maturity to function with minimal adult supervision.

"Teaching family home" means any public or private establishment that provides room, board, care and services for treatment of emotional, behavioral or other disabilities for 12 or fewer children on a 24 hour-a-day basis and is certified or in the process of being certified as a teaching family home in accordance with the standards of the National Teaching Family Association.

#### 10:128-1.3 Approval requirements

(a) A home shall obtain approval from the Bureau pursuant to the legal authority specified in N.J.A.C. 10:128-1.1(b) above, as appropriate, prior to establishment and operation.

(b) The Bureau shall conduct or arrange for the conduct of an on-site programmatic and physical facility inspection of the home, if applicable, on an annual basis to determine compliance with this chapter.

(c) If the home meets all applicable provisions of this chapter, the Bureau shall issue a letter of approval.

(d) The Bureau shall provide notice to the home if a letter of approval shall not be issued.

(e) If the Bureau determines that a home is in substantial compliance with the provisions of this chapter, providing that no serious or imminent hazard affecting the children exists, the Bureau may issue a letter of temporary approval.

(f) When a letter of temporary approval is issued, the Bureau shall provide a written statement explaining what the home must do to achieve full compliance.

(g) The letter of approval or temporary approval shall be kept on file at the home.

(h) An authorized representative of the Bureau may at any time make an announced or unannounced visit and inspect the home and/or review files, reports or records to determine its compliance with this chapter and/or to investigate a complaint.

(i) A home's approval may be denied or revoked for any activity, policy or conduct that presents a serious or imminent hazard to the health, safety and well-being of a child or that otherwise demonstrates unfitness or inability to operate a home.

#### 10:128-1.4 Administrative hearings

(a) To effectuate the purposes of this chapter, the Bureau or the home, may initiate an administrative hearing in the interest of justice.

(b) Where the Bureau proposes not to approve or not to continue approval of a home, the Bureau shall afford the home notice of the intended action and an opportunity for the home to request an administrative hearing prior to the agency action.

(c) All administrative hearings shall be conducted pursuant to the Administrative Procedure Act (N.J.S.A. 52:14B-1 et seq. and N.J.S.A. 52:14F-1 et seq.) and the Uniform Administrative Procedure Rules of Practice (N.J.A.C. 1:1-1 et seq.).

#### 10:128-1.5 Public access to Bureau records for homes

(a) Files of homes maintained by the Bureau are public records and shall be readily accessible for examination by any person, under the direction and supervision of the Bureau, except when public access to records is restricted in keeping with State's Right to Know Law, (N.J.S.A. 47:1A-1 et seq.), Child Abuse Confidentiality Law (N.J.S.A. 9:6-10a) or other appropriate statutes.

(b) The Bureau shall establish policies governing the review by the public of home records.

#### 10:128-1.6 Conflict of interest

(a) Homes receiving funds from the Division shall comply with the appropriate New Jersey and Federal Statutes and Regulations concerning conflict of interest. In addition, the following standards shall apply:

1. A home shall not permit funds provided under its Agreement with the Division to be paid or committed to any corporation, firm, association, or business in which any of the home's board members, executive personnel, or their immediate families have any direct or indirect financial interest or serve as officers and/or staff members, unless prior written approval of the Division is obtained. In securing such approval, a home shall make clear the terms of the agreement and indicate whether the services or goods are provided at a competitive cost or under terms more favorable to the home.

2. A home shall not employ in any capacity, as consultant or otherwise, any person who is a member of the immediate family of any executive personnel or board member without prior written consent of the Division.

3. A staff member of a home may hold other employment so long as such employment does not interfere with the efficient

performances of the staff member's duties as prescribed in the work program appended to and incorporated in the home's contract with the Division.

4. An individual board member may perform professional duties for a home in addition to his or her duties on the board provided such services are compensated at a rate that does not exceed normal professional fees for the service, and the assignment is approved by the Board of Directors in advance.

## SUBCHAPTER 2. ADMINISTRATION

### 10:128-2.1 Statement of purpose

(a) The home shall maintain on file a written statement of purpose. The statement of purpose shall be reviewed by the home staff members and shall identify its:

1. Philosophy, goals and objectives;
2. Characteristics of the children to be served;
3. Types of services provided to residents, including those provided directly by the home and those provided in cooperation with community agencies or outside individuals;
4. Procedures for implementing those services; and
5. Criteria for successful implementation of the services program.

### 10:128-2.2 Intake and admissions procedures

(a) Pre-admission requirements:

1. For non-emergency placements, the home shall admit only those children for whom a comprehensive intake evaluation, including the psychological, family, developmental, and social factors affecting the child, is completed.

2. For emergency placements, the home shall obtain the evaluation specified in (a)1 above within 30 days of the child's admission.

3. Except for children admitted on an emergency basis, the home shall ensure that the child and his or her parent(s), as appropriate, have an opportunity to visit the home prior to the child's placement.

(b) Admission requirements:

1. Upon the child's admission, the home shall obtain pertinent factual and identifying information, including, as a minimum, the following:

- i. Child's name (and nicknames), gender, date of birth, religion and race;
- ii. Name, address, phone number and relationship to the child of the person(s) with whom the child was living at the time of admission;
- iii. Name, address and phone number of the father, mother, foster parent(s) or legal guardian(s), if different from above;
- iv. Name, address and phone number of the person to notify in an emergency;
- v. Names of siblings, their ages, and gender;
- vi. School attended, grade level and employer, if any;
- vii. Name, address and phone number for the caseworker of the placing agency;
- viii. A descriptive summary of the reason for placement of the child and the estimated length of care required;
- ix. Date(s) and length of stay of admission to and discharge from previous homes or facilities; if any;
- x. Child's medical history, chronic conditions, past serious illnesses, allergies, special diet;
- xi. A statement signed by the parent(s) granting consent for emergency medical or surgical care for the child; and
- xii. Name of legal guardian of the child.

2. Upon the child's admission, the home shall provide the child's parent(s) with a written description of the home's visitation and communication policy and the procedure for expressing concerns or registering complaints regarding their child's placement.

3. Following admission to a home each child shall be:

- i. Given a secure place to store valuables;
- ii. Informed of house rules and regulations; and
- iii. Informed of fire exits and evacuation procedures.

### 10:128-2.3 Reporting requirements

(a) The home shall notify the Bureau immediately after any of the following changes and events:

1. Unanticipated temporary or permanent closing of a home;
2. Legal action against a home or staff member which involves or affects any child or the operation of the home;
3. Damage to the premises of the home caused by fire, accident or the elements; or
4. Injury requiring hospitalization or action(s) resulting in the death of a child which occurred while the child was on the premises of the home or while in the care of a home staff member(s).

(b) The home shall notify the Bureau in writing at least 30 days prior to any of the following proposed changes and events:

1. Anticipated temporary or permanent closing or relocation of the home for any reason;
2. Name or administration of the home;
3. Administrative staff or services offered; or
4. Type of children served.

(c) The home shall notify the Division immediately if it is believed that a child has been or is being abused or neglected by staff, residents or any other person, as required by the Child Abuse and Neglect Law (N.J.S.A. 9:6-8.9, 8.10, 8.13 and 8.14). Copies of the law and information about it are available from the Division, upon request.

(d) The home shall notify the Division and the child's legal guardian within 24-hours of the unauthorized absence of a child from the home.

### 10:128-2.4 Records

(a) General requirements:

1. Records required to be maintained by the home pursuant to this chapter shall be kept on file at the home.

2. Records shall be open for inspection by an authorized representative of the Bureau.

3. The home shall insure the confidentiality of records, in accordance with New Jersey State law.

(b) Children's records:

1. The home shall maintain on file a written record for each child, which shall be retained for at least one year following the discharge of the child.

2. The record shall provide a chronological picture of the child's functioning and progress throughout his or her stay at the home.

3. All entries in the record shall be signed and dated by the individual making the entry.

4. The record shall include:

- i. Identifying information, as specified in N.J.A.C. 10:128-2.2(b);
- ii. Treatment or case management service information, as specified in N.J.A.C. 10:128-4.6(d);
- iii. Educational records, as specified in N.J.A.C. 10:128-4.11(e);
- iv. A copy of each treatment plan or case management plan formulated for the child, as specified in N.J.A.C. 10:128-4.3(c) for group homes and teaching family homes or N.J.A.C. 10:128-4.4(c) for supervised transitional living homes;
- v. Reports of incidents/accidents, as specified in N.J.A.C. 10:128-2.4(d)10;
- vi. Documentation regarding the opening of a child's mail at a home, as specified in N.J.A.C. 10:128-4.22(c);
- vii. Medical records, as specified in N.J.A.C. 10:128-4.7(g);
- viii. Aftercare plan, as specified in N.J.A.C. 10:128-4.5(e); and
- ix. A discharge summary, as specified in N.J.A.C. 10:128-4.5(d).

(c) Staff records:

1. The home shall keep on file a written record of every staff member working at the home.

2. Staff records shall be retained for at least one year following a staff member's separation.

3. Staff records shall include:

- i. Name, address and telephone number;
- ii. Qualifications and references;
- iii. Information on health, as specified in N.J.A.C. 10:128-3.2;

- iv. Dates of employment and prior work history; and
  - v. If terminated, date and reason.
- (d) Administrative records: Every home shall keep on file the following written records:
1. A statement of purpose, as specified in N.J.A.C. 10:128-2.1;
  2. A copy of insurance coverage including:
    - i. Comprehensive liability insurance; and
    - ii. Fire insurance;
  3. Transportation records, if the home provides transportation, as specified in N.J.A.C. 10:128-6.4;
  4. A record of the performance of required monthly fire/evacuation drills, as specified in N.J.A.C. 10:128-5.5(d)2;
  5. A current copy of this chapter (Manual of Standards);
  6. A record of in-service training programs for staff members, as specified in N.J.A.C. 10:128-3.6(b);
  7. A record of policies and procedures regarding discipline and control, as specified in N.J.A.C. 10:128-4.15(a);
  8. A record of all incidents/accidents recorded on an incident/accident report form, explaining all details of the incident/accident and any action(s) taken by the staff/administration;
  9. A record of the comprehensive health plan, as specified in N.J.A.C. 10:128-4.7(a);
  10. A record of menus of food served to the children, including special diets, as specified in 10:128-4.9(a)2 and (b)3;
  11. A record of aggregate statistical information on children served, including date of each admission, date of each discharge and reason for each discharge;
  12. A list of the current membership of the governing body/citizens board, as specified in N.J.A.C. 10:128-3.7(d);
  13. A record of signed parental consent for a child participating in fund raising, publicity, photography and audio or audiovisual activities related to the home;
  14. A copy of the children's grievance procedure, as specified in N.J.A.C. 10:128-4.2(a); and
  15. A record of signed parental consent for medical treatment for all children.
16. In addition to the administrative records specified in (d)1 through 15 above, a group home or teaching family home shall provide a medication log book, as specified in N.J.A.C. 10:128-4.7(d)5.
17. In addition to the administrative records specified in (d)1 through 15 above, a group home or supervised transitional living home shall maintain a shift log book, in which a staff member shall comment on the activities/events of each day and staff response to those events, and a copy of the staff members' work schedules and time sheets.
18. In addition to the administrative records specified in (d)1 through 15 above, a group home shall maintain a written daily schedule of planned recreational, leisure time and physical exercise activities, which shall be kept on file for 90 days after the date of implementation, as specified in N.J.A.C. 10:128-4.12(b).

### SUBCHAPTER 3. STAFF REQUIREMENTS

#### 10:128-3.1 Basic information

- (a) Every home staff member shall:
1. Be at least 18 years of age;
  2. Be of good character and reputation;
  3. Respect and understand children and be sensitive to and capable of meeting their needs;
  4. Have a capacity to work and confer with professionals, consultants, parents and community groups;
  5. Make a full disclosure of his or her background, experience, previous work, schooling, and arrests and convictions, if any; and
  6. Be in satisfactory physical, mental and emotional health to perform his or her job duties satisfactorily.
- (b) A home's staff member's following action(s) shall constitute grounds for possible suspension or termination from the job:
1. Failure to comply with the requirements stated in (a) above;

2. Failure to fulfill the responsibilities and duties of his or her position; and/or
  3. Evidence of conviction of a crime of violence, moral turpitude and/or child abuse, neglect or exploitation.
- (c) A home may utilize volunteers and/or college students provided that the following requirements are met:
1. Volunteers and/or college students shall be aware of and have the opportunity for input into the service plan for children they are working with directly and be briefed fully on any special needs or problems they might encounter in working with these children on a continuing basis; and
  2. A volunteer and/or college student may serve in a staff position provided that she or he:
    - i. Meets the qualifications for the position;
    - ii. Signs a statement agreeing to meet and perform the specific duties and responsibilities of the position; and
    - iii. Has the time necessary to serve in the position on a regular basis.

#### 10:128-3.2 Health requirements for staff

- (a) Tuberculin testing requirements:
1. Prior to or upon employment, each staff member of a home who comes in contact with the children for the equivalent of at least one full day a week shall take a Mantoux tuberculin skin test with five TU (tuberculin units) PPD tuberculin and submit to the home written proof of the results of the test.
  2. If the Mantoux tuberculin test result is insignificant (0 to 9 mm of induration), no further testing shall be required. The Bureau or home shall have the authority at any time in the future to require a staff member to retake the Mantoux tuberculin test, if there is reason to believe or suspect that the staff member may have contracted tuberculosis or is a close contact of a known case of respiratory tuberculosis.
  3. If the Mantoux tuberculin skin test results is significant (10 or more mm of induration), the individual shall take a chest x-ray. If the chest x-ray is consistent with tuberculosis, the staff member may not come in contact with the children unless she or he submits to the home a written statement from a physician certifying that she or he poses no threat of tuberculosis contagion.
  4. Any staff member who fails to submit to or to receive satisfactory results from the tuberculin testing requirements, as specified in (a)1 through 3 above, shall be prohibited from having contact with the children at the home.
- (b) Prior to working for or with a home, and at least once every three years thereafter, each staff member who comes in contact with the children for at least the equivalent of one full day a week shall submit a written statement from a physician that she or he is in good health and free from chronic or recurrent communicable diseases. The initial statement shall be based on an examination conducted within the six months immediately preceding such person's association with the home.
- (c) Any staff member who, upon examination, shows indication of a physical, emotional or mental condition that could be hazardous to a child, other staff or self or that would otherwise prevent satisfactory performance of duties shall not be assigned or returned to a position until the condition is alleviated to the satisfaction of the examining physician and the administrator.

#### 10:128-3.3 Staff position requirements

- (a) Group homes shall have:
1. A full-time administrator, who shall be responsible for the overall planning, operation and management of the home, including staffing, programming and financing. She or he shall also designate staff to be in charge at all times during his or her absence;
  2. Teaching staff member(s), if the home provides an in-house educational program, one of whom shall be responsible for developing and implementing the home's educational program;
  3. A social service worker, who shall be responsible for developing and implementing the home's social service program,

including the performance of duties relating to casework services, intake procedures, treatment planning, provision of direct therapeutic services, family contacts and maintenance of treatment records.

4. Licensed medical, licensed dental and psychological personnel, including community providers, on either a staff or consultation basis, who shall be responsible for insuring that the medical, dental and psychological needs of the children are met.

5. Child care staff, who shall be responsible for providing daily care and supervision of the children;

6. A staff member(s) designated to plan and implement the home's recreational program.

7. A staff member(s) designated to direct and be responsible for providing food services.

8. Staff who shall be responsible for conducting everyday housekeeping and maintenance functions.

(b) Teaching family homes shall have:

1. A full-time teaching family home administrator who is responsible for the development, overall operation and administration of a network of teaching family homes.

2. A teaching family consultant who supervises the program operations and teaching family parents of one or more teaching family homes.

3. Full-time teaching parents, who shall be responsible for the day-to-day planning, operation and management of the teaching family home, including staffing, programming and financing and are certified or in the process of being certified as a teaching family parent in accordance with the standards of the National Teaching Family Association. The teaching parents shall also designate relief staff to be in charge at all times during their absence.

4. Teaching family relief staff member(s) who is hired by a teaching family parent and provides the children with part-time primary care and treatment in the absence of the teaching family parent.

5. Licensed medical, licensed dental and psychological personnel, including community providers, on either a staff or consultation basis, as needed, who shall be responsible for insuring that the medical, dental and psychological needs of the children are met.

6. A staff member(s) designated to direct and be responsible for providing food services.

7. Staff who shall be responsible for conducting everyday housekeeping and maintenance functions.

(c) Supervised transitional living homes shall have:

1. An administrator, who shall be responsible for the overall planning, operation and management of the supervised transitional living home, including staffing, programming and financing. She or he shall also designate staff to be in charge at all times during his or her absence;

2. Teaching staff member(s), if the supervised transitional living home provides an in-house educational program, one of whom shall be responsible for developing and implementing the home's educational program;

3. Licensed medical, licensed dental and psychological personnel, including community providers, on either a staff or consultation basis, as needed, who shall be responsible for insuring that the medical, dental and psychological needs of the children are met;

4. Houseparent/child care staff, who shall be responsible for providing casework services and daily care and supervision of the children;

5. A staff member(s) designated to ensure that food services are provided.

10:128-3.4 Staff qualifications

(a) Group homes:

1. Administrator - The administrator shall:

i. Have a bachelor's degree from an accredited college or university and three years of professional experience in human services, mental health or a related field, one year of which shall have been in a supervisory or administrative position; or

ii. Have a master's degree from an accredited graduate school in social work, psychology, business or public administration or a related field and two years of professional experience in human services, mental health or a related field, at least one year of which shall have been in a supervisory or administrative position; or

iii. If applicable, meet the civil service requirements for the position.

2. Education staff - All educational staff members shall comply with the staff qualifications, certifications, licensing and experience requirements of the New Jersey Department of Education or of the equivalent agency in the state in which the home is located.

3. Social service staff - All social service staff members shall:

i. Have a bachelor's degree from an accredited college or university and one year of professional experience in human services or the mental health field; or

ii. Have a master's degree from an accredited graduate school in social work or a related field; or

iii. If applicable, meet the civil service requirements for the position.

4. Medical, psychiatric and dental staff - Any physician, nurse, psychiatrist or dentist retained by the home shall be licensed to practice in the state in which the home is located.

5. Child care staff - All child care staff members shall:

i. Have a bachelor's or associate degree from an accredited college or university; or

ii. Have a high school or high school equivalency diploma and one year of work experience involving the supervision of children in human services or the mental health field; or

iii. If applicable, meet the civil service requirements for the position.

(b) Teaching family homes:

1. Administrator - The administrator shall:

i. Have a bachelor's degree from an accredited college or university and three years of professional experience in operating or providing consultation to teaching family homes, one year of which shall have been in a supervisory or administrative position; and

ii. Have completed the National Teaching Family Association's group home developers' and program managers' workshop.

iii. If applicable, meet the civil service requirements for the position.

2. Consultants - All consultants shall:

i. Have a bachelor's degree from an accredited college or university and two years experience in residential care, one year of which shall be in the teaching family model; and have completed the National Teaching Family Association's consultants' workshop; or

ii. Have a high school or high school equivalency diploma, two years of experience in the teaching family model and teaching parent certification from the National Teaching Family Association; and

iii. Have completed the National Teaching Family Association's consultants' workshop.

iv. If applicable, meet the civil service requirements for the position.

3. Teaching parents - All teaching parents shall:

i. Have a bachelor's or associate degree from an accredited college or university; and have completed the teaching family program pre-service workshop; or

ii. Have a high school or high school equivalency diploma and one year of experience in working with children in group settings; or

iii. Experience in working with children may be substituted for the education requirement on a year for year basis; and

iv. Have completed the teaching family program pre-service workshop.

3. Teaching parents - All teaching parents shall:

i. Have a bachelor's or associate degree from an accredited college or university; and have completed the teaching family program pre-

service workshop; or

- ii. Have a high school or high school equivalency diploma and one year of experience in working with children in group settings; or
- iii. Experience in working with children may be substituted for the education requirement on a year for year basis; and
- iv. Have completed the teaching family program pre-service workshop.

4. Relief staff - All relief staff shall:

- i. Have a bachelor's or associate degree from an accredited college or university; or
- ii. Have a high school or high school equivalency diploma and one year of experience in working with children in group settings.

(c) Supervised transitional living homes:

1. Administrator - The administrator shall:

- i. Have a high school or high school equivalency diploma and one year of professional experience in human services, mental health or a related field; or
- ii. Have a bachelor's degree from an accredited college or university in social work, psychology, business or public administration or a related field; or
- iii. If applicable, meet the civil service requirements for the position.

2. Houseparent/child care worker and relief staff - The houseparent/child care worker and relief staff person shall have a high school or high school equivalency diploma and one year paid experience involving the supervision of children in human services or the mental health field.

10:128-3.5 Staff/child ratios

(a) Group homes - Each group home shall provide minimum staff/child ratios based on the number of children in residence at the group home, as stated below:

1. Child care:

i. During the waking hours, there shall be a minimum of one houseparent/child care worker for every six or fewer children 12 years of age and under and one houseparent/child care worker for every 12 or fewer children 13 years of age and older.

ii. During the sleeping hours, there shall be a minimum of one houseparent/child care worker present; however in a group home with a co-educational population, the on-duty houseparent/child care worker shall be awake.

2. Social services:

i. There shall be a minimum of one part-time social service worker at the group home. The total of social service hours provided shall amount to at least 20 hours of service per week.

ii. The administrator may serve as the part-time social service worker providing she or he possesses the qualifications for the position.

3. Administrative:

i. The administrator or other professional staff designated by the administrator shall be on call to assist the on-duty person(s) in cases of admissions, emergencies and/or personnel or other problems.

(b) Teaching family homes - Each teaching family home shall provide minimum staff/child ratios, as stated below:

1. Child care: there shall be a minimum of one teaching family parent or one relief staff member in the home when children are present.

2. Consultant: there shall be a minimum of one consultant for every 20 children or fewer in the teaching family program.

3. Administrative: the administrator or consultant designated by the administrator shall be on-call to assist the on-duty person(s) in cases of emergencies.

(c) Supervised transitional living homes: Each supervised transitional living home shall provide minimum staff/child ratios based on the number of children in residence at the supervised transitional living home, as stated below:

1. Child care:

i. During the waking hours, there shall be a minimum of one houseparent/child care worker for every 12 or fewer children.

ii. During the sleeping hours, there shall be a minimum of one houseparent/child care worker present; however, in a supervised transitional living home with a co-educational population, the on-duty houseparent/child care worker shall be awake.

2. Administrative: the administrator or other person(s) designated by the administrator shall be on-call to assist the on-duty person(s) in cases of emergencies.

10:128-3.6 Staff development and evaluation

(a) The home shall have a written annual evaluation for each staff member.

(b) The home shall have continuing in-service training programs for all staff members. A record of such programs shall be kept on file.

(c) Upon employment, every staff member shall be instructed in all emergency procedures, administrative procedures and the home's service program.

(d) The home shall ensure that every new staff member is accompanied on his or her duties by an experienced staff member(s) as part of an orientation program.

10:128-3.7 Governing body/citizens board

(a) Every group home, supervised transitional living home and network of teaching family homes shall have a governing body/citizens board which shall either:

1. Be responsible for and have authority over the policies and operation of the home; or

2. Provide advice and counsel to the home on the policies and operation of the home.

(b) A home staff member shall not serve as a voting member of the governing body/citizens board for that home.

(c) Every governing body/citizens board shall meet at least twice a year.

(d) The home shall keep on file a list of the current membership of the governing body/citizens board.

#### SUBCHAPTER 4. PROGRAM REQUIREMENTS

10:128-4.1 Posting of rights of children

(a) The home shall prepare a list of children's rights and shall post it prominently in the home and, as a minimum, the list shall specify the children's right to:

1. Communicate with others;

2. Send and receive uncensored mail and unmonitored phone calls;

3. Reasonable visitation with family members;

4. Prompt and appropriate medical treatment; and

5. Be free of physical or sexual abuse and corporal punishment.

10:128-4.2 Children's grievance procedure

(a) The home shall prepare and issue to all staff members and children a written grievance procedure governing how the children may raise questions about and/or voice disagreements and problems with policies, procedures, care and specific incidents.

(b) The home shall not take or threaten to take retaliatory or disciplinary action of any kind against a child who uses the grievance procedure or files a grievance.

10:128-4.3 Treatment plan for group homes and teaching family homes

(a) The group home or teaching family home shall develop and keep on file a written treatment plan (individualized program) for each child, designed to meet that child's needs and to remediate the problems and behavior that caused the child to be placed in the residence.

(b) The treatment plan for each child shall be developed by appropriate staff members representing each program area of the group home or teaching family home. In addition, the home shall invite the placing agency, school district of residence, if applicable,

and parent(s) to participate in the development of the treatment plan and all subsequent revisions to the plan. A copy of the written invitation shall be maintained in each child's record.

(c) The treatment plan shall include the following information:

1. Name of the child;
2. Date of the child's admission;
3. Date of the meeting at which the plan is developed/revised;
4. Name and position of the persons attending the review meeting;
5. Child's social, familial, emotional, behavioral and academic strengths and problems;
6. Specific treatment goal(s) in each program area and projected time frame for completing each goal;
7. Technique to be utilized for the implementation of each treatment goal;
8. Name of the staff member responsible for the implementation of each treatment goal;
9. Criteria to determine if each treatment goal is achieved;
10. Notation of progress made in each program area; and
11. Goals and recommendations for discharge and aftercare.

(d) The group home or teaching family home shall develop the initial treatment plan within 30 days following a child's admission.

(e) The group home or teaching family home shall review/revise the treatment plan every three months thereafter.

(f) The group home or teaching family home shall insure that the child's treatment plan and any revisions to it are explained to the child, his or her parent(s), if applicable, and all staff members responsible for the plan's implementation.

(g) The group home or teaching family home shall send to the child's placing agency a copy of the treatment plan and/or any revisions to it within 30 days after it is completed. A copy of the correspondence shall be maintained in each child's record.

#### 10:128-4.4 Case management plan for supervised transitional living homes

(a) The supervised transitional living home shall develop and keep on file a written case management plan (individualized program) for each child designed to meet that child's needs and to prepare the child for independent living in the community.

(b) The case management plan for each child shall be developed by the houseparent/child care worker, the placing agency and child. In addition, as appropriate, the supervised transitional living home shall afford the school district of residence and parent(s) an opportunity to participate in the development of the case management plan.

(c) The case management plan shall include the following information:

1. Name of the child;
2. Date of the child's admission;
3. Date of the meeting at which the plan is developed/revised.
4. Name and position of the persons attending the development/review meeting;
5. Child's social, familial, emotional, behavioral and academic strengths and problems;
6. Notation of progress made in each service area; and
7. Goals and recommendations for discharge and aftercare.

(d) The supervised transitional living home shall develop the initial case management plan within 30 days following a child's admission.

(e) The supervised transitional living home shall review/revise the initial case management plan every three months thereafter.

(f) The supervised transitional living home shall insure that the child's case management plan and any revisions to it are explained to the child and his or her parent(s), as appropriate.

(g) The supervised transitional living home shall send to the child's placing agency a copy of the case management plan and/or any revisions to it within 30 days after it is completed. A copy of the correspondence shall be maintained in the child's record.

#### 10:128-4.5 Discharge/aftercare

(a) The home shall inform the parent(s) and placing agency immediately upon an emergency discharge of a child. An emergency discharge means a discharge caused by the child presenting a danger to himself or others.

(b) The home shall notify the placing agency in writing at least 10 calendar days prior to the discharge of a child when a child has demonstrated an inability to continue functioning in the home.

(c) The home shall notify the placing agency in writing at least 60 calendar days prior to the discharge of a child when a child either has completed or has attained maximum benefit from the program.

(d) The home shall prepare and send to the placing agency within 30 days of a child's discharge a written discharge summary and after care plan for each child, providing the following information:

1. Date of admission;
2. Date of discharge;
3. Details of the events and circumstances leading to discharge;
4. Name and address of the individual or agency to whom the child was discharged.

(e) Except, in the case of emergency, the facility shall prepare an aftercare plan, including discharge recommendations, in consultation with the child, the parent(s) and the caseworker of the placing agency.

#### 10:128-4.6 Treatment and case management services

(a) The home shall provide or arrange for the provision of social, clinical and casework services, as needed, to meet the treatment goals, as stated in the treatment or case management plan developed for each child.

(b) The home shall provide or arrange for the availability of psychiatric services, as needed, for crisis intervention purposes.

(c) The home shall provide or arrange for services for residents in social skills, life skills and career education, appropriate for the age and maturity of the child.

(d) The home shall keep on file for each child a record of:

1. Reports of family contacts, including documentation of efforts to involve the family in the child's program;
2. Summaries of therapy or services provided to the child; and
3. Results of psychiatric or psychological evaluations of the child, if required.

#### 10:128-4.7 Health

(a) Comprehensive health plan - The home shall prepare and implement a comprehensive health plan to insure that each resident receives adequate, necessary and prompt medical and dental care.

(b) Health care and medical treatment - The home shall provide or arrange for appropriate health services for residents, as follows:

1. A medical examination administered by a physician or nurse within 72 hours after admission, unless the child received a medical examination administered by a physician within 30 days prior to placement. However, when the home suspects that a child is ill or carrying a contagious disease, she or he shall be examined immediately upon admission. If the examination is performed by a nurse, the child shall receive a medical examination administered by a physician within 10 days following admission;
2. An annual physical examination, including visual and audiological tests, as appropriate, administered by a physician.
3. Dental examinations for each child administered within three months following admission and semi-annually thereafter;
4. Examination of a child by a physician, dentist or nurse and the prescription of appropriate treatment, as diagnosis and conditions warrant, whenever the child shows any symptom of illness, or complains of illness or pain;
5. Follow-up care for any ailments discovered during physical examinations or identified in the referral material on the child; and
6. Provision of eye glasses, orthopedic apparatus or other equipment, as necessary.

(c) General medical practices:

1. Any medical, dental, psychological/psychiatric treatment or medication administered to a child shall be explained to the child.

2. When serious accidents or illnesses occur to a child, the home shall take the necessary emergency action and notify the parent(s) and placing agency immediately.

3. In non-emergency medical situations, the home shall make an effort to obtain written parental consent in advance of provisions of medical treatment.

4. The home shall not subject residents to any form of electroconvulsive therapy or any other form of convulsive therapy.

5. Non-medical staff may initially treat only minor wounds or injuries. All other injuries shall be treated by a nurse or physician.

(d) Medication administration:

1. Prescription and non-prescription medication shall be administered to a child by a staff member only when authorized by a physician.

2. The home shall insure that children are not subjected to excessive or unnecessary medication.

3. Medication shall not be administered to children as a punishment or used for the convenience of staff members or as a substitute for a treatment program.

4. The home shall make arrangements for such pharmaceutical services as are needed.

5. When medication is administered to a child at a group home or teaching family home, an entry shall be made in a medication log book, which shall contain the following information:

- i. Name of child receiving medication, whether prescription or non-prescription;
- ii. Type of medication, dosage and intervals between dosages;
- iii. Reason for medication;
- iv. Date and time medication was administered;
- v. Signature and title of staff member dispensing medication; and
- vi. Name of authorizing physician for prescription medication.

(e) Storage of medication:

1. In group homes and teaching family homes, all prescription drugs shall be kept in a secured (locked) cabinet and/or a refrigerator (if needed).

2. In supervised transitional living homes, all prescription drugs shall be kept in a cabinet or in a refrigerator (if needed).

3. The telephone number of the regional poison control center shall be posted at all medication-dispensing stations.

4. All outdated stocks and prescriptions no longer in use shall be disposed of safely.

(f) Medical supplies:

1. Medical supplies shall be stored in an area accessible to staff members at all times.

2. One or more staff members shall be assigned responsibility for maintaining medical and first-aid supplies.

(g) Medical records for each child shall be maintained and shall include the following information:

1. Reports on results of physical and dental examinations, as required in N.J.A.C. 10:128-4.7(b)1-3, and examinations done as part of routine health care and treatment given;
2. Record of immunizations; and
3. Reports of any illness or injury and the treatment given.

10:128-4.8 Physical care of children

(a) Personal care and hygiene:

1. For children unable to provide for their own personal care and hygiene, the home shall properly bathe, groom and provide other necessary health and personal hygiene services to meet their needs.

2. The home shall insure that the children receive training in good habits of personal care, hygiene and grooming appropriate to their age and gender.

3. The home shall furnish or arrange for the provision of personal hygiene items for all children.

(b) Clothing and personal belongings:

1. The home shall insure that each child has adequate, clean, well-fitting and attractive clothing as required for health, comfort and physical well-being and as appropriate to age, gender, individual needs, community standards and season.

2. The home shall insure that each child's clothing is kept clean and in good repair.

3. The home shall insure that provisions are made for the protection of each child's personal property.

10:128-4.9 Food and nutrition

(a) General requirements:

1. The home shall provide or arrange for the provision of three nutritious meals a day (breakfast, lunch and dinner) and snacks from food that is selected, stored, prepared and served in a sanitary and palatable manner.

2. Menus shall be dated and kept on file for a minimum of 90 calendar days.

3. The home shall insure that table service is provided for children and meals are served in a manner that makes mealtime a pleasant social experience.

4. The home shall not force-feed or otherwise coerce a child to eat against his or her will, except by order of a physician.

(b) Nutrition requirements:

1. Each meal shall contain a sufficient amount of food for every child; children shall be permitted to have additional serving(s), as needed.

2. The home shall make available, as necessary, an alternate choice of food for each meal served for children on special diets or children who, because of religious beliefs, cannot eat particular foods.

3. Individualized diets and feeding schedules that are submitted to the home by the child's physician(s) shall be followed.

10:128-4.10 Rest, bedroom and sleep for group homes and supervised transitional living homes

(a) Space requirements:

1. Any bedroom containing a single bed occupied by one child shall provide a minimum of 70 square feet of floor space, including space that is occupied by furniture.

2. Any bedroom containing two or more single beds and occupied by more than one child shall provide a minimum of 70 square feet of floor space for the first child and 50 square feet of floor space for each additional child, including space that is occupied by furniture.

3. Any bedroom containing bunk beds or any combination of single beds and bunk beds shall provide 50 square feet of floor space for each child, including space that is occupied by furniture.

4. In addition to the minimum square feet of floor space, as stated in (a)1 through 3 above, any bedroom shall not be less than seven feet in any dimension.

5. Any bedroom used by a child shall provide a minimum ceiling height of seven feet and six inches.

(b) General requirements:

1. Every child shall be provided with a standard household bed in sanitary condition.

2. Every set of bunk beds shall be limited to two in height.

3. Every bed shall be equipped with a firm, sanitary, washable mattress and waterproof mattress cover.

4. Every child shall be provided with sanitary bed linens that are changed weekly, a blanket or other suitable covering that is cleaned or replaced, as necessary and a pillow.

5. Two or more children shall not share the same bed.

6. Children shall not share the same bedroom with an adult.

7. A child shall not sleep on the same bed or crib that another child has occupied unless the bed linen is changed.

8. Children shall occupy a bedroom only with a member(s) of the same sex.

9. Any bedroom occupied by children shall have natural light and ventilation provided by one or more windows opening directly to the exterior.

10. An unfinished attic or basement shall not be used for sleeping purposes.

11. All rooms used as bedrooms shall not be used for any other purpose.

12. Each child shall be provided with a chest of drawers or some other permanent arrangement for storage of clothing and other personal belongings, including closet space or the equivalent.

13. Each child shall be permitted reasonable freedom to express his or her personal tastes in the decoration of his or her bedroom or bedroom area.

14. Children under the age of five years shall be provided with a separate sleeping room from children five years of age and older.

15. Each child shall have the opportunity for at least eight hours of uninterrupted sleep each night. Schedules for arising and retiring each day shall be adapted according to the ages, physical condition and characteristics of the children.

16. The home shall not permit more than four children to occupy a designated bedroom space for sleeping unless partitions are used to provide privacy for the children.

17. Every bedroom shall be provided with a reading lamp or other means of artificial light for quiet activities and every bedroom window shall be equipped with curtains, blinds or shades.

#### 10:128-4.11 Education

##### (a) General requirements:

1. Homes located in New Jersey shall insure that school-age children receive educational instruction to which they are entitled under provisions of Federal and State education law and regulations.

2. Homes located in other states shall insure that school-age children receive educational instruction to which they are entitled under provisions of education laws and regulations of the state in which they are located.

3. Education shall be provided either in a public school or private educational institution in the community or in an approved on-grounds school operated by the home.

4. The home shall insure that any child who is legally not attending school is either gainfully employed or enrolled in a training program that teaches necessary life skills or methods of job acquisition.

5. The home shall provide or utilize on-grounds or community vocational education services appropriate to the age, skill level, interests and abilities of those children who require such services.

##### (b) Requirements for homes operating on-grounds education programs:

1. The home shall provide an education program that insures instruction is given to each school-age child in all specific curriculum areas identified in the Individualized Education Plan, as required by Federal education law, or in the child's treatment/case management plan.

2. The home shall inform the child's appropriate school district if its on-grounds education program cannot provide instruction in all specific curriculum areas, as specified in (b)1 above.

##### (c) Requirements for homes using off-grounds education programs:

1. When the home determines that the child is ready to attend a public or community school, the home shall make efforts to place the child in that setting and document such efforts in the child's record.

2. When a child attends school in the community, the home shall maintain regular contact with the teachers and other appropriate personnel concerning the child's progress.

##### (d) Requirements for homes providing vocational programs:

1. A home providing a vocational program shall insure that the vocational services for a child include the following:

i. Vocational evaluation;

ii. Formulation of vocational goals;

iii. Development of vocational training plan; and

iv. Provision of skill training, employment counseling, job development and placement services or referral to appropriate sources providing these services.

##### (e) Education records:

1. A home with an on-grounds education program(s) shall maintain on file copies of all approvals and accreditations of its

program and physical facilities from the department of education of the state in which it is located.

##### 2. The child's education record shall include:

i. Information used in the identification, classification and instruction of the child prior to developing a course of study or training to meet the child's academic or vocational needs, including records from the school district of residence and from previously attended residential facilities.

ii. Initial and revised Individualized Education Plans, when legally required for the child;

iii. Results of educational testing and evaluations;

iv. Reports on the child's academic functioning, completed at regular intervals;

v. Vocational training plan; and

vi. If the child attends school in the community, quarterly instructional progress reports obtained from the community school.

#### 10:128-4.12 Recreation requirements

(a) The group home or teaching family home shall provide a balanced on-grounds and off-grounds recreational program consisting of athletics, social and leisure time activities and an organized physical exercise program, including a balance of group play activities, competitive and non-competitive games, quiet individual activity and opportunities for interaction with members of the opposite sex.

(b) A group home shall have a written schedule of daily planned recreational, leisure time and physical exercise activities which shall be developed with input from staff members and children and shall be kept on file.

#### 10:128-4.13 Religion

(a) If a home's program has a particular religious orientation, the facility shall maintain a written description of its religious orientation and of any religious practices or restrictions that are observed. Prior to the child's admission, this description shall be given to the child and the parent(s) and discussed at the time of the pre-placement visit.

(b) Every child shall be afforded the opportunity to participate in religious activities and services in accordance with his or her own faith or with that of his or her parent(s).

(c) Every child shall be permitted to attend religious activities and services in the community and the home shall arrange for or directly provide transportation for any child who wishes to attend religious activities or services.

(d) The home shall not coerce or require children to participate in religious activities but may encourage them to do so.

#### 10:128-4.14 Routines and house rules

The home shall prepare and post in a location of prominence a listing of rules governing the routines of daily living in the facility.

#### 10:128-4.15 Discipline and control

(a) The home shall have written policies and procedures regarding discipline and control, which shall be maintained on file, explained and be made available to all children and parent(s), as appropriate, and staff members.

(b) The discipline, control or supervision of the children in a home shall be the responsibility of the staff members and that responsibility shall not be delegated to the children.

(c) Disciplinary practices of staff members shall be designed to assist the children in developing self-control and an ability to conform to accepted levels of social behavior.

(d) A child's rights in a home shall not be removed or discontinued for purposes of discipline, control or punishment; however, the deprivation of a child's privileges may be used as a disciplinary technique.

##### (e) The home shall prohibit the following types of punishment:

1. Any type or threat of physical hitting or of corporal punishment inflicted in any manner upon the body;

2. Forced physical exercise or forcing a child to take an uncomfortable position;
3. Group punishment for misbehavior of individual;
4. Punishment that subjects the child to verbal abuse, ridicule, humiliation or other forms of degradation;
5. Deprivation of meals, sleep, mail, clothing appropriate to the season or time of day, verbal communication, family visits and/or other basic rights;
6. Mechanical, chemical or excessive physical restraint;
7. Assignment of unduly physically strenuous work;
8. Exclusion from any program or essential treatment service, such as education or clinical treatment;
9. Refusing a child entry to the residence; or
10. Temporary suspension of a child from the home to a parent(s), relative(s), foster home or drop-in shelter as a disciplinary measure.

#### 10:128-4.16 Aversive conditioning procedures

The home shall not use aversive conditioning procedures (any technique used to decrease the frequency of an undesired behavior by causing either pain or discomfort or risking physical injury), unless it is approved by the Division to care for autistic children and the Bureau has approved the facility's plan for utilizing such procedures.

#### 10:128-4.17 Firearms/weapon prohibition

(a) The group home or supervised transitional living home shall not maintain any firearm, chemical or other weapon within or on grounds.

(b) The group home or supervised transitional living home shall prohibit any staff member or child to possess any firearm, chemical or other weapon within or on grounds.

(c) Any firearm, chemical or other weapon maintained in a teaching family home shall be locked and stored in a location inaccessible to the children in care.

#### 10:128-4.18 Search and seizure requirements

(a) Search procedure for a weapon(s):

1. A home staff member shall be permitted to frisk search (surface search of outer clothing) a child only when there is reasonable suspicion that the child is in possession of a weapon(s).

2. A home staff member shall be prohibited from reaching into a child's pockets unless the frisk search indicates that there is reasonable belief that the child is in possession of a weapon(s).

3. The home shall complete and keep on file an incident/accident report for every incident involving the frisk searching of a child.

(b) Search procedure for illegal drugs or contraband:

1. A home staff member shall be prohibited from frisk searching a child who is suspected of possessing illegal drugs or contraband.

2. A home staff member who has reasonable suspicion that a child is in possession of illegal drugs or contraband shall request that the child voluntarily empty a garment pocket(s), a bag, a purse or other such item within the child's possession or control. If the child complies with the request, the facility staff member shall inspect all items that are in plain view. The staff member shall be prohibited from conducting an exploratory search of another garment pocket(s) or other compartment(s) of a bag or a purse without the voluntary permission of the child.

3. If a child refuses a voluntary request to empty a garment pocket(s), a bag, a purse or other such item, the facility staff member shall summon a law enforcement officer to conduct a lawful search of the child.

(c) A staff member shall be prohibited from strip searching a child for any reason.

#### 10:128-4.19 Work and employment

(a) Children shall not be responsible for duties assigned to staff members but may be required to perform work assignments in the home that have an instructive value, including such tasks as normal household chores. However, work assignments shall not interfere with regularly scheduled program activities.

(b) Children shall be allowed to hold part-time employment outside the home, provided that the work shall not interfere with regularly scheduled program activities or the school program.

#### 10:128-4.20 Children's money and allowance

(a) The home shall permit and encourage a child to possess his or her own money by giving an allowance and/or by providing opportunities for paid work within the home.

(b) Money earned, received as a gift, or received as allowance by a child shall be the child's personal property.

(c) The home shall not require a child to assume expenses for his or her care and treatment.

(d) The home shall not deduct sums from a child's allowance in excess of the amount that is needed to pay for damages done to the home by the child.

#### 10:128-4.21 Visitation

(a) The home shall establish regular visiting hours for approved visitors. In addition, the home shall make provisions for visitation for approved visitors unable to visit during the regular visiting hours.

(b) The home shall provide conditions of reasonable privacy for visits between children and their families and other visitors.

(c) The home shall permit an approved visitor(s) to take a child away from the home for a period of time determined by the home and provided that approval for off-grounds visitation has been granted by the parent(s) or by the agency legally responsible for the child.

(d) The home shall provide an opportunity for visitation to children without families or for whom regular family contact is impossible.

#### 10:128-4.22 Mail and telephone communications

(a) There shall be no restriction on the amount of mail a child is permitted to send or receive.

(b) Incoming and outgoing mail for or from any child shall not be withheld or read by any home staff member.

(c) A staff member may open parcels and letters only if she or he suspects that the contents contain contraband and then only in the presence of the child sending or receiving the parcel or letter and another staff member. A record signed by the staff member shall be maintained in the child's file, documenting the specific reason why such mail was opened and the results.

(d) Every child shall receive a reasonable postage allowance and writing materials for correspondence.

(e) A telephone located in an area that allows for privacy when making calls shall be made available for use by the children.

(f) Every child shall be permitted to make and receive a reasonable number of telephone calls.

(g) Telephone calls made or received by a child shall not be monitored.

(h) When the right of a child to communicate with an individual(s) outside the facility must be curtailed, the facility shall:

1. Secure the permission of the placing agency to restrict communication;

2. Inform the resident of the conditions of and reasons for restriction or termination of his or her right to communicate with the specified individual(s); and

3. Prepare a report that is placed in the child's record stating the name of the individual(s) for whom communication is restricted and the reason for such action.

#### 10:128-4.23 Space, furnishings and decor

(a) Space:

1. Administrative and counseling space - The home shall provide sufficient space separate from space used for program/treatment activities for administrative activities, individual counseling sessions and other staff functions required by the program design.

2. Lounge space - Each living unit shall contain space large

enough to allow for comfortable use by all residents of the home and all staff members of the home.

3. Dining space - The dining area(s) shall be large enough to accommodate tables and chairs for all children and staff members.

(b) Furnishings and decor:

1. Lounge, dining, recreation and sleeping areas used by children shall be decorated and furnished in such a manner as to create a warm, homelike environment and shall be appropriate for the function of the room.

2. Broken, rundown or defective furnishings and equipment shall be repaired or replaced.

#### SUBCHAPTER 5. PHYSICAL FACILITY AND LIFE-SAFETY REQUIREMENTS

##### 10:128-5.1 New Jersey local government physical facility requirements

(a) Any home accommodating six or more children located in New Jersey shall comply with the following requirements:

(b) An applicant seeking approval to open and operate a home for the first time as such shall:

1. For newly constructed buildings, existing buildings whose construction code use group classification would change from that which it had been or existing buildings that require major alteration or renovation, submit to the Bureau a copy of the building's certificate of occupancy issued by the municipality in which it is located, reflecting the building's compliance with the provisions of the State Uniform Construction Code (N.J.A.C. 5:23), hereinafter referred to as UCC, for the I-3 use group classifications.

2. For existing buildings whose construction code use group classification is already I-3 and which has not had major alterations or renovations to make it suitable for use as a home, submit to the Bureau a copy of the building's certificate of occupancy issued by the municipality in which it is located at the time the building was originally constructed or approved for use in the I-3 use group, or a certificate of continued occupancy issued by the municipality in which it is located, reflecting the home's compliance with the municipality's construction code requirements that were in effect at the time it was originally constructed or converted to use group classification I-3; and

3. Submit to the Bureau a copy of the municipal or county health inspection approval for the building, based on an inspection conducted within the preceding 12 months. The local or county health official shall certify that the building meets all local or county health codes and Chapter 12 of the State Sanitary Code (N.J.A.C. 8:24-1), and poses no health hazard to the children served.

(c) An applicant seeking renewal of the approval to operate a home shall:

1. Submit to the Bureau a copy of the municipal or county health inspection approval for the building, as specified in N.J.A.C. 10:128-5.1(b)3; and

2. If the municipality in which the home is located has enacted an ordinance governing the maintenance of buildings, including such homes, submit to the Bureau a statement from the municipal enforcing agency certifying that the building is in compliance with such ordinance.

(d) The home shall submit to the Bureau a copy of a new certificate of occupancy issued by the municipality in which it is located, reflecting the home's compliance with the provisions of the UCC whenever it takes any of the following actions:

1. Changing the building's use group classification to one other than the one prescribed on its original certificate of occupancy; or

2. Making a major alteration or renovation, as defined by the UCC, of the building or premises in which the home is located; or

3. Increasing the floor area or the number of stories to the building or premises in which the home is located.

(e) Whenever a variation(s) has been granted by the municipality for any of the requirements in the UCC, such variation(s) may be accepted by the Bureau as meeting the appropriate requirement as specified in 10:128-5.

##### 10:128-5.2 Out of state government approval, physical facility and life-safety requirements

(a) A home located in a state other than New Jersey shall comply with the state, county and/or municipal government code approval requirements, as appropriate, for a building used for the purpose of such homes.

(b) A home located in a state other than New Jersey shall submit with each application for approval a copy of a valid written certification(s) from the state, county and/or municipality in which the home is located that the physical facility meets the provisions of all applicable codes governing building, fire, safety and health requirements.

(c) In addition to (a) and (b) above, a home located in a state other than New Jersey shall only be required to comply with the physical facility and life-safety requirements, as specified in N.J.A.C. 10:128-5.3(q), 5.5 and 5.6.

##### 10:128-5.3 New Jersey state government physical facility requirements

(a) All homes accommodating six or more residents shall be inspected by the Bureau prior to the receipt of an initial and/or subsequent approval to insure that the building has been maintained in accordance with the requirements specified in (b) through (r) below.

(b) Homes shall be classified according to the type of construction designated by the UCC.

(c) Limitations on the use of upper and lower levels:

1. Non-ambulatory children shall not have bedrooms above or below the first floor.

2. In UCC-designated buildings of Type 3 and Type 4A construction, children shall not be permitted above the third floor.

3. In UCC-designated buildings of Type 4B construction, children shall not be permitted above the second floor.

(d) Exit requirements:

1. Exits:

i. Exits shall be maintained in proper operating condition and the home shall insure that:

(1) There are two independent unobstructed exits from every floor of a building or room in two separate directions; and

(2) Exits shall not be permitted through boiler, furnace or storage areas.

ii. Exits above and below the first floor:

(1) Exits above or below the first floor in buildings having a maximum capacity of 12 children shall provide exiting by a corridor that leads to stairways completely enclosed at the upper or lower landings with a one hour fire-rated partition and a C-label (3/4 hour) fire-rated door equipped with an automatic closing device.

(2) Exits above or below the first floor in buildings having a capacity of greater than 12 children shall provide exiting by a corridor that leads to two remote stairways completely enclosed in fire separation assemblies in accordance with table 401 of the UCC's building subcode (BOCA).

2. Doors:

i. The exit access travel distance in a room shall not be greater than 100 feet. (Buildings equipped with a fire suppression system may have an exit access travel distance of 150 feet.)

ii. Every room with a total occupancy of more than 50 children and adults or whose travel distance exceeds 75 feet shall have at least two egress doorways leading from the room to an exit or corridor.

iii. Doors used for exits shall:

(1) Be unobstructed;

(2) Be unlocked from the inside of the building while children are at the home; and

(3) Swing in the direction of egress when serving an occupant load of more than 50.

(4) In enclosed exit stairs swing in the direction of egress, be self closing and not block the egress of people utilizing the floors above.

iv. Bathroom and closet doors may be locked; however, locked

doors shall be designed to permit opening from the inside and outside in case of emergency.

### 3. Stairways:

i. Stairways used for exits shall be unobstructed.

ii. Interior stairways:

(1) The maximum height of risers shall be seven inches, and the minimum width of tread shall be nine inches.

(2) Winding staircases shall not be counted for purposes of meeting the exit requirements of this chapter.

(3) A space below a stairway shall be enclosed with a one-hour fire-rated material.

iii. Exterior stairways:

(1) Exterior stairways conforming to the interior stairway requirements, as noted in (d)3ii above, shall be acceptable as required exits in buildings not exceeding five stories in height.

(2) Exterior stairways shall be constructed of materials that are permitted in table 401 of the UCC's building subcode.

iv. Handrails and guardrails:

(1) Handrails shall be provided for all stairs that have three or more risers.

(2) All stairways shall have a handrail on at least one side. Stairways more than 44 inches wide shall have continuous handrails on both sides. Stairways more than 88 inches wide shall also have an intermediate handrail dividing the stairway.

(3) Handrails shall be 30 to 34 inches above the nosing of treads.

(4) Guardrails shall not be less than 42 inches in height measured vertically above the nosing of treads.

(5) Guardrails shall be provided with intermediate guards spaced six inches apart or with screening.

4. Special requirements for homes serving nonambulatory children - The following special requirements shall be met by homes serving nonambulatory children:

i. A sufficient number of doors, corridors, ramps or walkways and landings shall be provided and be wide enough to permit their being used by children utilizing wheelchairs, braces, walkers or any other prosthetic equipment or devices.

ii. Ramps shall have a grade not greater than the equivalent of one foot rise for every 12 feet of length. Handrails shall be provided on both sides of the ramps.

iii. Homes serving primarily children with physical limitations or handicaps or having a unit serving such children shall comply with the New Jersey Barrier Free Design Regulations (N.J.A.C. 17:19A).

(e) Emergency escape:

1. Every sleeping room below the fourth story shall have at least one operable window or exterior door approved for emergency egress or rescue.

2. The units must be operable from the inside without the use of separate tools.

3. When windows are provided as a means of egress or rescue, they shall have a sill height not more than 44 inches above the floor.

4. All egress or rescue windows from sleeping rooms shall have a minimum net clear opening of 5.7 square feet, with:

i. A minimum net clear height dimension of 24 inches; and

ii. A minimum net clear width dimension of 20 inches.

5. Any bars, grills or screens placed over emergency escape windows shall be releasable or removable from the inside without the use of a key, tool or excessive force.

(f) Fire protection:

1. Homes shall not be located in the vicinity of high hazard areas (such as, welding shops, paper storage areas, gasoline storage areas, etc.).

2. Boiler or furnace rooms shall be separated from the living and common areas by a minimum of a one-hour fire-rated material.

3. If boiler or furnace rooms are in the basement, a furnace control switch shall be provided at the top of the stairs leading to the basement area.

4. If boiler or furnace rooms are not in the basement, a furnace control switch shall be provided outside of the furnace or boiler

rooms.

5. A fresh air supply directly from the outside shall be provided in all boiler or furnace rooms, when rooms are completely enclosed.

6. Buildings with a capacity of more than 12 children that have been in existence and approved as a home prior to February 22, 1983 shall have and maintain at least one of the following:

i. A comprehensive automatic electrical fire alarm and detection system with the detection devices being smoke detectors; or

ii. A comprehensive automatic sprinkler system with smoke detector units in each hallway on all floor levels and at the top of each stairwell.

7. Buildings with a capacity of 12 or fewer children that have been in existence and approved prior to February 22, 1983 shall have and maintain at least one of the following:

i. A comprehensive automatic electrical fire alarm and detection system with the detection devices being smoke detectors; or

ii. A comprehensive automatic sprinkler system with smoke detector units in each hallway on all floor levels and at the top of each stairwell; or

iii. Smoke detector units as follows:

(1) One unit for each bedroom;

(2) One unit for each hallway on all floors;

(3) One unit for living room and/or indoor recreational areas; and

(4) One unit at the top of each stairwell.

8. In new buildings or buildings changing their use group classification, in keeping with the adoption of the I-3 use group classification that became effective February 22, 1983 to the UCC, shall have and maintain one of the following:

i. A manual and comprehensive automatic electrical fire alarm and detection system with the detection devices being smoke detectors; or

ii. When the building has 20 or more occupants or is three or more stories in height a fire suppressions system and manual fire alarm system:

9. There shall be at least one 10 B-C rated fire extinguisher provided for the kitchen area and one located directly outside or near the boiler or furnace room.

10. All floors shall be provided with at least one 2 1/2 gallon water pressurized fire extinguisher for each 3,000 square feet of floor area.

11. All extinguishers shall be serviced at least once a year and recharged, if necessary.

12. Commercial stoves, if utilized, shall have an automatic extinguishing system installed.

13. Interior drapes, curtains, panelling, mattresses, etc., shall be non-combustible, flame resistant or have an acceptable flame spread or smoke rating as required by the UCC's building subcode.

14. Chimneys, flues and vent attachments shall be structurally sound, free from defects and cleaned and maintained, as necessary.

15. Storage areas containing highly flammable materials shall be segregated from areas used by the children with a minimum one hour fire-rated material.

16. Combustible materials shall be stored in non-combustible containers.

17. Boiler or furnace rooms shall be free from highly flammable materials.

(g) Glass surfaces - Glass surfaces that are located in any room/area of the building determined by the Bureau to be a hazardous area to the children shall be made of safety glass or the glass surface shall be protected with a guard, grille or other protective material.

(h) Electricity:

1. All electrical wiring and equipment shall comply with local or municipal requirements in effect at the time the structure first became a group home, teaching family home or supervised transitional living home and shall be maintained in good operating condition.

2. Any new equipment and wiring installed in the facility shall be in compliance with the Electrical Sub-Code of the UCC.

3. Upon request, the home shall provide the Bureau with a copy

of an electrical inspection report based on an inspection conducted within the preceding 12 months. This report shall confirm that the electrical system is adequate and in compliance with the Electrical Sub-Code of the UCC.

4. Inspections as noted in (h)3 above, shall be performed by the local electrical sub-code official, an approved service organization or a licensed electrical contractor.

(i) Lighting:

1. General requirements:

- i. Natural or artificial light shall be provided in all areas.
- ii. At least 20 footcandles of light, natural or artificial shall be provided in classrooms and study areas. This illumination shall be measured three feet above the floor at the furthest point from the light source.
- iii. Parking areas, pedestrian walkways, or other exterior portions of the premises subject to use by occupants at night shall be illuminated.

2. Buildings having a capacity of greater than 12 children shall provide:

- i. Illuminated exit signs; and
- ii. An emergency lighting system for exit signs, stairways and corridors. This emergency lighting system shall be provided by emergency battery packs or an auxiliary generator and shall be kept in good working condition.

(j) Heating: A minimum temperature of 65F shall be maintained in all rooms used by residents.

(k) Ventilation:

1. Natural or mechanical ventilation shall be provided in all rooms used by children.
2. All mechanical exhaust systems shall vent directly to the outside.
3. Rooms not having windows with an openable area of at least four percent of the floor space shall be equipped with a mechanical ventilating or air conditioning system with a capacity that is in conformance with the UCC.
4. Corridors shall be provided with natural or mechanical ventilation that is in conformance with the UCC.
5. Crawl spaces and attic spaces shall be provided with a cross ventilation system.
6. All openable windows and doors used for natural ventilation shall be provided with insect screening in good condition.
7. Kitchens provided with a stove of more than four burners shall be vented with a mechanical system having a capacity that is in conformance with the UCC.
8. Bathrooms with a mechanical ventilation system shall have a minimum capacity of 40 cubic feet per toilet.
9. Bathroom doors shall have at least one inch but not more than two inches of space between the floor and the bottom of the door.

(l) Plumbing:

1. All plumbing shall be in compliance with the provisions of the Plumbing Sub-Code of the UCC.
2. All plumbing shall be maintained in good operating and sanitary condition.
3. The temperature of tap water shall not exceed 125° Fahrenheit.

(m) Bathroom and toilet facilities:

1. The home shall have at least one toilet, wash basin and bathtub or shower for every six children above the age of 2 years. These facilities shall not be located more than one floor from any bedroom or living area.
2. The handwashing facilities shall be located in or adjoining the toilet area.
3. All bathrooms shall include hot and cold running water and a non-slip surface in the shower or bathtub.
4. Toilet accessories shall be provided in all bathroom and toilet facilities.
5. Mirrors, paper towel and toilet paper dispensers and other equipment shall be fastened securely.

(n) Kitchen facilities - The home's kitchen and food preparation areas shall meet the following requirements:

1. The cooking and kitchen facilities and equipment shall be kept clean and sanitary and be in compliance with provisions of Chapter 12 of the New Jersey State Sanitary Code (N.J.A.C. 8:24).

2. The kitchen and food preparation areas shall be separate from areas used for any other purpose.

3. If commercial cooking equipment is used, the kitchen shall be separated by a one hour fire-rated enclosure which is equipped with a C-label (3/4 hour) fire rated door with a self-closing device and positive latching.

(o) Swimming and wading pools:

1. A home shall not allow common swimming or wading except in licensed municipal pools or pools that meet the criteria of the model New Jersey Swimming Pool Code of 1970.

2. Any swimming pool used by the children shall comply with the requirements pertaining to swimming pools, as specified in the UCC and in the New Jersey Youth Camp Safety Act Standards (N.J.A.C. 8:25-5.1 through 5.4 and N.J.A.C. 8:25-6.9).

(p) Asbestos:

1. Coatings containing asbestos shall not be sprayed on any interior or exterior surfaces of a building used as a group home, teaching family home or supervised transitional living home or on any equipment used therein, in accordance with regulations of the New Jersey Department of Environmental Protection, as specified in N.J.A.C. 7:27-17.2.

2. If sprayed-on asbestos-containing materials appear to be present in a home, the New Jersey Department of Health shall be notified by the Bureau. The material shall be tested, through laboratory analysis, to determine its contents. When test results reveal the presence of sprayed-on asbestos-containing materials and the Health Department determines that action must take place to minimize the exposure potential, the home shall follow the recommendation of the Department of Health for enclosure, removal or other action, in a manner consistent with all Federal, State and local regulations and guidelines.

(q) Maintenance and sanitation:

1. General: The indoor and outdoor areas of the building shall be maintained in a safe and sanitary manner and free from any hazards to the health and safety of the children.

2. Indoor maintenance and sanitation requirements:

- i. Basements, cellars and crawl spaces shall be free of moisture resulting from water leaks or seepage.
- ii. Floors, walls, ceilings and other surfaces shall be kept clean and in good repair. These areas shall be covered or treated when necessary, and no paint containing lead shall be used.
- iii. Stairways shall be free of hazards such as toys, boxes, loose steps, uneven treads, torn carpeting, raised strips or risers that are not uniform.
- iv. Garbage shall be removed from the interior of the building on a daily basis.
- v. The home shall utilize receptacles for food waste disposal that are made of durable materials that are nonabsorbent leak proof, and easily cleaned and provided with tight fitting covers.
- vi. Food waste receptacles shall be lined and cleaned as often as necessary to prevent a nuisance.
- vii. The home shall arrange for an exterminator to take necessary action to protect the building from rodent, insect and related infestations. Such treatment shall be provided not less than once a year, and more frequently when there is evidence of infestation.

3. Outdoor maintenance and sanitation requirements:

- i. The land, including the outdoor play area, shall be properly graded and provided with drains to dispose of surface water.
- ii. The home shall fence or otherwise enclose with a natural barrier outdoor areas on its grounds that are within, adjacent to or near potential safety hazards, including, but not limited to, steep grades, cliffs, open pits, swimming pools, high voltage boosters, high speed roads or propane gas tanks.
- iii. The building structure shall be maintained to prevent water from entering, excessive drafts or heat loss during inclement weather, and to provide protection against infestation from rodents,

insects, etc.

iv. Railings of balconies, landings, porches or stairs shall be maintained in safe condition.

v. The home shall utilize garbage receptacles to accommodate its waste disposal needs. The receptacles shall be made of durable, leak proof and nonabsorbent materials. The receptacles shall be provided with covers and be maintained in sanitary condition.

(r) Lead paint - Homes caring for children six years of age and/or younger, or older or children that have been diagnosed as having pica shall comply with the following:

1. Lead paint shall not be used on and shall be removed by the home from any interior or exterior surfaces, furniture, toys or other equipment used therein, in accordance with the provisions of Chapter 13 of the New Jersey State Sanitary Code (N.J.A.C. 8:51-7.1 through 7.5).

2. When lead paint is found in areas of a home not specified under N.J.A.C. 8:51-7.1 through 7.5, the Bureau shall determine whether the lead paint is hazardous to the health, safety and well-being of the children served and, if considered to be hazardous, the home shall remove the lead paint hazard.

10:128-5.4 New Jersey state government physical facility requirements for homes accommodating five or fewer residents

(a) Fire protection:

1. The home shall provide a minimum of one smoke detector that shall be installed in a manner and location approved by the Bureau or local fire official.

2. The home with a basement shall provide an additional smoke detector for the basement area.

3. The home shall have at least one 5 lb. ABC fire extinguisher located in the building.

4. Combustible and flammable materials shall not be located adjacent to or near a furnace.

(b) Heating - The home shall provide a minimum temperature of 65° Fahrenheit in all rooms used by the children.

(c) Maintenance and sanitation - The indoor and outdoor areas of the building shall be maintained in a safe and sanitary manner and be free from any hazards to the health and safety of the children.

10:128-5.5 Life-safety requirements for homes accommodating 12 or fewer children

(a) Emergency information - The home shall post in a prominent location written emergency information, including the following:

1. The location of the first aid kit and any additional first aid supplies;

2. The name, address and telephone number of the physician retained by the home or of the health facility to be used in emergency situations;

3. The hospital and/or clinic to which injured or ill children are to be taken;

4. The telephone numbers of the police and fire department and the local ambulance service(s);

5. The telephone number of the Division's Office of Child Abuse Control (800-792-8610);

6. The location of Medicaid validations and written authorization from parent(s) or guardian(s) for emergency medical care for each child; and

7. The location of the telephone in each living unit available for use in emergency.

(b) In addition to (a) above, a home shall post an evacuation plan, including a diagram of the building and a description of how the facility is to be evacuated in case of emergency.

(c) First aid equipment - First aid equipment shall be located in a convenient, accessible location in the home and shall include:

1. A standard first aid kit recommended by the American Red Cross or the local or State health department; and

2. The Red Cross First Aid Manual or its equivalent.

(d) Fire/evacuation drills and training:

1. The home shall conduct fire/evacuation drills at least once every month to familiarize the staff members and children with the procedures for leaving the building in an emergency situation. A representative of the Bureau shall be present at a fire/evacuation drill at least once a year.

2. The home shall maintain a record of each fire/evacuation drill. The record shall include:

i. The date and time of day of the drill;

ii. The number of children and staff members who participated; and

iii. The total amount of time necessary to evacuate the home. Such time shall not exceed two minutes.

3. The staff members shall be trained in the use and operation of fire extinguishers.

(e) Homes caring for children six years of age and under shall comply with the following:

1. Fireplaces, open face heaters, stoves, hot radiators, electrical outlets and hazardous windows in rooms used by the children shall be adequately protected by screens or guards.

2. All corrosive agents, insecticides, bleaches, detergents, polishes, any product under pressure in an aerosol spray can and any other toxic (poisonous) substance, shall be stored in a locked cabinet or in an enclosure located in an area not accessible to the children.

10:128-5.6 Supplemental requirement

In addition to the requirements, as specified in N.J.A.C. 10:128-5.1 through 5.5, the Bureau shall also require homes to take whatever additional steps that it deems are necessary to correct any conditions in the home that may endanger in any way the health, safety and well-being of the children served.

## SUBCHAPTER 6. TRANSPORTATION

10:128-6.1 Vehicle requirements

(a) Vehicles used for transportation of children shall be in conformity with all motor vehicle laws and/or regulations for the state in which the vehicle is registered.

(b) Vehicles used for transportation of children shall be maintained in safe operating condition and shall be properly registered and have a currently valid inspection sticker for the state in which it is registered.

(c) Vehicles used for transportation of children to or from school, school-connected activity, day camp, summer day camp, nursery school, child care center or pre-school center shall meet the vehicle requirements for such vehicles.

(d) For facilities located in New Jersey, the facility may authorize staff members who have a New Jersey automobile driver's license to transport children to and from related school activities (such as, visits to the zoo, museum or other field trips) or to transport children to a doctor's office for medical treatment in a private passenger vehicle with a capacity of eight or fewer persons. A person providing such transportation shall not be required to have a New Jersey school bus driver's license and the vehicle used for such transportation shall not be required to meet the registration, equipment, inspection and maintenance requirements for a school bus.

10:128-6.2 Driver requirements

(a) The driver of a vehicle used for the purpose of transporting children shall possess a valid driver's license for that type of vehicle.

(b) The driver shall not transport more persons, including children and adults, than the capacity of the vehicle.

10:128-6.3 Safety practices

(a) Children shall never be left unattended in a vehicle.

(b) Children shall be loaded and unloaded from the curbside of the vehicle.

(c) The interior of each vehicle shall be maintained in a clean, safe condition, with clear passage to operable doors.

(d) All persons in the vehicle shall be secured in seats with safety belts for those vehicles required by law to be equipped with safety belts.

(e) All children below the age of 1 1/2 years in the vehicle shall be secured in car seats (child passenger restraint system) meeting Federal motor vehicle safety standards in accordance with the N.J. Division of Motor Vehicles Law (N.J.S.A. 39:3-76.2a.)

(f) When transporting more than six children who are under six years of age but over 2 1/2 years of age, there shall be one adult in addition to the driver in the vehicle at all times.

(g) When transporting more than three but fewer than 13 children who are below 2 1/2 years of age, there shall be one adult in addition to the driver in the vehicle at all times.

(h) When transporting 13 or more children who are below 2 1/2 years of age, there shall be two adults in addition to the driver in the vehicle at all times.

(i) The driver or second adult(s) shall ensure that each child is received by a responsible person.

(j) There shall be no standees in any vehicle transporting children.

10:128-6.4 Transportation records

(a) The home shall keep on file the name of each driver and a photostatic copy of his/her valid driver's license.

(b) These records shall be available upon request to any authorized representative of the Bureau.

10:128-6.5 Insurance

(a) The home shall maintain liability insurance for bodily injury or death in minimum amounts of \$300,000 per person and \$500,000 per accident.

(b) If the home's transportation services are provided by a private individual or firm under contract or other arrangement, the facility shall maintain a file copy of the individual's or firm's insurance coverage in the amount specified in (a) above and make a copy of such coverage available to the Bureau upon request.

10:128-6.6 Other requirements

(a) The home shall provide each child with the transportation necessary for implementing the child's treatment plan.

(b) The home shall have means of transporting children in cases of emergency.

10:128-6.7 Special regulations

(a) The following additional regulations shall be required for van type vehicles that are used for transporting specially handicapped, non-ambulatory children:

1. A ramp device shall be provided to permit entry and exit of a child from the vehicle. A hydraulic lift may be utilized provided that a ramp is also available in case of emergency.

2. Wheelchairs shall be securely fastened to the floor of the vehicle.

3. The arrangement of the wheelchairs shall provide an adequate aisle space and shall not impede access to the exit door of the vehicle.

# INSURANCE

(a)

## DIVISION OF ADMINISTRATION

### Auto Body Repair Facilities

#### Proposed New Rule: N.J.A.C. 11:14

Authorized By: Joseph F. Murphy, Commissioner,  
Department of Insurance.  
Authority: N.J.S.A. 17:1-8.1, 17:1C-6(e) and P.L. 1983  
c.360, N.J.S.A. 39:13-1 et seq.

A public hearing concerning this proposal will be held on Wednesday, February 8, 1984 at 10:00 A.M. at:

New Jersey Department of Insurance  
Hearing Room  
201 East State Street  
Trenton, NJ 08625

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before February 8, 1984. These submissions, and any inquiries about submissions and responses, should be addressed to:

W. Morgan Shumake  
Executive Director of Insurance  
Department of Insurance  
CN 325  
Trenton, NJ 08625

The Department of Insurance 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 1984-18.

The agency proposal follows:

#### Summary

On October 4, 1983, Governor Thomas H. Kean signed Assembly Bill No. 3898, P.L. 1983 c.360, N.J.S.A. 39:13-1 et seq., which provides for the licensure of auto body repair facilities by the Commissioner of Insurance. The statute, which takes effect on January 3, 1984, specifies that no person may engage in the business of an auto body repair facility without being licensed, and, further, authorizes the Commissioner to fine or to suspend or revoke the license of any auto body repair facility which violates the provisions of the Act or any regulations adopted pursuant thereto. This chapter provides rules for the implementation of the statute.

The proposed subchapter 1 contains general provisions including definitions of certain key terms. For example, two classes of auto body repair facility licensees are established to distinguish between those enterprises which engage in the auto body repair facility business on a large scale basis and those which are engaged in the business on a smaller scale or, perhaps on a part-time or ancillary basis. "Class A" licensees include those facilities whose gross annual billings for applicable repair services equal or exceed \$75,000 and "Class B" licensees those with gross annual billings of less than \$75,000.

Subchapter 2 of the proposal sets forth licensing procedures applicable to both Class A and B applicants and provides that existing facilities, as well as prospective facilities which desire licensure in accordance with the operative date of the chapter, shall submit applications within 60 days of its effective date. The subchapter further specifies the information which must be furnished on or which must accompany the application for any auto

body repair facility license. For instance, the application must be accompanied by two passport-size photographs of the applicant and a certification of the applicant's good character and reputation furnished by the ranking law enforcement official of the municipality. Applicants must also designate a manager for the facility who will be responsible for the day-to-day operation of the business and must submit and maintain personnel lists.

Subchapter 2 also set forth application and license fees for auto body repair facilities. A non-refundable application fee of \$20.00 is prescribed for both Class A and Class B facilities. An annual license fee of \$200.00 for Class A facilities and \$50.00 for Class B facilities is prescribed for applicants seeking licensure during calendar year 1984. Commencing January 1, 1985, new and renewal licenses will be issued on a biennial basis with fees of \$400.00 and \$100.00 for Class A and B facilities respectively.

Subchapter 3 of the proposal contains operating standards applicable to licensed repair facilities. For example, the licensee must post an outdoor sign in a conspicuous location indicating that the facility is registered with the State and disclosing the facility's license number. Licensees are also required to post in a conspicuous location a "Notice to Consumers" which will be furnished to the licensee by the Department. This notice will set forth the violations specified in Section 4 of P.L. 1983 c. 360 and will advise consumers of their right to file a complaint with the Department in the event of any perceived violation. This proposed subchapter also contains certain standards for repair estimates and requires licensees to provide customers with a written estimate and to maintain copies of such estimates, as well as work orders, invoices and the like, for two years.

Subchapter 4 of the proposal lists several grounds, in addition to those specified in the statute, upon which the Commissioner may refuse to issue or may suspend or revoke the license of an auto body repair facility.

Subchapter 5 provides procedures for hearings to be conducted in connection with the denial, suspension or revocation of a license.

#### **Social Impact**

By providing for the licensing of auto body repair facilities and by establishing standards for the conduct of such licensees, the statute and this implementing chapter will serve to protect consumers from dishonest, deceptive or fraudulent practices in the repair of automobiles damaged by collision and promote quality auto repairs. This, in turn, should foster improved relationships between consumers and licensees. In addition, efforts to curtail insurance fraud through the regulation of auto body repair facilities and the prohibition of such practices as compensating an insured for the cost of a deductible are expected to be enhanced.

#### **Economic Impact**

Auto body repair facilities must absorb the application and license fees specified in the rule, and are also expected to incur certain modest costs in effecting compliance with the notice and recordkeeping requirements of the rules. Any costs to the facilities are expected to be outweighed by the benefits provided to the public through the prevention and elimination of fraudulent practices in the repair of automobiles damaged by collision. Since such practices represent a component of insurance claim costs, it is expected that the regulation of auto body repair facilities will aid in efforts to contain insurance costs.

The Department will incur substantial costs in connection with the licensing and regulation of auto body repair facilities. It is, however, expected that the application and license fees specified in subchapter 2 of the proposal will provide sufficient revenues for the proper performance of these functions.

**Full text** of the proposed new rule follows.

## CHAPTER 14 AUTO BODY REPAIR FACILITIES

### SUBCHAPTER 1. GENERAL PROVISIONS

#### 11:14-1.1 Purpose

The Auto Body Repair Facility Act (P.L. 1983, c. 360, N.J.S.A. 39:13-1 et seq.) provides for the licensure and regulation of auto body repair facilities by the Commission of Insurance. The purposes of this chapter are to:

1. Establish a system for the licensure of auto body repair facilities; and

2. Establish standards and procedures necessary to protect the public from dishonest, deceptive and fraudulent practices in the repair of automobiles damaged by collision and to eliminate or exclude from licensing those persons who engage in such practices or who otherwise demonstrate unfitness.

#### 11:14-1.2 Scope

(a) This chapter shall apply to every person engaged in the business of an auto body repair facility.

(b) No person shall, on or after the operative date of this chapter, engage in the business of an auto body repair facility unless licensed by the Commissioner in accordance with the provisions of this chapter.

#### 11:14-1.3 Definitions

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

"Applicant" means any person applying under the provisions of this chapter for a license to engage in the business of an auto body repair facility. In the case of a partnership or corporation applying for a license, the term "applicant" shall respectively include all partners and officers and directors.

"Auto body repair facility" means a business or person who for compensation, engages in the business of repairing, removing or installing integral component parts of an engine, power train, chassis or body of an automobile damaged as a result of a collision. For the purpose of this chapter, the following are not deemed to be auto body repair facilities and are not required to be licensed:

1. An employee of an auto body repair facility who engages in the business of repairing automobiles solely by reason of his employment

2. Any person who is solely engaged in the business of repairing automobiles owned or leased by a single, commercial or industrial establishment;

3. Any person or business whose activities consist solely of fueling, changing oil, water, batteries or tires, replacing fan belts, air filters or oil filters, installing windshield wiper blades, light bulbs, communication equipment, or such other minor repair and servicing functions;

4. A person or business who solely examines automobiles to determine the cause or location of malfunctions where no repairs as a result of collision take place.

"Class A license" means a license issued to a person or business whose gross annual billings, including work subcontracted to others, for the repair, removal or installation of integral component parts of an automobile damaged as a result of a collision equals or exceeds \$75,000.

"Class B license" means a license issued to a person or business whose gross annual billings, including work subcontracted to others, for the repair, removal or installation of integral component parts of an automobile damaged as a result of a collision is less than \$75,000.

"Collision" means any damage caused to or by a motor vehicle directly in an accident or by any loss caused by missiles, falling objects, fire, theft, larceny, windstorm, hail, earthquake, explosion, riot or civil commotion, malicious mischief, vandalism,

water, flood, lightning, external discharge or leakage of water, smoke or colliding with a bird, animal or stationary object.

"Commissioner" means the Commissioner of Insurance.

"Estimate" means the auto body repair facility's determination of the cost of parts and the cost of labor needed to perform the necessary services.

"Gross negligence" means a pattern of conduct whereby the Commissioner has determined repairs are of such a nature that incompetent repairs which could endanger the customer or the public in general have occurred.

"Manager" means a person, designated by the applicant or licensee, who is directly responsible for the supervision and control of the activities of the auto body repair facility. The manager may be a person with ownership interest in the facility or an employee of the facility.

"Place of business" means an address where an auto body repair facility's services are offered or ordinarily performed.

"Suspension, revocation or refusal to issue" means administrative action by the Commissioner, after investigation of relevant information, to refuse to grant to an applicant for an auto body repair facility a license to do business in New Jersey or to suspend or revoke an existing license.

"True owner" means the controlling interest in the auto body repair facility.

## SUBCHAPTER 2. LICENSING PROCEDURES

### 11:14-2.1 Application for a license

(a) Any person seeking to engage in the business of an auto body repair facility shall apply, in accordance with the provisions of this subchapter, to the Commissioner for a license authorizing him to engage in such business.

1. Any person now engaged in the business of an auto body repair facility or otherwise desiring to engage in such business in accordance with the operative date of this chapter shall apply to the Commissioner for a license within 60 days of the effective date of this chapter.

(b) Every applicant for a license, whether Class A or Class B designated, shall file with the Commissioner, in such form and detail as may be required by the Commissioner an application setting forth the following:

1. The name, address and telephone number of the auto body repair facility;

2. The name and residence address of the true owner of the facility, if a single proprietorship; if a partnership, the name and address of each partner; if a corporation, the name and address of each officer and director;

3. The name, address and telephone number of the person designated as the manager of the facility;

4. The business in which the applicant has been engaged for the five years next preceding the date of application, and, if employed, the name and address of the employer;

5. Whether the applicant or the manager has ever been convicted of a crime;

6. Whether the applicant or manager of the facility has ever been denied, or had suspended or revoked a license to engage in any business, profession or occupation license under the laws of any state; and

7. Whether the applicant has an ownership and/or beneficial interest in any other auto body repair facility

(c) Each application for a license shall be duly notarized by a New Jersey Notary Public.

(d) Each application shall be accompanied by proof of the following:

1. A Certificate of Occupancy for the facility or the municipality's equivalent;

2. New Jersey Sales Tax Number;

3. New Jersey Employer Registration Number; and

4. Federal Business Identification Number.

(e) Each application shall be accompanied by the following:

1. A list of all employees of the auto body repair facility on a form to be prescribed and furnished by the Commissioner;

2. Two passport size (1 1/2" by 2") photographs of the applicant and the person designated as the manager of the facility; and

3. A certificate by the ranking law enforcement officer of the municipality in which the applicant resides or in which the facility is located attesting to the good character and reputation of the applicant.

(f) If there are multiple locations for an auto body repair facility, a separate application, accompanying documents, and application and license fees as specified in N.J.A.C. 11:14-2.2 shall be submitted for each such location.

(g) Upon approval by the Commissioner, a license shall be issued to the auto body repair facility. Such license shall be prominently displayed in the office or other conspicuous location at the business accessible to the public.

### 11:14-2.2 Application and license fees

(a) Each application for an auto body repair facility license, whether Class A or Class B designated, shall be accompanied by an application fee of \$20.00 which shall in no event be refunded.

(b) During calendar year 1984, the following annual license fees shall be paid to the Commissioner at the time of initial application for a license:

1. Class A License \$200.00;

2. Class B License \$50.00.

(c) Commencing January 1, 1985, the following biennial license fees shall be paid to the Commissioner at the time of initial application for a license.

1. Class A License \$400.00 ;

2. Class B License \$100.00 .

### 11:14-2.3 License renewals

(a) A license issued to an auto body repair facility during calendar year 1984 shall continue in force until December 31 of that year, and commencing January 1, 1985 until December 31 of every other year, unless suspended or revoked by the Commissioner.

(b) A renewal application shall be submitted to the Commissioner and shall be accompanied by the applicable biennial license fee specified in N.J.A.C. 11:14-2.2(c).

(c) With each application for renewal of a Class B license, the licensee shall submit a notarized statement certifying to its continuance as a Class B auto body repair facility as a result of there being no change in its original status.

(d) The application for renewal of a license shall be accompanied by evidence of garage liability insurance.

### 11:14-2.4 Surrender of license

(a) All licenses, although issued and delivered to a licensee, shall at all times be the property of the State New Jersey and upon any suspension, revocation, refusal to renew or other termination of the license, such license shall no longer be in force and effect. Under these circumstances the licensee or other person having possession custody of the license shall forthwith deliver it to the Commissioner either by personal delivery or by mail.

## SUBCHAPTER 3. REQUIREMENTS OF A LICENSED AUTO BODY REPAIR FACILITY

### 11:14-3.1 Responsibility of licensees

(a) The owner of the auto body repair facility shall be responsible for the conduct of the business of the facility and for the actions of all employees, including the designated manager, performed in connection with the business of the facility.

(b) In the case of partnership and corporate licensees, the partners or corporate officers and directors, as the case may be, shall be held individually responsible for the conduct of the business of the facility.

## 11:14-3.2 Estimates and repairs

(a) Every licensed auto body repair facility shall provide a written estimate to any customer seeking their services.

1. Each estimate shall bear the name of the facility, its license reference number and shall be signed by the person performing the estimate.

2. The estimate shall contain the following information:

i. The customer's name; the date of the estimate; a list of parts necessary for each specific repair together with the costs for each part, indicating any parts which not new parts of at least original equipment quality; the labor charge for each repair together with the costs of each labor charge; a description of the vehicle, a promised date of delivery if any such date is given; and the terms and limit of any guarantee for the repair work performed.

3. The estimate shall include a statement informing the customer of his right to inspect replaced parts and components thereof, pursuant to (b) below. The statement shall specify any time limitation on such right of inspection, which shall be for a reasonable time not to be less than 48 hours from the time the customer takes possession of the automobile.

4. The estimate shall include a statement informing the customer of his right to receive replaced parts if the customer makes a written request for such return.

(b) Customers or insurers have a right to inspect the repaired automobile before paying for repair work. Such right of inspection shall also include the right to inspect all replaced parts and components thereof.

(c) An auto body repair facility shall be responsible for all work subcontracted to others.

(d) An auto body repair facility may charge a reasonable fee for making an estimate.

## 11:14-3.3 Notice and recordkeeping requirements

(a) Each licensee is to furnish an outdoor sign which shall read: "Registered: State of New Jersey - Auto Body Repair Facility" with the facility's license number. The sign must contain letters at least 2" high with a stroke of approximately 1/2" and visible from the road and located in conspicuous location for the general public to see.

(b) Each facility shall post in a conspicuous location accessible to the public a "Notice to Consumers", concerning violations of the Auto Body Repair Facility Act and the availability of the Department for complaints pertaining thereto. The Notice shall be prescribed and furnished by the Commissioner.

(c) All licensed auto body repair facilities shall maintain copies of estimates, work orders, invoices, parts purchase orders and appraisals prepared by that facility. Such copies shall be kept for two years and shall be available for inspection by the Commissioner during normal business hours.

(d) The person designated as manager of the facility shall be available during normal business hours.

(e) The auto repair facility shall provide the Commissioner with written notice of any change in the list of employees furnished pursuant to N.J.A.C. 11:14-2.1(e)1 within 10 calendar days of such change.

#### SUBCHAPTER 4. VIOLATIONS, INVESTIGATIONS AND GROUNDS FOR DENIAL, SUSPENSION OR REVOCATION OF LICENSE

## 11:14-4.1 Violations

(a) Pursuant to section 4 of P.L. 1983 c.360, the Commissioner may refuse to issue a license or may suspend or revoke the license of any auto body repair facility or refuse to issue a renewal thereof if he determines that the applicant or licensee:

1. Has made or authorized any material written oral statement, which is known to be untrue or misleading;

2. Has caused or allowed a customer to sign an estimate for repairs which did not state the repairs requested by the customer or the automobile's odometer read at the time of repair;

3. Has failed to provide a customer with a copy of any estimate or document requiring his signature, as soon as a customer signed the estimate or document;

4. Has made false promises or representations intended to influence, persuade or induce a customer to authorize a repair of an automobile which has been damaged as a result of a collision;

5. Has given an adjuster or appraiser directly or indirectly any gratuity or other consideration in connection with his appraisal service;

6. Has made appraisals of the cost of repairing an automobile, which has been damaged as a result of a collision, through the use of photographs, telephone calls or any manner other than personal inspection;

7. Has made an estimate for repairs or has charged for repairs in such an amount as to compensate the insured for the cost of the deductible applicable under the automobile insurance policy;

8. A pattern of conduct which includes any of the acts or omissions prohibited in this section.

## 11:14-4.2 Additional violations

(a) The Commissioner may refuse to issue a license or may suspend or revoke the license of any auto body repair facility or refuse to issue renewal thereof, if he determines that the applicant or licensee:

1. Has made a material false statement or concealed a material fact in connection with the application for a license;

2. Is not the true owner of the facility of the auto body repair facility;

3. Has been guilty of gross negligence;

4. Has been guilty of fraud or fraudulent or deceptive practices;

5. Has failed to furnish satisfactory evidence of good character, reputation and fitness; or

6. Has willfully failed to comply with any of provisions of this chapter.

## 11:14-4.3 Investigations

(a) Duties of the Commissioner are as follows:

1. The Commissioner shall, on his own initiative or in response to complaints, investigate on a continuous basis and gather evidence of violations of P.L. 1983, c.360, N.J.S.A. 39:13-1 et seq. and of any regulation adopted pursuant to this Act by auto body repair facilities.

(b) Powers of the Commissioner are as follows:

1. The Commissioner shall have the power to administer oaths, to interrogate licensees, to issue subpoenas signed by him or in his behalf by his deputy, or by an employee of the department authorized by the Commissioner to do so, and to compel witnesses to answer at any hearing.

i. Said subpoenas shall be serviced in the same manner and the witnesses shall be entitled to the same fees as in the case of subpoenas issued out of the Superior Court of New Jersey.

ii. In case of a failure of a person to comply with any subpoena issued hereunder or to testify with respect to any matter concerning which he may be lawfully interrogated, the Superior Court, on application of the Commissioner, may issue an order requiring the attendance of such person and the giving of testimony or production of evidence. Any person failing to obey the court's order may be punished by the court as for a contempt.

#### SUBCHAPTER 5. WRITTEN NOTICE AND HEARING

## 11:14-5.1 Written notice

(a) Upon gathering grounds for denial of a license of an auto body repair facility, the Commissioner shall notify said facility of the denial in writing by certified mail.

(b) Upon gathering evidence and grounds for suspension or revocation of a license of an auto body repair facility, the Commissioner shall notify said facility that the suspension or revocation of the license will be effective 60 days from the time of

official written notice on the day said notice is sent by certified mail. Unless the facility files with the Commissioner a written request for a hearing concerning the suspension or revocation within the 60 day notice period, said license shall be suspended or revoked.

11:14-5.2 Request for a hearing

(a) If an auto body repair facility has been notified in accordance with N.J.A.C. 11:14-5.1(a), then the auto repair facility shall be entitled to a hearing, if within 60 days thereafter, the facility files with the Commissioner a written request for a hearing concerning the denial to grant a license.

(b) If an auto body repair facility has been notified in accordance with N.J.A.C. 11:14-5.1(b), then the facility shall be entitled to a hearing if a written request for hearing concerning the suspension or revocation of the license is filed with the Commissioner within the 60 day period after official notice has been sent by the Commissioner

(c) The written request for a hearing by an auto body repair facility must be sent by certified mail and duly notarized by a Notary Public in New Jersey.

(d) If an auto body repair facility does not file written request for a hearing in accordance with (a), (b) or (c) above, then the denial, suspension or revocation of the license shall be affirmed. The facility shall cease all engagement and activities of the business of an auto body repair facility effective at 12:01 A.M. of 61st day after official notice has been sent by the Commissioner.

11:14-5.3 Hearing procedures

Any hearing concerning the denial, suspension or revocation of an auto body repair facility's license shall be conducted in accordance with procedures established pursuant to N.J.S.A. 52:14B-1 et seq. (The Administrative Practice Act) and any rules adopted thereunder.

11:14-5.4 Limitations on issuance of license after revocation

No person, partnership or corporation whose license is revoked shall be entitled to apply for a license under this chapter for a period of at least one year from the effective date of revocation.

John F. Vassallo, Jr., Director  
 Division of Alcoholic Beverage Control  
 Richard J. Hughes Justice Complex  
 CN 087  
 Trenton, NJ 08625

The Director, Division of Alcoholic Beverage Control, may thereafter adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). Pursuant to Executive Order No. 66(1978), these rules would otherwise expire on February 14, 1984. The re adoption becomes effective upon filing with the Office of Administrative Law of a notice of re adoption.

This proposal is known as PRN 1984-23.

The agency proposal follows:

**Summary**

When the New Jersey Alcoholic Beverage Law was enacted on December 6, 1933, the Legislature indicated that it was the duty of the Commissioner (now Director) to supervise the manufacture, distribution and sale of alcoholic beverages in such a manner as to promote temperance and eliminate the racketeer and bootlegger (N.J.S.A. 33:1-3). In another general grant of objectives which should guide the Director, the Legislature also indicated that the Director should do, perform, take and adopt all other acts, procedures and methods designed to insure the fair, impartial, stringent and comprehensive administration of this chapter (N.J.S.A. 33:1-23). Specifically, the Director was authorized to make such general rules and regulations as may be necessary for the proper regulation and control of the manufacture, sale and distribution of alcoholic beverages, Rules and regulations could cover numerous subjects set forth in N.J.S.A. 33:1-39 which include but are not limited to: promulgation of forms; licensing of vehicles; inspections, investigations, searches and findings of such activities as may become necessary from time to time; hours of sale; sales to defectives and habitual drunkards; out-of-door sales; limitation of sales; racketeering; prostitution; disorderly houses; criminals; disreputable characters; gambling, slot machine and gambling devices; control of signs and other displays on licensed premises; identification of licensees and their employees; employment of minors; transportation; standards of cleanliness, orderliness and decency; standards of purity and labeling; records to be kept by licensees and availability thereof; practices unduly designed to increase consumption of alcoholic beverages; gifts of equipment, products and things of value; and such other matters whatsoever as are or may become necessary in the fair, impartial, stringent and comprehensive administration of the law.

N.J.A.C. 13:2-23 represents an articulation of regulations to govern the conduct of the licensed business by a licensee and the activities which occur upon licensed premises. The current subchapter consists of 32 sections delineating responsibilities of licensees or expressing prohibited activities on licensed premises. The first articulation of a regulation governing the conduct of licensed premises occurred on February 22, 1934 and changing practices, attitudes and laws have resulted in continued evaluation, modification and expansions of this subchapter. The last major review of the entire subchapter occurred prior to the Division's codification of all of its rules and regulations on March 1, 1978. At that time, 10 specific sections of this subchapter were either repealed outright or modified in language or scope to reflect the then current situations perceived by the Division to warrant appropriate regulatory involvement. An amendment to N.J.A.C. 13:2-23.31 involving employment by licensees of law enforcement officers, pursuant to an adoption on February 15, 1979 and published on April 4, 1979 (11 N.J.R. 257(c)), represents the regulatory change which has subjected this subchapter to the provisions of Executive Order of the Governor No. 66 and requires a re adoption prior to February 14, 1984.

In compliance with Executive Order No. 66, all of the specific sections in subchapter 23 have been reviewed individually by the

# LAW AND PUBLIC SAFETY

## (a)

### DIVISION OF ALCOHOLIC BEVERAGE CONTROL

#### Conduct of Licensees and Use of Licensed Premises

#### Proposed Re Adoption: N.J.A.C. 13:2-23

Authorized By: John F. Vassallo, Jr., Director, Division of Alcoholic Beverage Control.

Authority: N.J.S.A. 33:1-3, 33:1-12, 33:1-23, 33:1-24, 33:1-25.1, 33:1-26.1, 33:1-28, 33:1-35, 33:1-39, 33:1-39.2, 33:1-74, 33:1-77, 33:1-88 and 33:1-93.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before February 3, 1984. These submissions, and any inquiries about submissions and responses, should be addressed to:

Director and Bureau Deputy Directors and collectively within the agency. Additionally, the agency has indicated to the regulated industry and any interested public sector parties the fact that this subchapter is currently under review and all comments or suggestions concerning these regulations would be welcomed and considered.

In considering the various sections within this subchapter, it can be generally indicated that the regulations fall within one of three generic categories. The specific section will either recite an applicable statutory provision contained in the Alcoholic Beverage Law which governs a licensee or the conduct of his licensed business; articulate a practice or policy directly derivative of a statutory enactment; or embody a public policy or practice established, evaluated and/or reenforced by agency review or judicial determination.

The following sections in subchapter 23 represent, in essence, the reiteration of statutory provisions which shall be readopted as reflective of current law governing the conduct of licensees:

- Section 1 – Prohibiting sales to persons under the legal age
  - Section 8 – Changing hours of sale from eastern standard time to daylight savings time
  - Section 9 – Prohibiting manufacture, transport and sale of adulterated alcoholic beverages
  - Section 10 – Prohibiting receipt of alcoholic beverages transported in violation of Law
  - Section 12 – Prohibiting receipt of alcoholic beverages from unauthorized sources
  - Section 17 – Prohibiting possession of chilled malt alcoholic beverages, by holders of a limited retail distribution license
  - Section 21 – Prohibiting the storage of any alcoholic beverage except on licensed premises; in public warehouse or pursuant to Special Permit
  - Section 23 – Prohibiting the possession of any alcoholic beverage container which does not bear a label descriptive of contents or indicia of tax payment
  - Section 25 – Prohibiting the retail licensee from having any interest in the manufacturing or wholesaling of alcoholic beverages
  - Section 29 – Authorizing the warrantless search of licensed premises by Division agents and other designated personnel
  - Section 30 – Requiring all licensees to produce documents for investigations and prohibiting the hindering of any such investigation.
- Those Regulations which can be predominantly categorized as necessarily derivative of expressed statutory provisions include the following:
- Section 4 – Prohibiting the house-to-house solicitation of alcoholic beverages
  - Section 5 – Prohibiting narcotics activity on licensed premises
  - Section 7 – Prohibiting illegal lottery or gambling on licensed premises
  - Section 13 – Requiring display of license certificate and maintenance on premises of employee's list and license application forms
  - Section 15 – Incorporating the Federal Laws and Regulations concerning contents of fill of an alcoholic beverage container
  - Section 22 – Requiring tap markers which indicate the brand of alcoholic beverage being drawn from a keg or automatic dispensing system
  - Section 24 – Prohibiting a licensee from placing an order for an alcoholic beverage from any individual not properly licensed to solicit an order
  - Section 26 – Requiring a licensee to submit to finger-printing for criminal background searches by the Director or other municipal issuing authority
  - Section 27 – Enumerating various alcoholic beverage and advertising activities prohibited during the term of a license suspension
  - Section 32 – Requiring the maintenance of true books of account of receipt and expenditures in connection with the operation of the

licensed business

Each of the aforesaid regulations has as its predominant origin a specific statutory privilege or proscription which requires a licensee to either take certain actions, avoid certain conduct or maintain required records to achieve the articulated provision.

The third category of regulations represents those prohibitions or requirements that have as their dominant source the furtherance of various objectives articulated in the statute such as the promotion of temperance, restriction of practices unduly designed to promote the consumption of alcoholic beverages, the prohibition of indecent activities, and the articulations of a licensee's responsibility for its employee's conduct.

Section 3 – Requiring licensed premises to be closed during riot or conduct of an investigation of a criminal act

Section 6 – Prohibiting lewd and immoral activity, brawls and nuisances on licensed premises

Section 11 – Prohibiting open containers on distribution licensed premises

Section 14 – Prohibiting possession on licensed premises of indecent and obscene materials

Section 16 – Prohibiting various promotional practices unduly designed to promote consumption of alcoholic beverages

Section 18 – Prohibiting licensees or their employees from soliciting alcoholic beverages from patrons

Section 19 – Prohibiting a licensee from substituting a brand other than ordered by a patron

Section 20 – Prohibiting a licensee or its employees from being intoxicated while working on licensed premises

Section 28 – Making a licensee responsible for the acts, conduct and deeds of its employees while on the licensed premises

Section 31 – Prohibiting a law enforcement officer from having an interest in a liquor license and regulating their employment by a licensee

The common thread through most of these regulations is an awareness that certain practices are not consistent with proper alcoholic beverage control or the objectives the statute has articulated to be one of the functions of the Director. Excess stimulation of alcoholic beverage sales and the consequences of alcoholic beverage consumption in more than moderate amounts is regulated by several of the above sections. The prohibition against lewd and immoral conduct and indecent and obscene materials reflects the longstanding judicial recognition that such activity in conjunction with alcoholic beverage consumption can give rise to unacceptable social behavior. The prohibition against substituting a drink other than ordered by a patron represents a consumer protection objective. The regulation requiring premises to be closed during an officially declared riot or in an investigation of a crime is a necessary restriction to insure the general safety, health and welfare of citizens in those specific situations. The proposition that the licensee is responsible for the acts of its employees is a concept similar to existing civil law but expanded and broadened in scope for purposes of the Alcoholic Beverage Law and consistently sustained and supported in judicial decisions as necessary and proper to achieve appropriate control.

All of the above regulations have been determined to be necessary, adequate, reasonable, efficient, understandable and responsive to the purposes for which they were promulgated. These regulations represent notification to the licensees of the State of New Jersey as to those activities required of them in conducting their licensed businesses and delineating specific types of activity that are inconsistent with the statutes or policy of the State of New Jersey concerning the manufacture, distribution and sale of alcoholic beverages.

In order to insure that the needed controls these regulations provide continue after February 15, 1984, these regulations are proposed for re adoption without any proposed amendments. Division review has concluded, however, that amendments which

revise sentence structure, grammar or punctuation, or further explain or develop a regulation, will be proposed shortly for further clarity. To include these proposed amendments at the present time would result in a lapse of significant regulatory provisions after February 14, 1984.

#### Social Impact

In New Jersey, there are approximately 13,000 licensees privileged to manufacture, distribute or sell at retail alcoholic beverages to the citizens of the State of New Jersey and its visitors. The need for strict, comprehensive and impartial control of these licensees is an articulated objective in the Alcoholic Beverage Law. These regulations form a guideline or framework under which all licensees are required to conduct its licensed business. The failure to comply with the various statutory and public policy objectives sought by these regulatory controls would directly impact not only the regulated industry itself but clearly all of the citizens of the State of New Jersey and the visitors who enter this State for business, social and recreational purposes. The vast majority of these rules which are proposed for readoption have been in existence in one form or another for over 40 years, some of which have been in effect since early after the adoption of the Alcoholic Beverage Law in 1933. The regulated industry is clearly aware of these regulations and the Division has constantly assessed their efficacy and importance on a day-to-day basis through citizen complaints, comments from State, county and municipal law enforcement and elected officials, and in the day-to-day evaluation of disciplinary infractions ascertained by Division investigators. In these cases where a regulation was deemed to be ineffective to achieve the objective sought or where the objective sought was deemed to be unnecessary due to statutory, judicial or policy changes, the regulation was modified. In 1978, the last major reassessment of all Division regulations, 10 sections of then State Regulation No. 20, the unofficial citation for these regulations, were either repealed, amended or combined. Since 1978, sections 1, 8, 15, 16, 21 and 31 of subchapter 23 have been subject to amendments, deletions and additions. Such activity is indicative of the continuing assessment made by the Division, as well as the continuing responses of the Division of changing laws, concepts and policies concerning alcoholic beverage control.

#### Economic Impact

The existence of subchapter 23 does not have any intrinsic economic impact. These regulations, as the Title indicates, are intended to govern the conduct of the holder of a liquor license and the activities which occur on liquor licensed premises. These regulations seek to insure the integrity of the licensed industry and the actions required to comply with these regulations do not, in and of itself, impose any financial burdens or obligations upon the regulated industry or the citizens of the State of New Jersey who avail themselves of the many services provided by licensees of this State in conducting their various types of businesses. The economic impact upon the Division of Alcoholic Beverage Control and its enforcement arm, the ABC Enforcement Unit of the Division of State Police, will not be changed by the readoption of these regulations. The statewide investigative force which reviews the activity of liquor licensees and the conduct of their licensed business, as well as Division personnel which monitor certain regulations, will continue as in the past. Similarly, the local law enforcement officials who review activities at liquor licensed premises will continue to do so without any enhanced economic impact because of the readoption of these regulations. Absent the existence of these regulations and the ability to suspend or revoke a license for breach thereof, an anticipated economic impact to all law enforcement agencies and the citizens of the State of New Jersey in total would be great. Such risks are unnecessary because the readoption of these regulations represent the needed control and enforcement remedy to ensure as best as possible uniform and strict compliance with the standards set forth in subchapter 23.

Full text of the proposed readoption can be found in the New Jersey Administrative Code at N.J.A.C. 13:2-23.1 to N.J.A.C. 13:2-23.32, as amended in the New Jersey Register.

(a)

## DIVISION OF ALCOHOLIC BEVERAGE CONTROL

### Deposit Marked Containers Prohibition

#### Proposed New Rule: N.J.A.C. 13:2-27.2

Authorized By: John F. Vassallo, Jr., Director, Division of Alcoholic Beverage Control.  
Authority: N.J.S.A. 33:1-39, N.J.S.A. 33:1-39.1.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before February 3, 1984. These submissions, and any inquiries about submissions and responses, should be addressed to:

John F. Vassallo, Jr., Director  
Division of Alcoholic Beverage Control  
Richard J. Hughes Justice Complex,  
CN 087  
Trenton, New Jersey 08625

The Director, Division of Alcoholic Beverage Control, may thereafter 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 1984-7.

The agency proposal follows:

#### Summary

Since the effective dates of deposit legislation in the neighboring states of Delaware and New York, the Division has become aware that malt alcoholic beverage containers (presently the primary alcoholic beverage packages subject to deposit laws) which are marked for return deposit in those states are being sold by New Jersey retail licensees. This situation represents a practice which will result in a detriment to New Jersey consumers and/or retail and wholesale licensees. In the former situation, there is the possibility or even probability that New Jersey retailers purchasing beverages in deposit-marked containers of other states would either be selling the products at higher prices to "cover" the deposit, or such retailers might add the deposit to the sale price of the product even though there is no requirement or authorization, either statutory or regulatory, to do so. This would result in the New Jersey consumers paying higher prices, while at the same time having no authorized means to recoup the deposit in New Jersey. In the latter situation, for example, there is an adverse possibility that the New Jersey consumer who purchased the deposit-marked containers could return the containers to a licensee in New York or Delaware and collect the deposit. This would place a New Jersey retail licensee who does not sell deposit-marked containers in an unfair competitive disadvantage because of the price differential (\$1.20) between a sale of a case of deposit bottles or cans of beer and non-deposit marked bottles or cans. Additionally, deposit-marked containers also mean that New Jersey brewery or wholesale licensees can no longer sell their non-deposit marked containers to authorized New York or Delaware wholesale licensees. Therefore, there should be a concomitant prohibition against such containers being sold by out-of-state licensees into New Jersey for resale to New Jersey consumers.

To prevent these potential and probable abuses and problems, N.J.A.C. 13:2-27.2 is proposed. The proposed new rule will simply prohibit the commerce of alcoholic beverages packaged in other state deposit containers for sale, either by wholesalers to retailers, or retailers to consumers, in New Jersey.

#### Social Impact

Adoption of N.J.A.C. 13:2-27.2 will prevent situations explained in the summary above. This will assure that no New Jersey consumer will unwittingly pay a deposit, whether directly or indirectly, thereby protecting the New Jersey consumer and preventing unfair competitive situations among New Jersey retail licensees. This will not cause any detrimental effect on, but will rather enhance, the stability of the alcoholic beverage industry in New Jersey.

Additionally, the adoption of N.J.A.C. 13:2-27.2 will create a situation of fairness and equity to New Jersey brewing and wholesale licensees who heretofore had lawfully sold to wholesalers in those states before the adoption of deposit container legislation.

#### Economic Impact

The proposed N.J.A.C. 13:2-27.2 will protect New Jersey consumers from paying unauthorized deposits either directly or indirectly. There will be no adverse economic impact on the alcoholic beverage industry or on the availability of product since all products are regularly and sufficiently available to New Jersey consumer in non-deposit marked containers through normal authorized distribution channels.

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

#### SUBCHAPTER 27. LABELING AND STANDARDS OF FILL: DEPOSIT MARKED CONTAINERS

##### 13:2-27.2 Deposit marked containers

**No manufacturer, supplier, importer, brand registrant, wholesale or retail licensee or permittee shall sell, distribute or market for resale to a consumer in New Jersey or purchase for resale to a consumer in New Jersey any alcoholic beverage product packaged in a bottle or can marked for deposit of another state.**

(a)

#### STATE BOARD OF MEDICAL EXAMINERS

#### Advertising and Solicitation Practices

#### Proposed New Rule: N.J.A.C. 13:35-6.10 Proposed Repeal: N.J.A.C. 13:35-6.10

Authorized By: Edwin H. Albano, M.D., President, State Board of Medical Examiners  
Authority: N.J.S.A. 45:9-2.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before February 3, 1984. These submissions, and any inquiries about submissions and responses, should be addressed to:

Charles A. Janousek, Executive Secretary  
State 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 1984-8.

The agency proposal follows:

#### Summary

Pursuant to a remand by the Superior Court, Appellate Division in the matter of **Davis, et al. v. Board of Medical Examiners** (dec. August 1, 1983), the Board of Medical Examiners following a public hearing reviewed its current advertising regulations. That review indicated a need for a further definition of regulatory standards to govern advertising by Board licensees as well as a desirability of expanding permissible advertising by Board licensees in the electronic media (for example radio and television primarily). To that end, this proposal repeals in its entirety the current Board regulation N.J.A.C. 13:35-6.10 and replaces it with regulatory standards grounded primarily in prohibiting deceptive, fraudulent and misleading statements. Impermissible advertising practices are defined to include suppression or omission of material facts, the making of claims indicating professional superiority, the use of promotions for services which a licensee knows or should know is beyond his ability to perform; the use of techniques tending to intimidate or to create undue pressure or influence on prospective patients; the use of personal testimonials; the identification of patients in advertising; the payment of referral fees; the use of any format or element in an advertisement which is unprofessional; and the use of language, print or format which obscures a material fact. A current Board prohibition against the offering or advertising of free services is continued although the right of a licensee to render professional services without a fee is recognized and continued.

Board licensees under the proposed new rule would be required to substantiate the truthfulness of any assertion or representation set forth in an advertisement when called upon to do so by the Board with a failure to make such substantiation being deemed professional misconduct.

The right to communicate information concerning a fixed or stated range of fees for a specifically described routine professional services is recognized, and where fee reductions are claimed a requirement is established that a bona fide fee or range of fees against which a claimed reduction is taken must be set forth. Advertisements are required to contain basic identification of the advertising licensee's name and location, and the responsibility for the form and content of advertisements is placed on the advertising licensee who is a principal, partner or officer of any firm or entity identified in the advertisement.

While the proposed new rule for the first time recognizes the right of licensees to utilize electronic media, the proposal requires that video or audio tapes be retained by the Board licensee placing the ads and be made available for review upon request by the Board or its designee. Such tapes are to be maintained for a period of three years from the date of the last authorized publication or dissemination of the advertisement.

#### Social Impact

The proposed new rule will for the first time permit physicians and other Board licensees to advertise via electronic media (for example, radio and television). Access to these media will make information concerning fees and services to be rendered available to larger segments of the consuming public than heretofore permitted. As such, public awareness of the availability and cost of consumer health services should be increased. Additionally, the greater specificity in the standards which will control and define

advertising conduct will provide licensees with a framework in which to more clearly and accurately advertise their services to the public. Expanded media access and the corresponding increase of relevant consumer information will also tend to create a more competitive economic climate within which health care services are rendered to the public.

**Economic Impact**

It is anticipated that the expanded scope of permissible licensee advertising will create a modest new administrative workload in the policing of additional kinds and numbers of complaints relating to advertising activity. The exact scope and nature of such activity at present is indeterminate. It is also possible that the expanded utilization of electronic media for advertising purposes may tend to create a situation where the financial burdens of such activity are passed on to a limited class of consumers (those utilizing the services of advertisers) who will bear the cost of the heightened advertising activity. Correspondingly, however it may be anticipated that such advertising will continue only so long as the economics of such practices justify it. In short, any adverse economic impact created by the cost of expanded economic activity will tend to be offset by increased patient-consumer volume which in turn may tend to increase income to the advertising professional. To the extent that advertising does not generate sufficient new revenues to justify such expenditures, the economics of the marketplace will be self-correcting and will act as a limitation upon such increased costs to the consuming public.

**Full text** of the proposed repeal may be found in the New Jersey Administrative Code at N.J.A.C. 13:35-6.10.

**Full text** of the proposed new rule follows.

13:35-6.10 Advertising and solicitation practices

(a) Definitions: The following words and terms when used in this section shall have the following meanings unless the context clearly indicate otherwise.

1. The term "advertisement" shall mean any attempt directly or indirectly by publication, dissemination, or circulation in print or electronic media which directly or indirectly induces or attempts to induce any person or entity to purchase or enter into an agreement to purchase services, treatment, or goods related thereto from a Board licensee.

2. "Board licensee" shall mean any individual holding a license issued by the State Board of Medical Examiners.

3. The term "routine professional service" shall refer to a service which a board licensee or professional association routinely performs.

4. The term "print media" shall include newspapers, magazines, periodicals, professional journals, telephone directories, circulars, handbills, flyers, billboards, signs, matchcovers and other similar items, documents or comparable publications, the content of which is disseminated by means of the printed word. The term shall not include aerial displays.

5. The term "electronic media" shall include radio and television, but shall not include communications made by sound equipment from a motor vehicle.

6. The term "range of fees" shall refer to an expressly stated upper and lower limit on the fees charged for services or goods offered by a Board licensee.

(b) A Board licensee may provide information to the public by advertising in print or electronic media.

(c) A Board licensee who engages in the use of advertising which contains any of the following shall be deemed to be engaged in professional misconduct:

1. Any statement, claim or format which is false, fraudulent, misleading or deceptive;
2. Any misrepresentation of a material fact;
3. The suppression, omission or concealment of any material fact

under circumstances which a Board licensee knows or should know that the omission is improper or prohibits a prospective patient from making a full and informed judgment on the basis of the information set forth in the advertisement;

4. Any claim that the service performed or the materials used are superior to that which is ordinarily performed or used in the profession;

5. Any promotion of a professional service which the Board licensee knows or should know is beyond the licensee's ability to perform;

6. A technique or communication which appears to intimidate, exert undue pressure or to unduly influence a prospective patient or consumer;

7. Any personal testimonial attesting to the quality or competence of a service or treatment offered by a licensee;

8. The communication of any fact, data or information which may personally identify a patient;

9. An offer to pay, give or accept a fee or other consideration to or from a third party for the referral of a patient;

10. Any print, language or format which directly or indirectly obscures a material fact;

11. Any statement offering gratuitous services or the substantial equivalent thereof, provided, however, nothing herein contained shall be deemed to prohibit the rendering by a Board licensee of professional services for which no fee is charged.

(d) A licensing board may require a licensee to substantiate the truthfulness of any assertion or representation set forth in an advertisement. Failure of a Board licensee to provide factual substantiation to support a representation or assertion shall be deemed professional misconduct.

(e) A Board licensee shall not engage either directly or through the use of any agent, employee or representative in in-person solicitation with a prospective patient or consumer. This subsection shall not prohibit the offering of services by a Board licensee to any bona fide representative of prospective patients including, but not limited to employers, labor union representatives, or insurance carriers.

(f) Advertising making reference to or setting forth a fee shall be limited to that which contains a fixed or a stated range of fees for specifically described routine professional services or goods offered by licensees.

1. A Board licensee who advertises fees shall disclose all relevant and material variables and considerations which are ordinarily included in such a service so that the fee will be clearly understood by prospective patients or consumers.

2. In the absence of such disclosure referred to in (f)1 above, the stated fees shall be presumed to include everything ordinarily required for such a service. No additional charges shall be made for an advertised service unless the advertisement includes a specific delineation of additional services contemplated in the fee to be charged therefore.

(g) Offers of discounts or fee reductions shall state a bona fide fee or range of fees against which such discounts are to be made.

(h) All Board licensee advertisements and public representations shall contain the name and address or telephone number of the Board licensee, professional service corporation or trade name under which the practice is conducted and shall also set forth the names of all licensees who are principals, partners, or officers in the firm or entity identified in the advertisement and the nature of the professional practice.

(i) The responsibility for the form and content of any advertisement offering services or goods by a Board licensee shall be jointly and severally that of each Board licensee who is a principal, partner or officer of the firm or entity identified in the advertisement.

(j) The time period during which an advertised fee will remain in effect shall be set forth on the face of the advertisement. In the absence of such disclosure, the effective period shall be deemed to be 30 days from the date of the advertisement's initial publication.

(k) A video or audio tape of every advertisement communicated

by electronic media shall be retained by the Board licensee and shall be made available for review upon request by the Board or its designee. A copy of any advertisement appearing in the print media shall also be retained by the licensee and made available for review. The tapes and print media copies required to be retained by this subsection, shall be kept for a period of three years from the date of the last authorized publication or dissemination of the advertisement.

(I) Nothing contained in this section shall be construed to prohibit a licensing board from adopting additional regulations concerning advertising by Board licensees. To the extent that any conflict or inconsistency may arise between the provisions of this section and any subsequently adopted rule dealing more specifically with the same subject matter as set forth, such subsequent adopted rule shall control.

## ENERGY

(a)

### THE COMMISSIONER

#### Technical Sufficiency Standards for Solar Energy Systems Qualifications for Property Tax Exemption

#### Proposed Amendments: N.J.A.C. 14A:4-1.3, 2.1, 2.2, 2.3

Authorized By: Leonard S. Coleman, Jr., Commissioner, Department of Energy.  
Authority: N.J.S.A. 54:4-3.113 et seq., as amended by L.1983, c.44, and 54:32B-8.33.  
DOE Docket No. 002-84-01.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before February 3, 1984. These submissions, and any inquiries about submissions and responses, should be addressed to:

Linda M. Scuorzo, Esq.  
Office of Regulatory Affairs  
Department of Energy  
101 Commerce Street  
Newark, NJ 07102

The Department of Energy may thereafter 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 1984-21.

The agency proposal follows:

#### Summary

Both N.J.A.C.14A:4 and the companion proposal N.J.A.C.14A:5 contain a number of changes most of which affect the form rather than the substance of the rules. The Department has attempted to coordinate the two proposals wherever possible. As a result, the only major difference between the two is the definition of "cost". In N.J.A.C.14A:4 "cost" includes the purchase price plus construction or installation costs. In N.J.A.C.14A:5, "cost" is limited to the purchase price (since sales taxes are paid at the time of purchase and logically should not include subsequent costs).

Subchapter 1 contains definitions. Many have been restructured to incorporate more modern terminology or to consolidate or

replace terms. Included are the definitions active systems; building (to allow freestanding greenhouses to qualify); collector (rather than flat plate collector and concentrating collector); distribution system (instead of heat transportation device); glazing, passive system (replacing passive solar energy system and solar energy).

Some terms have been divided into their components. Included are: eligible and solar energy system (formerly eligible solar energy system); hot water system; storage device; sunspace; thermal storage wall; wind system.

Deletions have been made where the old terms are no longer needed. Included are: Thermal contact ceiling and trombe wall.

Subchapter 2 section 1 defines eligibility criteria according to system type. Only systems including the components contained in the subchapter are eligible for an automatic exemption.

Section 2 specifies the types of components, materials and products that are not eligible for an exemption.

Section 3 is a catchall provision that permits the Department to determine on a case-by-case basis whether systems that are not specifically eligible per section 2 or ineligible per section 3 may receive an exemption.

#### Social Impact

The Department has reworked the text of the property tax exemption standards, N.J.A.C.14A:4, as well as the sales and use tax exemption standards N.J.A.C. 14A:5, so that the two contain the same definitions, eligible and ineligible equipment wherever possible. This standardization, it is hoped, will make the rules more comprehensible to both the building code and local officials charged with enforcement. Additionally, persons who purchase solar energy systems should find it simpler to determine the types of materials that are eligible for exemptions from property taxes.

#### Economic Impact

Since most of the proposed amendments affect the form rather than the substance of the rules the Department believes that the cost of complying with the proposed amendments will not be significantly greater than the cost of complying with the existing rules. In all probability, the inclusion of greenhouses as eligible solar equipment would not cause any municipality to experience reduced revenue since considerable modification to existing greenhouses would have to be undertaken to comply. In all likelihood only completely new greenhouses, properly oriented and constructed could comply. Owing to the fact that the enabling legislation was intended to foster the use of alternative technologies, the Department sees no reason to exclude solar greenhouses from eligibility.

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

### CHAPTER 4. TECHNICAL SUFFICIENCY STANDARDS FOR SOLAR ENERGY [HEATING AND COOLING] SYSTEMS FOR THE PURPOSE OF QUALIFYING FOR A PROPERTY TAX EXEMPTION

#### SUBCHAPTER 1. GENERAL PROVISIONS

##### 14A:4-1.3 Definitions

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

"Active [solar] system[s]" means [those] **a solar energy** system[s] which converts [the sun's energy] **solar radiation** into thermal energy, and **mechanically transfers** [transport this] **the** energy [to a storage device] through the use of [a heat transport medium such as air or a liquid] **pumps and fans for the purpose of heating,**

cooling or general energy needs of a building. [At this point, the heat is withdrawn and utilized for the purpose for which the system was designed. "Active solar systems" also means those systems which convert energy directly derived from solar flux into electricity which can then be used in thermal applications.]

"Administrator" means the [Administrator of the Office of Conservation] **Commissioner** of the Department of Energy or his designee.

"Building" means any residential, commercial, or industrial structure. [For purposes of this tax exemption, "building" does not include free standing greenhouses utilized solely for cultivation purposes.]

"[Concentrating] Collector" means a [solar collector that contains reflector lenses, or other optical elements to concentrate the energy falling on the aperture onto a heat exchanger or surface area smaller than the aperture] **device that collects, absorbs and converts solar radiation into thermal energy and commonly includes glazing and/or other optical elements.**

"Collector kit" means a collector supplied unassembled to the end user that includes all the component parts necessary to assemble the collector.

"Cost" means the purchase price and the cost of construction or installation.

"Direct gain" means the transmission of solar radiation directly into the space to be heated wherein the solar radiation is converted to thermal energy by absorption into the interior surfaces.

"Distribution system" means that portion of a solar energy system which transfers thermal energy from the point of collection, through pipes or ducts and/or, from the point of collection to end-use, and where applicable includes a fan and/or pump, reverse flow protection, and an automatic airpurging valve.

"Eligible" means that a system or [piece of equipment] **component thereof** qualifies [to be included in the determination of the amount of the] **for an exemption pursuant to N.J.A.C. 14A:4-2.1** [et seq. and complies with the standards specified in these regulations].

"Eligible solar energy system" means equipment assembled as subsystem and components of a system necessary to convert solar energy into thermal or electric energy for thermal end uses.]

"Flat plate collector" means a device consisting of an absorptive plate, which may be flat, corrugated or grooved to which tubes or fins are attached as a means of conducting or directing the heat transfer medium. This assembly is surrounded by a casing and one or more sheets of glazing material. This device is used to intercept radiation and convert this radiation into usable thermal energy.]

"Glazing" [refers to that material which covers a device or building and permits the entry of solar energy, for conversion to thermal energy, but prevents excessive loss of thermal energy from heat device or building] **means a transparent or translucent material which transmits solar radiation and minimizes loss of thermal energy, including glass, fiberglass, plastics and window films.**

"Heat transportation systems" means that portion of a solar energy system used to transfer heat (and complete return cycle) from point of collection, through pipes in liquid systems or ducts in air systems, and/or cooling distribution systems or, where appropriate, directly to thermal end-use.]

"Hybrid system" means a solar energy system that combines passive and active characteristics.

"Insulating device" means a fixed or movable exterior or interior device which prevents loss of thermal energy at night and in cold weather through glazing or vents, including insulating shutters, thermal curtains, window films and glazing.

"Passive [solar energy] system[s]" means [those] a solar energy system[s] which utilizes [the architecture of a building] **natural convection or thermal radiation** to maximize [solar heat gains

during the cold seasons] **gains of thermal energy for heating and to minimize gains of thermal energy** [heat gain in the hot seasons] **for cooling.**

"Photovoltaic cell" means a device which converts solar radiation to electrical energy.

"Shading device" means a device which prevents direct solar gain, including overhangs, shades, and window films.

"Site-built collector" means a collector which must be assembled on-site and is not supplied as a collector kit.

"Solar domestic hot water system" means a system which converts solar radiation into thermal energy for the purpose of heating potable water.

"Solar energy" means energy which has recently originated in the sun, including direct and indirect solar radiation and intermediate solar energy from sources such as wind and sea thermal gradients.

"Solar energy system" means a system or component thereof which uses solar energy to provide all or a portion of the heating, cooling or general energy needs of a building.

"Storage device" means a device which stores solar energy.

"Sunspace" means a collector that also serves as a living space, including a sunroom, solarium, atrium, attached greenhouse and Florida room.

"Thermal contact ceiling" means a combined roof and heating and/or cooling system composed of containers filled with a liquid solution placed above the roof beams of a building, and is utilized as a heat sink for solar radiation or heat transfer medium from building to atmosphere for cooling during the daylight hours and as a thermal storage insulator during the nocturnal hours. Movable insulation is placed over the water filled containers at night and during cold weather as a means of retaining the absorbed heat.]

"Thermal storage wall" means a wall of massive material, such as masonry or water in containers, placed between the glazing and the heated space, including a trombe wall and water wall.

"Trombe wall" means a south facing wall of the building envelope composed of a mass wall surface with exterior glazing. The mass wall functions as a heat device and exterior wall.]

"Wind system" means a device which converts wind energy into usable electrical or mechanical energy.

## SUBCHAPTER 2. ELIGIBILITY CRITERIA

### 14A:4-2.1 Eligible [equipment] solar energy systems

(a) The following solar energy [equipment is] **systems shall be eligible for an exemption [as specified below] from property taxes. The exemption shall be for 100 percent of the tax due on the cost unless stated otherwise.**

1. [Equipment in solar energy systems and hot water systems including equipment for converting, storing and transporting solar energy.] **Passive and hybrid systems of the following types, provided that the systems generate a net positive gain of thermal energy for heating and a net loss of thermal energy for cooling in the building.**

i. **Sunspace and direct gain devices. The following components shall be eligible, provided that the sunspace or direct gain device contains, at a minimum, (1) through (5) below:**

- (1) South facing glazing;
- (2) Distribution systems;
- (3) Insulating devices having an R value of 4.0 or greater;
- (4) Shading devices;
- (5) Storage devices, including:
  - (A) Thermal storage walls.

(I) **Load bearing thermal storage walls shall be eligible for an exemption for 50 percent of the tax due on the cost.**

(II) **Non-load bearing thermal storage walls shall be eligible for an exemption of the tax due on the cost thereof in accordance with the formula two square feet of slab for every one square foot of south facing glazing, not to exceed the wall area of the sunspace or room in which the direct gain device is located;**

or

(B) **Mass floors.** Such floors shall be eligible for an exemption of the tax due on the cost thereof in accordance with the formula two square feet of slab for every one square foot of south facing glazing, not to exceed the floor area of the sunspace or room in which the direct gain device is located.

(6) **Equipment used solely as bracing or fastening for south facing glazing;**

(7) **Skylights and roof glazing.**

2. [Solar energy collectors purchased or constructed for heating and/or cooling of a building or other thermal applications shall be considered eligible solar energy equipment.] **Active systems and solar domestic hot water systems of the following types:**

i. **Collectors.**

(1) **Commercially manufactured collectors which meet the standards set by a nationally-recognized testing organization, such as the Air-conditioning and Refrigeration Institute (ARI); Solar Rating and Certification Corporation (SRCC); Florida Solar Energy Center (FSEC); or International Association of Plumbing and Mechanical Officials (IAPMO).**

(2) **Collector kits which meet the standards specified in (a)2i(1) above.**

ii. **Distribution systems;**

iii. **Storage devices.**

3. [Heat transportation systems which are part of a solar heating system to be used in a building up to a thermal storage device, or until it is integrated with a conventional heating system shall be considered eligible solar energy equipment.] **Solar electric generating systems of the following types:**

i. **Photovoltaic cells, including mounting racks, arrays, wires, batteries, meters, switches, miscellaneous electrical equipment and other devices required for the installation.**

4. [Solar electric generation devices, of which 100% of the electricity produced is utilized for thermal applications, shall be considered eligible solar energy equipment.] **Wind systems: The following components shall be eligible:**

i. **Structural parts, including towers and supporting pads;**

ii. **Electrical equipment, including alternators, generators, inverters, meters, batteries, controls and circuits;**

iii. **Mechanical equipment, including gearboxes, heads, transmissions, pumps, and shafts;**

iv. **Interconnecting devices, including wire and conduits used to connect the wind system to the electric service panel, and equipment required to complete the installation and interconnection of the wind system to the utility.**

[5. Batteries used to store electricity produced by eligible solar electric generation devices shall be considered eligible solar energy equipment.]

[6. Equipment of the following types in passive systems:

i. Glazing material used on the designated solar surface of south facing walls in fenestrating a building as part of a design for the purpose of direct solar heat gain shall be eligible solar energy equipment based on the following equation:

X Percentage of glazing contained within the designated solar surface of the south facing wall in respect to the area of that wall;

Y Percentage of glazing on non-solar surfaces (north, east, west wall, and non-solar south walls) in respect to the area of those walls;

Z Percentage of glazing eligible for abatement.

$$X - Y = Z$$

(1) The percentage of glazing eligible as solar energy equipment (Z) is then multiplied by the total increase in value due to the glazing used on only the designated solar surfaces of the south facing walls.

(2) The product of these calculations will be the basis on the exemption for glazing considered as equipment.

ii. Equipment such as heads, sills, and jambs used solely as bracing for glass on designated solar surfaces shall be considered eligible solar energy equipment in the same percentage as the glass.

iii. 50% of skylights and roof glazing shall be considered eligible

solar energy equipment only if such devices are used for direct solar heat gain during the daylight hours, and if capable of reducing the heat loss at night and during cold weather through the use of insulating devices.

iv. Glass, fiberglass, or other glazing materials used to enclose attached south facing areas such as patios, atriums, or greenhouses for purposes of entrapping solar heated air shall be considered eligible solar energy equipment provided that the warm air be circulated through the building by use of a permanently installed air movement system and that adequate provisions have been made to prevent nocturnal heat losses and cold weather heat losses through use of insulating devices.

v. Equipment such as ductwork and fans used in circulating solar heated air accumulated within enclosed south facing areas such as patios, atriums, or greenhouses, shall be considered eligible solar energy equipment up to the point where such a system is integrated with a conventional heating system. Movable insulation shall be considered eligible solar energy equipment.

vi. Material used in the construction of a mass wall of a nonload-bearing Trombe wall of a building shall be considered eligible solar energy equipment provided that such a wall is used solely for thermal storage.

(1) Should the mass wall of a Trombe wall be a load-bearing structural member, only 50% of the wall shall be considered eligible solar energy equipment. Should the floor of a building be utilized for the same purpose as mass wall, 25% of the floor shall be considered eligible solar energy equipment.

(2) South facing glazing material used in the construction of a Trombe wall or mass floor of a building shall be considered eligible solar energy equipment in the percentage determined used the formula stated in N.J.A.C. 14A:4-2.1(a)6i.

vii. 50% of the materials purchased for the construction of a thermal contact ceiling shall be considered eligible solar energy equipment.

viii. Insulation used to minimize heat loss largely caused by nocturnal radiation through areas used for direct solar heat gain during the daylight hours shall be considered eligible solar energy equipment.]

#### 14A:4-2.2 Ineligible equipment

(a) The following [materials and equipment] shall not be considered eligible [solar energy equipment] **for an exemption from property taxes:**

1.-4. (No change in text.)

[5. Exterior walls and floors constructed of masonry as a means of reducing heat loss;]

[6]5. Devices such as draperies, venetian blinds, and curtains **which are not part of the solar energy system and do not meet the definition of insulating devices and/or shading devices pursuant to N.J.A.C.14A:4-1.3;**

[7]6. Heat pumps and other refrigerators[]; shall not be considered solar energy equipment[];

[8]7. Devices used to extract and store heat generated by organic waste piles;

[9]8. Trees, shrubbery, and other forms of vegetation [incorporated into a building or site design];

[10. Retaining walls used as thermal storage devices in the case of subterranean housing.]

#### 14A:4-2.3 Determination by administrator

(a) If a solar energy system is neither specifically eligible nor ineligible for exemption, or if eligibility is in dispute, **or in the case of site-built collectors**, the Administrator shall examine said system to determine its eligibility.

1.-5. (No change in text.)

(a)

## THE COMMISSIONER

**Technical Sufficiency Standards for Solar  
Energy Systems  
Qualifications for Sales and Use Tax  
Exemption**

**Proposed Amendments: N.J.A.C. 14A:5-1.3,  
2.1, 2.2, 2.3**

Authorized By: Leonard S. Coleman, Jr., Commissioner,  
Department of Energy.  
Authority: N.J.S.A. 54:4-3.113 et seq., as amended by  
L.1983, c.44, and 54:32B-8.33.  
DOE Docket No. 002-84-01.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before February 3, 1984. These submissions, and any inquiries about submissions and responses, should be addressed to:

Linda M. Scurzo, Esq.  
Office of Regulatory Affairs  
Department of Energy  
101 Commerce Street  
Newark, New Jersey 07102

The Department of Energy 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 1984-3.

The agency proposal follows:

**Summary**

Both N.J.A.C.14A:5 and the companion proposal N.J.A.C.14A:4 contain a number of changes most of which affect the form rather than the substance of the rules. The Department has attempted to coordinate the two proposals wherever possible. In N.J.A.C. 14A:5 "cost" is limited to the purchase price (since sales taxes are paid at the time of purchase and logically should not include subsequent costs).

Subchapter 1 contains definitions. Many have been restructured to incorporate more modern terminology or to consolidate or replace terms. Included are the definitions of active systems; building; collector; distribution system; glazing; passive system; and solar energy.

New definitions have also been added. Included are: collector kit; cost; direct gain; hybrid system; insulating device; shading device; site-built collector; solar domestic hot water system; storage device; sunspace; thermal storage wall; and wind system.

Deletions have been made where the old terms are no longer needed. Included are: Thermal contact ceiling; trombe wall; heat exchanger; hot rock storage bin; and storage tank.

Subchapter 2 section 1 defines eligibility criteria according to system type. Only systems including the components contained in the subchapter are eligible for an automatic exemption.

Section 2 specifies the types of components, materials and products that are not eligible for an exemption.

Section 3 is a catchall provision that permits the Department to determine on a case-by-case basis whether systems that are not specifically eligible per section 2 or ineligible per section 3 may receive an exemption.

**Social Impact**

The Department has reworked the text of the sales and use tax exemption standards, N.J.A.C.14A:5, as well as the property tax exemption standards, N.J.A.C.14A:4, so that the two contain the same definitions, eligible and ineligible equipment wherever possible. This standardization should make it simpler to determine the types of materials that are eligible for exemptions from sales and use taxes.

**Economic Impact**

Since most of the proposed amendments affect the form rather than the substance of the rules the Department believes that the cost of complying with the proposed amendments will not be significantly greater than the cost of complying with the existing rules. In all probability the inclusion of greenhouses as eligible solar equipment would not cause any municipality to experience reduced revenue since considerable modification to existing greenhouses would have to be undertaken to comply. In all likelihood only completely new greenhouses, properly oriented and constructed could comply. Owing to the fact that the enabling legislation was intended to foster the use of alternative technologies, the Department sees no reason to exclude solar greenhouses from eligibility.

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

CHAPTER 5  
TECHNICAL SUFFICIENCY STANDARDS  
FOR SOLAR ENERGY [DEVICES OR]  
SYSTEMS FOR THE PURPOSE OF  
QUALIFYING FOR A SALES AND  
USE TAX EXEMPTION

SUBCHAPTER 1. GENERAL PROVISIONS

14A:5-1.3 Definitions

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

"Active [solar] system[s]" means [those] **a solar energy system[s] which converts [the sun's energy] solar radiation** into thermal energy, and **mechanically transfers** [transport this] **the energy** [to a storage device] through the use of [a heat transport medium such as air or a liquid] **pumps and fans for the purpose of heating, cooling or general energy needs of a building.** [At this point, the heat is withdrawn and utilized for the purpose for which the system was designed].

"Administrator" means the [Administrator of the Office of Conservation] **Commissioner** of the Department of Energy **or his designee.**

"Building" means any residential, commercial, or industrial structure. [For purposes of this tax exemption, "building" does not mean free standing greenhouses utilized solely for cultivation purposes or utilized for any commercial or industrial cultivation purposes.]

"Collector" means a **device** [piece of equipment consisting of an absorptive, which may be flat, corrugated or grooved to which tubes or fins are attached as a means of conducting or directing the heat transfer medium. This assembly is surrounded by a casing and one or more sheets of glazing material. This device is used to intercept radiation and this radiation into usable thermal energy] **that collects, absorbs and converts solar radiation into thermal energy and commonly includes glazing and/or other optical elements.**

"Collector kit" means **a collector supplied unassembled to the end user that includes all the component parts necessary to assemble the collector.**

["Conventional system" shall designate that system that would normally provide energy if a solar system was not present.]

**“Cost” means the purchase price.**

**“Direct gain” means the transmission of solar radiation directly into the space to be heated wherein the solar radiation is converted to thermal energy by absorption into the interior surfaces.**

**“Distribution system” means that portion of a solar energy system which transfers thermal energy from the point of collection, through pipes or ducts and/or, from the point of collection to end-use, and where applicable includes a fan and/or pump, reverse flow protection, and an automatic airpurging valve.**

**“Eligible” means that a system or [piece of equipment] component thereof qualifies [to be included in the determination of the amount of the] for an exemption pursuant to N.J.A.C. 14A:5-2.1 [et seq. and complies with the standards specified in these rules].**

**“Equipment” means that piece of equipment, unit, component, device or material which is to be used as part of a solar system pursuant to 14A:5-2.1 et seq.]**

**“Glazing” [refers to that material which covers a device or building and permits the entry of solar energy, for conversion to thermal energy, but prevents excessive loss of thermal energy from heat device or building] means a transparent or translucent material which transmits solar radiation and minimizes loss of thermal energy, including glass, fiberglass, plastics and window films.**

**“Heat exchanger” means a device for transferring thermal energy from one fluid to another.]**

**“Hot rock storage bin” is a box-like thermal storage device generally constructed of masonry and insulation materials which enclose a bed of crushed rock capable of storage solar generated thermal energy.]**

**“Insulating device” means a fixed or movable exterior or interior device which prevents loss of thermal energy at night and in cold weather through glazing or vents, including insulating shutters, thermal curtains, window films and glazing.**

**“Kit” shall mean a package of various components which when assembled shall constitute a solar energy system.]**

**“Passive system[s]” means [those] a solar energy system[s] which utilizes [the architecture of a building] natural convection or thermal radiation to maximize [solar heat gains during the cold seasons] gains of thermal energy for heating and to minimize gains of thermal energy [heat gain in the hot seasons] for cooling.**

**“Photovoltaic cell[s]” [are devices which for purposes of this exemption have the ability to convert radiant energy to electrical energy] means a device which converts solar radiation to electrical energy.**

**“Shading device” means a device which prevents direct solar gain, including overhangs, shades, and window films.**

**“Site-built collector” means a collector which must be assembled on-site and is not supplied as a collector kit.**

**“Solar domestic hot water system” means a system which converts solar radiation into thermal energy for the purpose of heating potable water.**

**“Solar energy” means energy which has recently originated in the sun, including direct and indirect solar radiation and intermediate solar energy from sources such as wind and sea thermal gradients.**

**“Solar energy system” means a system [which provides heating and/or cooling, or electrical or mechanical power by collecting and transferring solar generated energy and including mechanical or chemical devices for storing solar generated energy] or component thereof which uses solar energy to provide all or a portion of the heating, cooling or general energy needs of a building.**

**“Storage device” means a device which stores solar energy.**

**“Storage tank” designates that equipment used for storing solar generated thermal energy so that it can be used as required.]**

**“Sunspace” means a collector that also serves as a living space, including a sunroom, solarium, atrium, attached greenhouse and Florida room.**

**“Thermal contact ceiling” means a combined roof and heating and/or cooling system composed of containers filled with a liquid solution placed above the roof beams of a building.]**

**“Thermal storage wall” means a wall of massive material, such as masonry or water in containers, placed between the glazing and the heated space, including a trombe wall and water wall.**

**“Trombe wall” means a south facing wall of the building envelope composed of a mass wall surface with exterior glazing. The mass wall functions as both a heat device and exterior wall.]**

**“Wind system” means a device which converts wind energy into usable electrical or mechanical energy.**

## SUBCHAPTER 2. ELIGIBILITY CRITERIA

### 14A:5-2.1 Eligible [equipment] solar energy systems

(a) The following solar energy [equipment as specified below is] systems shall be eligible for an exemption from sales and use taxes. The exemption shall be for 100 percent of the tax due on the cost unless stated otherwise.

1. [The following equipment used in systems designed to provide heating and/or cooling, or electrical or mechanical power and mechanical or chemical devices for storing solar-generated energy:

- i. Solar energy collectors purchased as an assembled unit.
- ii. Photovoltaic cells.
- iii. Wind generators purchased as an assembled unit or manufactured components in a kit form.
- iv. Piping or duct work and insulation for such equipment to the point of conventional system interface.
- v. Electrical or mechanical control devices, i.e., pumps, valves, solenoid switches, etc.
- vi. Electrical wiring.
- vii. Mounting brackets and associated hardware necessary for kit assembly and installation.
- viii. Heat exchangers purchased as an assembled unit.
- ix. Tanks used for the storage of liquids.
- x. Batteries exclusively used to store solar generated electricity.
- xi. Air-conditioning equipment when powered exclusively by solar generated energy.
- xii. Chemical compounds (i.e., eutectic salts) and their storage equipment.] **Passive and hybrid systems of the following types, provided that the systems generate a net positive gains of thermal energy for heating and a net loss of thermal energy for cooling in the building.**

i. Sunspaces and direct gain devices: The following components shall be eligible, provided that the sunspace or direct gain device contains, at a minimum, (a) 1i(1) through (5) below:

- (1) South facing glazing;
- (2) Distribution systems;
- (3) Insulating devices having an R value of 4.0 or greater;
- (4) Shading devices;
- (5) Storage devices, including:
  - (A) Thermal storage walls.

(I) Load bearing thermal storage walls shall be eligible for an exemption for 50 percent of the tax due on the cost.

(II) Non-load bearing thermal storage walls shall be eligible for an exemption of the tax due on the cost thereof in accordance with the formula two square feet of slab for every one square foot of south facing glazing, not to exceed the wall area of the sunspace or room in which the direct gain device is located; or

(B) Mass floors. Such floors shall be eligible for an exemption of the tax due on the cost thereof in accordance with the formula two square feet of slab for every one square foot of south facing glazing, not to exceed the floor area of the sunspace or room in which the direct gain device is located.

**(6) Equipment used solely as bracing or fastening for south facing glazing.****(7) Skylights and roof glazing.**

2. [Equipment of the following types in passive systems.

i. Glazing material used on the designated solar surface of south facing walls in fenestrating a building as part of a design for the purpose of direct solar heat gain shall be eligible solar energy equipment.

ii. Equipment such as heads, sills, and jambs used solely as bracing for glass or designated solar surfaces shall be considered eligible solar energy equipment.

iii. Skylights and roof glazing shall be considered eligible solar energy equipment only if such devices are used for direct gain during the daylight hours, and if capable of reducing the heat loss at night and during cold weather through the use of insulating devices.

iv. Glass, fiberglass, or other glazing materials used to enclose attached south facing areas such as patios, atriums, or greenhouses for purposes of entrapping solar heated air shall be considered eligible solar energy equipment provided that the warm air be circulated through the building by use of a permanently installed air movement system and that adequate provisions have been made to prevent nocturnal heat losses and cold weather heat losses through use of insulating devices.

v. Material used in the construction of a mass wall of a nonload-bearing Trombe wall of a building shall be considered eligible solar energy equipment provided that such a wall is used solely for thermal storage.

(1) South facing glazing material used in the construction of a Trombe wall or mass floor of a building shall be considered eligible solar energy equipment.

vi. The materials purchased for the construction of a thermal contact ceiling shall be considered eligible solar energy equipment.

vii. Insulation used to minimize heat loss largely caused by nocturnal radiation through areas used for direct solar heat gain during the daylight hours shall be considered eligible solar energy equipment.] **Active systems and solar domestic hot water systems of the following types:**

**i. Collectors:**

(1) **Commercially manufactured collectors which meet the standards set by a nationally recognized testing organization, such as the Air-conditioning and Refrigeration Institute (ARI); Solar Rating and Certification Corporation (SRCC); Florida Solar Energy Center (FSEC); or International Association of Plumbing and Mechanical Officials (IAPMO).**

(2) **Collector kits which meet the standards specified in (a)2i(1) above.**

**ii. Distribution systems;****iii. Storage devices.**

3. [Equipment of the following types in active and passive solar systems:

i. Materials used in the construction of a Hot-Rock Storage Bin, shall be considered solar energy equipment provided the bin structure does not constitute a necessary load-bearing member of a building.] **Solar electric generating systems of the following types:**

**i. Photovoltaic cells, including mounting racks, arrays, wires, batteries, meters, switches, miscellaneous electrical equipment and other devices required for the installation.**

**4. Wind systems: The following components shall be eligible:**

**i. Structural parts, including towers and supporting pads;**  
**ii. Electrical equipment, including alternators, generators, inverters, meters, batteries, controls and circuits;**  
**iii. Mechanical equipment, including gearboxes, heads, transmissions, pumps, and shafts;**

**iv. Interconnecting devices, including wire and conduits used to connect the wind system to the electric service panel, and equipment required to complete the installation and interconnection of the wind system to the utility.**

**14A:5-2.2 Ineligible equipment**

(a) The following [materials and equipment] shall not be considered eligible [solar energy equipment] **for an exemption from sales and use taxes:**

1.-4. (No change in text).

[5. Exterior walls and floors constructed of masonry as a means of reducing heat loss.]

[6.]**5. Devices such as draperies, venetian blinds, and curtains which are not part of the solar energy system and do not meet the definition of insulating devices and/or shading devices pursuant to N.J.A.C.14A:5-1.3.**

[7]**6. Heat pumps and other refrigerators [shall not be considered solar energy equipment];**

[8]**7. Devices used to extract and store heat generated by organic waste piles;**

[9]**8. Trees, shrubbery, and other forms of vegetation [incorporated into a building or site design];**

[10. Retaining walls used as thermal storage devices in the case of subterranean housing.]

**14A:5-2.3 Determination by administrator**

(a) If a solar energy system is neither specifically eligible nor ineligible for exemption, **or if eligibility is in dispute, or in the case of site-built collectors, the Administrator shall examine said system to determine its eligibility.**

1.-5. (No change in text.)

## TRANSPORTATION

### (a)

#### TRANSPORTATION OPERATIONS

##### Speed Limits for State Highways Route 27

##### Proposed Amendment: N.J.A.C. 16:28-1.44

Authorized By: John P. Sheridan Jr., Commissioner,  
Department of Transportation.  
Authority: N.J.S.A. 27:1A-5, 27:1A-6 and 39:4-98.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before February 3, 1984. 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  
CN 600  
Trenton, NJ 08625

At the close of the period for comments, the Department of Transportation may adopt this proposal, with any minor changes not in violation of the rulemaking procedures at N.J.A.C. 1:30-3.5. Upon adoption of these rules, a notice of the adoption shall be published in the Register. The adopted rules shall become effective upon publication of that notice of adoption in the Register.

This proposal is known as PRN 1984-4.

The agency proposal follows:

##### Summary

The proposed amendment will establish added speed limits along Route 27 in Franklin Township, Somerset County and South

Brunswick Township, Middlesex County for the safe and efficient flow of traffic and the safety of the populace in the designated areas.

Based upon requests from the local officials of the townships involved, representatives of the Department's Bureau of Traffic Engineering conducted engineering studies to determine the maximum speed limit to be imposed along Route 27. The engineering studies which included traffic flow, traffic counts, volume and other statistical data proved that the establishment of speed limits of 45 and 50 miles per hour were warranted in the designated areas.

Additionally, further amendments were made as a result of a Departmental review which determined that the rules as originally promulgated, did not define clearly the townships, boroughs, cities or counties in which the speed limits were applicable.

The Department therefore proposes to amend N.J.A.C. 16:28-1.44 in compliance with the request from local officials and have effected substantive changes not in violation of N.J.A.C. 1:30-3.5.

#### Social Impact

The proposed amendment will establish speed limits along Route 27 in Franklin Township, Somerset County and South Brunswick Township, Middlesex County for the safe and efficient flow of traffic and the enhancement of the safety of the populace. Appropriate signs will be erected to advise the motoring public.

#### Economic Impact

The Department and local officials will incur direct and indirect costs for its workforce for mileage, personnel and equipment requirements. Motorists who violate the speed limits will be assessed the appropriate fine. The local officials will be responsible for the procurement and placement of signs.

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

16:28-1.44 Route 27

(a) The rate of speed designated for the certain parts of State highway [r]Route [number] 27 described in this section shall be [and hereby is] established and adopted as the maximum legal rate of speed thereat:

1. For both directions of traffic:
  - i. 30 miles per hour from the intersection of Route US 206 and 27, to a point 100 feet south of the centerline of Cedar Lane, Princeton Borough[; thence,], **Mercer County; thence,**
  - ii. 35 miles per hour to the intersection of Snowden Lane, Princeton Township [; thence,], **Mercer County; thence,**
  - iii. 45 miles per hour to the intersection of Church Street - Academy Street[; thence,], **South Brunswick Township, Middlesex County, Franklin Township, Somerset County; thence,**
  - iv. 35 miles per hour to a point 300 feet north of the centerline of Shaw Drive[; thence,], **South Brunswick Township, Middlesex County and Franklin Township, Somerset County, thence,**
  - [v. 50 miles per hour to a point 100 feet south of the centerline of Alston Road; thence.]
  - v. **45 miles per hour from a point 300 feet north of Shaw Drive and 1,450 feet north of Raymond Road, Franklin Township, Somerset County and South Brunswick Township, Middlesex County; thence,**
  - vi. **50 miles per hour from a point 1,450 feet north of Raymond Road and 100 feet south of Allston Road, South Brunswick Township, Middlesex County, Franklin Township, Somerset County; thence,**
  - [vi.] vii. 45 miles per hour to a point 110 feet north of the centerline of New Road [; thence,], **South Brunswick Township, Middlesex County, and Franklin Township, Somerset County; thence,**
  - [vii.] viii. 50 miles per hour to a point 800 feet south of the

centerline of Henderson Road [; thence,], **South Brunswick Township, Middlesex County, and Franklin Township, Somerset County; thence,**

[viii.] ix. 40 miles per hour to a point 50 feet south of the centerline of Finnegan Lane[; thence,], **South Brunswick Township, Middlesex County, and Franklin Township, Somerset County; thence,**

[ix.] x. 50 miles per hour to a point 300 feet north of the centerline of Industrial Drive[; thence,], **City of New Brunswick, Middlesex County; and Franklin Township, Somerset County, thence,**

[x.] xi. 40 miles per hour to a point 100 feet south of the centerline of Sandford Street, City of New Brunswick [;], **Middlesex County;**

[xi] xii. 30 miles per hour from the southerly end of the Bridge over the Raritan River to the intersection of Eighth Avenue, Highland Park Borough [; thence,], **Middlesex County; thence,**

[xii] xiii. 40 miles per hour to a point 300 feet south of the centerline of Kentnor Street, Borough of Metuchen[; thence], **Middlesex County; thence,**

[xiii] xiv. 30 miles per hour to the intersection of Oak Avenue [; thence,], **Metuchen Boro, Middlesex County; thence,**

[xiv] xv. 40 miles per hour to the intersection of Frederic Street, Edison Township [; thence,], **Middlesex County; thence,**

[xv] xvi. 45 miles per hour to the intersection of Route 35, City of Rahway [; thence,], **Union County; thence,**

[xvi] xvii. 35 miles per hour to the intersection of Baltimore Avenue West, Roselle Borough and City of Linden, [; thence,], **Union County; thence,**

[xvii] xviii. 30 miles per hour to the intersection of Broad Street, City of Elizabeth [; thence,], **Union County; thence,**

[xviii] xix. 35 miles per hour to the City of Elizabeth-City of Newark corporate line [;], **Union County; except,**

[xix] xx. A 25 [mph] **miles per hour** speed limit for the Roosevelt grammar school zone, during recess or while children are going to or leaving school, during opening or closing hours, [along Route 27] in the City of Rahway, Union County.

## OTHER AGENCIES

### (a)

#### CASINO SERVICE INDUSTRIES

##### License Requirements

#### Proposed Amendments: N.J.A.C. 19:43-1.2

Authorized By: Casino Control Commisison Thereon G. Schmidt, Executive Secretary.  
Authority: N.J.S.A. 512-63(c), -69(a) and -92.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before February 3, 1984. These submissions, and any inquires about submissions and responses, should be addressed to:

Richard P. Franz  
Senior Assistant Counsel  
License Division  
Tennessee and Boardwalk  
Atlantic City, New Jersey 08401

The Casino Control 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 1984-2.

The agency proposal follows:

**Summary**

The proposed amendments are intended to make it clear that the Commission has the authority and discretion to utilize the various factors set forth in N.J.A.C. 19:43-1.2(c) in determining if a person or an enterprise, whether or not it meets the monetary criteria of subsection (d), may still be transacting regular or continuing business.

**Social Impact**

The amendments being proposed reflect a clarification of the Commission's regulations and procedures rather than a change in Commission policy. It is not anticipated that there will be any appreciable social impact.

**Economic Impact**

The amendments being proposed reflect a clarification of the Commission's regulations and procedures. Therefore, it is not anticipated that there will be any appreciable economic impact.

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

19:43-1.2 License requirements

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

[(d)] (c) In determining if a person or enterprise [not meeting the criteria of (c) above] does or will, on a regular or continuing basis, provide goods or services to or otherwise transact business with any casino licensee or casino licensees, their employees or agents the following factors shall be considered:

1.-7. (No change in text.)

[(c)] (d) [Unless otherwise determined by the Commission] **Notwithstanding the provisions of (c) above**, persons and enterprises which provide, or imminently will provide, goods or services to, or otherwise transact business with, any casino licensee or casino licensees, their employees or agents shall, **unless otherwise determined by the Commission**, be deemed to be transacting business on a regular or continuing basis if:

1.-2. (No change in text.)

(e) (No change in text.)

(a)

**CASINO CONTROL COMMISSION**

**Gaming Equipment  
Gaming Chips, Tokens and Plaques;  
Exchange, Storage, Destruction  
Slot Machines; Use of Tokens; Issuance and  
Use of Tokens**

**Proposed Amendments: N.J.A.C. 19:46-1.5,  
1.6, 1.25, 1.26 and 1.33**

Authorized By: Casino Control Commission, Theron G. Schmidt, Executive Secretary.  
Authority: N.J.S.A. 5:12-63(c); 5:12-70(i); 5:12-100.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before February 3, 1984. These submissions and any inquiries about submissions and responses, should be addressed to:

Michael A. Santaniello  
Deputy Director - Operations  
Casino Control Commission  
Division of Financial Evaluation  
& Control  
3131 Princeton Pike Office Park  
Building No. 5, CN 208  
Trenton, NJ 08625

The Casino Control 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 1984-1.

The agency proposal follows:

**Summary**

The proposed amendment to N.J.A.C. 19:46-1.5 provides for the incorporation of gaming tokens in the nature and exchange of gaming chips and plaques.

The proposed amendment to N.J.A.C. 19:46-1.6(a) requires that at least three people be present when gaming tokens are received and checked. The proposed amendment also requires that a casino licensee submit to the Commission for approval procedures to record the receipt, inventory, storage and destruction of gaming tokens.

The proposed amendment to N.J.A.C. 19:46-1.6(f) requires a casino licensee to submit to the Commission for approval procedures to compute the unredeemed liability and to inventory the gaming chips and plaques in circulation and reserve. The proposed amendment also provides for the sealing of the locked compartment maintaining the gaming chips and plaques in reserve so that a physical inventory of these chips and plaques only needs to be completed annually.

The proposed amendment to N.J.A.C. 19:46-1.6(g) requires that a casino licensee notify the Commission and Division, in writing, of the date and location of chip and plaque destruction, the number of chips to be destroyed and a detailed explanation of the destruction procedures. The proposed amendment also provides for Commission discretion with regard to the number of people necessary to be present during the destruction of chips and plaques.

The proposed amendments to N.J.A.C. 19:46-1.25 and 1.26 recognize that gaming tokens, in addition to coin, be used in describing the meters, containers, and other characteristics associated with slot machines.

The proposed amendment to N.J.A.C. 19:46-1.33 provides for the issuance and use of gaming tokens in denominations other than \$1.00. The proposed amendment also details the specifications of gaming tokens to conform with the requirements of the United States Treasury Department.

**Social Impact**

The proposed amendments to N.J.A.C. 19:46-1.5 would have minimal social effect since the amendments simply formalize procedures which are presently in effect.

The proposed amendments to N.J.A.C. 19:46-1.6, with the exception of N.J.A.C. 19:46-1.6(g), would have minimal social impact since the amendments simply formalize procedures which are presently in effect. The proposed amendment to N.J.A.C. 19:46-1.6(g) would provide for the notification of gaming chip and plaque destruction so that the Commission and Division can assure the chips and plaques are completely destroyed and cannot be improperly and fraudulently redeemed at the casino after destruction. The proposed amendment also requires that an agent of the Commission be present during the destruction of chips and plaques. However, if the destruction is adequately controlled by other methods, it also gives the Commission the authority to eliminate the need for four persons to be present during the destruction.

The proposed amendments to N.J.A.C. 19:46-1.25 and 1.26 would have minimal social effect since the amendments simply formalize procedures which are presently in effect.

The social impact of proposed amendments to N.J.A.C. 19:46-1.33 will result from the public's use of gaming tokens in denominations other than \$1.00. Although the specific social effects are difficult to project, several are possible. Among these are the potential for more affluent patrons to be attracted to slots by virtue of higher denomination machines made possible by the use of tokens having a value in excess of \$1.00. Another potential effect might be the transference of lower denomination machine players to higher denomination machines. If this change impacts on the bankroll these individuals would have otherwise wagered, the increase in bankroll would represent a transference of assets that might have been used for non-gaming activity to the gaming environment. Of course, the social consequences of such transfer may be significant or insignificant depending on the total assets of a given player. Even though, on a player by player basis, insignificance may hold true, if volume of players participate in this manner, the aggregate transference may exceed the insignificant in overall importance. Additionally, it can be anticipated that the use of tokens in excess of \$1.00, which will increase the denominational characteristics of slot machines, may create higher potential jackpots causing the various psychological, sociological, attitudinal, and social inducements and ramifications associated therewith.

#### Economic Impact

The economic impact of the proposed amendment to N.J.A.C. 19:46-1.5 will be minimal since most casino licensees have included the procedures in their 99 Submission.

The economic impact of the proposed amendment to N.J.A.C. 19:46-1.6, with the exception of N.J.A.C. 19:46-1.6(g), will be minimal since most casino licensees have included the procedures in their 99 Submission. The proposed amendment to N.J.A.C. 19:46-1.6(g) would require casinos to incur some additional costs for the communication of the destruction of gaming chips and plaques to the Commission and the Division and may require the casinos to incur additional administrative costs when an agent of the Commission is present during chip and plaque destruction. It may reduce costs if the Commission determines that the procedures to destroy gaming chips and plaques are adequate and, thereby eliminating the need for four people to be present during the destruction.

The economic impact of the proposed amendments to N.J.A.C. 19:46-1.25 and 1.26 will be minimal since most casino licensees have included the procedures in their 99 Submission.

The proposed amendment to N.J.A.C. 19:46-1.33 may have diverse impacts in the economic sphere. Since new tokens would be issued, it would effect the cost to the casinos of purchasing, controlling, and accounting for such tokens. As a corollary, it is anticipated to engender a positive economic impact to those who distribute and manufacture gaming tokens. From the prospective of casino gross revenue or win, it has the potential for either increasing or decreasing slot revenue dependent on the popularity of these tokens and machines that use them among the populace of slot patrons. Of course, the popularity of a given type of slot machine is dependent on many characteristics aside from denomination. Therefore, any empirical evidence of the precise effect will be difficult given the problematic nature of isolating this variable. Since tax revenue from slots is expressed as a percentage of gross revenue, any effect on casino slot revenue resulting from these tokens will have a proportional effect to tax revenue associated with machines using these tokens. In the area of equipment, economic impacts may also be seen in the costs associated with any changes required to be made to such items as wrapping machines, wrapping paper, wrapped coin trays, carts, holding devices, and counting and sorting equipment.

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

19:46-1.5 Nature and exchange of gaming chips, **tokens** and plaques

(a) All gaming in a casino shall be conducted with gaming chips or plaques, provided, **however, that gaming tokens or coins shall be permitted for use in slot machines.**

(b) Gaming chips, **tokens** or plaques shall be issued to a person only at the request of such person and shall not be given as change in any other but a gaming transaction, **provided, however, that gaming tokens may be issued in accordance with N.J.A.C. 19:45-1.46.**

(c) Gaming chips and plaques shall only be issued to casino patrons at the gaming tables [or cashier's cage] and shall only be redeemed at the cashier's cage provided, however, that gaming chips may be exchanged by a patron at the slot booths for coin **or tokens** to play the slot machines. **Gaming tokens shall only be issued at a slot booth or cashiers' cage and by slot change people and shall only be redeemed at a coin redemption booth or cashiers' cage.**

(d) **Except as provided in (i) below and as otherwise may be specifically approved by the commission, gaming chips, tokens and plaques shall only be redeemed by a licensee from its patrons and shall not be knowingly redeemed from any non-patron source.**

[(d)] (e) Gaming chips, **tokens** and plaques shall be considered solely as evidence of a debt owed to their custodian by the casino licensee and shall be considered at no time the property of anyone other than the casino licensee issuing them.

[(e)] (f) Each casino shall redeem promptly its own genuine gaming chips, **tokens** and plaques, by cash or by check dated the day of such redemption on an account of the casino licensee as requested by the patron, except when the gaming chips, **tokens** or plaques were obtained or being used unlawfully.

[(f)] (g) Each casino shall have the right to demand the redemption of its gaming chips, **tokens** or plaques from any person in possession of them and such person shall redeem said chips, **tokens** or plaques upon presentation of an equivalent amount of cash by the casino.

[(g)] (h) No casino licensee shall knowingly accept, **exchange, use or redeem** or [allow to be used for gaming in his casino] gaming chips, **tokens** or plaques issued by another casino licensee except that a casino licensee may redeem from its patrons foreign gaming chips, **tokens or plaques upon the representation of a patron that such tokens had been** received by the patron from payout chutes of slot machines on the premises **or such chips, tokens or plaques had been purchased or received as payment in a gaming transaction from an employee of such licensee working on the premises.** [Gaming chips of another casino licensee received or accepted unknowingly, inadvertently or in error may be redeemed by presentation of such chips to the casino licensee issuing them.]

(i) **A casino licensee shall redeem promptly its own genuine gaming chips, tokens and plaques from other legally operated casinos upon the representation that such chips, tokens and plaques were received or accepted unknowingly, inadvertently or in error, were unavoidably received in slot machines through patron play or were redeemed from patrons. Each casino licensee shall submit to the commission for approval a system for the exchange of foreign gaming chips, tokens and plaques.**

[(h)] (j) Each casino licensee shall cause to be posted and remain posted in a prominent place [or] **on the front of the cashier's** cage a sign that reads as follows:

"By law, gaming chips **or plaques** issued by another casino may not be used, exchanged or redeemed in this casino."

(k) **Each casino licensee shall cause to be posted and remain posted in a prominent place on all slot booths and coin redemption booths a sign that reads as follows:**

**“It is a violation of Federal law to use tokens issued by this casino outside these premises or to use tokens issued by another casino here.”**

19:46-1.6 Receipt of gaming chips, **tokens** or plaques from manufacturer or distributor; inventory, storage and destruction of chips, **tokens** and plaques

(a) When gaming chips, **tokens** or plaques are received from the manufacturer or distributor thereof, they shall be opened and checked by at least three people, one of whom shall be from the accounting or auditing department of the casino. Any deviation between the invoice accompanying the chips, **tokens** and plaques and the actual chips, **tokens** or plaques received or any defects found in such chips, **tokens** or plaques shall be reported promptly to the commission and division.

(b) (No change in text.)

(c) If any of the gaming chips or plaques received are to be held in reserve and not utilized for active gaming either at the gaming tables or in the cashier[']s' cage, they shall be stored in a separate locked compartment either in the vault or in the cashier[']s' cage and shall be recorded in the chip inventory ledger as reserve chips or plaques.

(d) Any gaming chips received that are part of the secondary set of chips of the casino shall be recorded in the chip inventory ledger as such and shall be stored in a [separate] locked compartment in the casino vault **separate from the reserve chips**.

(e) Whenever any gaming chips or plaques are taken from or returned to either the reserve chip **or plaque** inventory or the secondary set of chips, this shall be accomplished in the presence of at least two individuals and the denominations, number and amount of chips or plaques so taken or returned shall be recorded in the chip inventory ledger together with the date and signatures of the individuals carrying out this process.

(f) Each casino licensee shall, **on a daily basis, compute and record the unredeemed liability for each denomination of chips and plaques, and** shall cause to be made, at least on a monthly basis, an inventory of chips and plaques in circulation and in reserve and shall cause the result of such inventory to be recorded in the chip inventory ledger. **The procedures to be utilized to compute the unredeemed liability and to inventory chips and plaques in circulation and reserve shall be submitted to the commission for approval. A physical inventory of chips and plaques in reserve shall only be required annually if the inventory procedures incorporate the sealing of the locked compartment.**

(g) **Prior to the destruction of gaming chips and plaques, the casino licensee shall notify the commission and the division, in writing, of the date and the location at which the destruction will be performed, the denomination, number and amount of value chips and plaques to be destroyed, the description and number of non-value chips to be destroyed and a detailed explanation of the method of destruction. Unless otherwise authorized by the commission, [T]he destruction of gaming chips and plaques shall be carried out in the presence of at least [three] four people, one of whom shall be from the accounting or auditing department of the casino[, ] and one of whom shall be an agent of the commission. [t]The denomination, number and amount of value chips and plaques or, in the case of non-value chips, the description and number [of chips or plaques] so destroyed shall be recorded in the chip inventory ledger together with the signatures of the individuals carrying out such destruction and the date on which said destruction took place.**

(h) During non-gaming hours all chips and plaques in the possession of the casino shall be stored **in the chip bank**, in the casino vault, or in a locked compartment in the cashier[']s' cage except that [non-value] chips **or plaques** may be locked in a **transparent** compartment on [or under the roulette] **gaming tables provided that there is adequate security as approved by the commission.**

(i) **The casino licensee shall submit to the commission for**

**approval procedures to record the receipt, inventory, storage and destruction of gaming tokens.**

19:46-1.25 Slot machines; coin **and token** containers; keys

(a) Each slot machine located in a casino shall have the following coin **or token** containers:

1. A container, known as a payout reserve container, (“hopper”) in which coins **or tokens** are retained by the slot machine to automatically pay jackpots; and[, ]

2. A container, known as a drop bucket, to collect coins **or tokens** that are retained by the slot machine and not used to make automatic payouts.

(b)–(d) (No change in text.)

(e) Subsections (b) and (c) [of this section] **above** may be ignored if the drop buckets described in [subsection] (a)2 [of this section] **above** meets the following requirements:

1.–2. (No change in text.)

3. A slot opening through which coins, **tokens** and currency can be deposited into the drop bucket;

4. (No change in text.)

5. The key utilized to unlock the drop bucket from the slot machine or to unlock the compartment securing the drop bucket shall be maintained in a secure place and controlled by the security department[.]; **and**

6. (No change in text.)

19:46-1.26 Slot machines; identification; signs; meters; other devices

(a) (No change in text.)

(b) Unless otherwise authorized by the commission, each slot machine in a casino shall be equipped with the following:

1. A mechanical, electrical or electronic device, to be known as an “in meter,” that continuously and automatically counts the number of coins **or tokens** placed by patrons into the machine;

2. A mechanical, electrical or electronic device, to be known as a “drop-meter,” that continuously and automatically counts the number of coins **or tokens** dropped into the machine’s drop bucket;

3. A mechanical, electrical or electronic device, to be known as a “payout meter,” that continuously and automatically counts the number of coins **or tokens** automatically paid by the machine;

4. A mechanical, electrical or electronic device, to be known as a “manual jackpot meter,” that continuously and automatically records the number of coins **or tokens** to be paid manually; [and]

5. A mechanical, electrical or electronic device, to be known as a “win meter,” visible from the front of the machine that advises the player the number of coins **or tokens** that have been paid to him by the machine upon hitting a winning combination [.]; **and**

6. (No change in text.)

(c)–(d) (No change in text.)

(e) A casino licensee shall set each slot machine to payout at a minimum 83 percent of the amount of coins **or tokens** placed by patrons into the slot machine and shall maintain a record of each slot machine setting and theoretical payout percentage.

(f)–(g) (No change in text.)

19:46-1.33 Issuance and use of tokens **for gaming in slot machines**

(a) A casino licensee may, with the approval of the Casino Control Commission, issue [\$1.00] metal tokens designed for **gaming** use in its slot machines provided that such tokens:

1.–6. (No change in text.)

7. Are not manufactured from a three-layered material consisting of a copper-nickel alloy clad on both sides of a pure copper core **nor from a copper based alloy except if the total zinc, nickel, aluminum, magnesium and other alloying metal exceeds 25 percent of the tokens weight;**

8. Comply with [either of] the following specifications:

i. [Measure less than 1.475 inches or more than 1.525 inches in diameter and not more than .115 inches in thickness, with any reeds

or serrations on the periphery not to exceed 150.] **Measure outside the following ranges in diameter (inches):**

- (1) **0.680 – 0.775**
- (2) **0.810 – 0.860**
- (3) **0.930 – 0.980**
- (4) **1.018 – 1.230**
- (5) **1.475 – 1.525**

ii. [Measure more than 1.068 inches or less than 1.120 inches in diameter and .074 inches in thickness, with any reeds or serrations on the periphery not to exceed 90.] **Weigh no less than two grams;**

iii. **Be no less than 0.050 inch thick;**

iv. **Have no reeds or serrations if the token is less than 1.475 inches in diameter; and**

v. **Have less than 90 or more than 200 reeds if the token is 1.475 inches or greater in diameter.**

(b) No casino licensee shall issue or cause to be utilized in its casino any tokens **for gaming use in slot machines** unless and until such tokens are approved by the Casino Control Commission. In requesting approval of such tokens, a casino licensee shall first submit to the [C]commission a detailed schematic of its proposed token which shall show the front, back and edge of such token, its diameter and thickness and any logo, design and wording to be contained thereon all of which shall be depicted on such schematic as they will appear, both as to size and location, on the actual token. Once the design schematics are approved by the Casino Control Commission, no token shall be issued or utilized until and unless a sample of such token is also submitted and approved by the [C]commission.

(c) No casino licensee shall [request] **receive** design schematic approval of a [\$1.00] token **for gaming use in slot machines** [by] **from** the Casino Control Commission unless and until the casino licensee submits to the United States Treasury Department for approval a detailed schematic of its proposed token which shall show the front, back and edge of such token, its diameter, thickness, serrations and any logo, design and wording to be contained thereon all of which shall be depicted on such schematic as they will appear, both as to size and location, on the actual token. No casino licensee shall [request] **receive** sample approval of a [\$1.00] token **for gaming use in slot machines** [by] **from** the Casino Control Commission unless and until the casino licensee submits a sample token to the Bureau of the Mint for approval.

(d) A casino licensee utilizing a [\$1.00] token **for gaming use in slot machines** prior to the effective date of this regulation shall submit a sample to the United States Treasury Department for approval.

[(e) Tokens issued by a casino licensee shall:

1. Only be issued for use in the slot machines in the casino of such licensee and only be sold by such licensee at the request of its patrons and shall not be used or given as change in any other transaction;

2. Only be redeemed by such licensee from its patrons and shall not be knowingly redeemed from any non-patron source;

3. Not be knowingly accepted, exchanged, used or redeemed, in any gaming or non-gaming transaction, by any other licensee, except that such other licensee may redeem at its cashiers' cage foreign tokens upon the representation of a patron that such tokens had been received from the payout chutes of slot machines on the premises or have been purchased from an employee of such licensee working on the premises.

(f) Notwithstanding the provisions of (e) above, a casino licensee shall redeem promptly its own genuine tokens from other legally operated casinos upon the representation that such tokens were unknowingly or inadvertently accepted, were unavoidably received in slot machines through patron play or were redeemed from patrons Pursuant to (e)3 above.

(g) Each casino licensee shall redeem promptly from its patrons its own genuine tokens, by cash or by check dated the day of such redemption on an account of the casino licensee as requested by the patron, except when the tokens were obtained or being used

unlawfully.

(h) Each casino licensee shall prominently and conspicuously post in its casino signs notifying patrons that "It is a violation of Federal law to use tokens issued by this casino outside these premises or to use tokens issued by another casino here". ]

# RULE ADOPTIONS

## BANKING

### (a)

#### DIVISION OF BANKING

##### Operating Management of a Bank Limitation on Loans to Executive Officer

##### Adopted New Rules: N.J.A.C. 3:6-3.2 and 3.3

Proposed: November 7, 1983 at 15 N.J.R. 1786(a).  
Adopted: December 13, 1983 by Michael M. Horn,  
Commissioner, Department of Banking.  
Filed: December 14, 1983 as R.1983 d.606, **without change.**

Authority: N.J.S.A. 17:9A-71B.

Effective Date: January 3, 1984.  
Expiration Date pursuant to Executive Order No. 66(1978):  
May 8, 1984.

**Summary of Public Comments and Agency Responses:**  
**No comments received.**

## COMMUNITY AFFAIRS

### (b)

#### DIVISION OF HOUSING AND DEVELOPMENT

##### Uniform Construction Code Standard Forms and Procedures

##### Adopted Amendments: N.J.A.C. 5:23-1.4, 4.5 and 4.19

Proposed: November 7, 1983 at 15 N.J.R. 1789(a).  
Adopted: December 13, 1983 by John P. Renna,  
Commissioner, Department of Community Affairs.  
Filed: December 15, 1983 as R.1983 d.611, **with substantive changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-3.5).

Authority: N.J.S.A. 52:27D-124.

Effective Date: January 3, 1984.  
Expiration Date pursuant to Executive Order No. 66(1978):  
April 1, 1988.

**Summary of Public Comments and Agency Responses:**

The Chief Financial Officer of one municipality commented that the proposed schedule for the transmittal of fees would impose an undue burden on municipalities not having personnel available to do the necessary work within the time allowed. She also recommended that all State agencies have the same due date for all municipal transmittals. The Department has responded by modifying the proposal to require that the funds to be transmitted on the third business day of each month be those collected in the month **preceding** the month for which an activity report is being sent.

The Administrator of another municipality advised the Department that his Township Committee objected to the proposed forms because of their cost and the need to hire new personnel to process them and preferred to continue using their existing forms, subject to State review to insure that they meet the spirit and objective of the State Uniform Construction Code. This letter was endorsed by one of the legislators representing the district in which the municipality is located. In reply to these objections, the Department advised that it considers the standard forms and procedures to be a necessary regulatory reform which will further the goal of uniformity in construction code enforcement and will help implement efficient management practices and controls statewide. Forms can be purchased at reasonable cost under State contracts open to municipalities. Furthermore, the forms have been fieldtested and found to work well and the Department believes that they will prove their value over time.

**Full text** of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks **\*thus\***).

5:23-4.5 Municipal enforcing agencies - administration and enforcement

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

(d) **Reports:**

**1. The following standardized report form established by the commissioner is required to be completed by the municipal enforcing agency and transmitted to the Department together with State of New Jersey training fees \*for the month preceding the month for which activity is being reported\* as required by N.J.A.C. 5:23-4.19 by the third business day following the end of each calendar month:**

Report No.	Name
<b>R-810</b>	<b>Municipal Monthly Activity Report</b>
1. (No change from proposal.)	
(e)-(h) (No change from proposal.)	

5:23-4.19 State of New Jersey training fees

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

(c) Remitting and reporting:

1. The municipality shall remit such fees to the bureau on a [quarterly] **monthly** basis, [coinciding with the quarters of the calendar year.] **in conjunction with report number R-810 (Municipal Monthly Activity Report) in accordance with N.J.A.C. 5:23-4.5(d). \*Fees remitted shall be for the month preceding the month of the activity report. Example: The report, R-810, with data from February should be transmitted to the Department by the third business day of March with the training fees that were collected in January.\***

[i. Thereafter, fees shall be remitted to the bureau at each fiscal quarter, ending on September 30, December 31, March 31, and June 30 respectively, and remitted not later than the last day of the month next succeeding.

2. A quarterly report detailing the fees collected shall be prepared

in the format as prescribed by the bureau and shall be submitted with the fees to the bureau.

3. The fees and report for each quarter of the year shall be remitted not later than the last day of the next month succeeding.

i. Beginning July 1, 1982, quarterly reports shall coincide with the calendar such that period January 1 through March 31 shall constitute the first quarter of the year; April 1 through June 30, the second quarter of the year; July 1 through September 30, the third quarter of the year; and October 1 through December 31, the fourth quarter of the year.]

(a)

## DIVISION OF AGING

### Congregate Housing Services Program

#### Adopted Amendments: N.J.A.C. 5:70

Proposed: November 7, 1983 at 15 N.J.R. 1791(a).

Adopted: December 14, 1983 by John P. Renna,  
Commissioner, Department of Community Affairs.

Filed: December 14, 1983 as R.1983 d.607, **with substantive changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-3.5).

Authority: N.J.S.A. 52:27D-184.

Effective Date: January 3, 1983.

Expiration Date pursuant to Executive Order No. 66 (1978):  
August 16, 1987.

#### Summary of Public Comments and Agency Responses and Reasons for Changes:

Comments concerning the proposed amended rules were received from the Essex County Office on Aging.

The Essex County Office on Aging expressed the concern that the steps used in N.J.A.C. 5:70-6.3 could cause inequities to fall upon individual tenants' eligibility for service subsidies because \$1.00 more or less of disposable income can make them eligible for different subsidy amounts.

Responses: The proposed subsidy formula was developed from an analysis of need and received considerable review by the substantial number of participating projects. The proposed formula was found to be beneficial to current and potential program participants, and was designed to simplify program administration. The formula will be continuously monitored and the data reviewed to determine any need for modification. Evaluation of the formula will consider the needs of all tenants participating in the program; and if cases of inequity do occur, attempts will be made to minimize the negative impact on individuals.

Comment: A second comment expressed by the Essex County Office on Aging was the concern over increased reporting requirements that may consume valuable time.

Response: there has been no substantial change in the reporting requirements of the program as proposed in the amended rules other than to stipulate due dates for required reports.

Comment: It has been noted in review and verbal comments received that the amended rules do not address the payment schedule and subsidy amounts for a couple or two persons sharing an apartment.

Response: Clarification of the determination of payment schedule and subsidy for a couple or two persons sharing an apartment will be addressed in procedures outlined in a policy memorandum.

#### Summary of Changes Between Proposal and Adoption:

No significant changes were made to the proposed rules as published in the November 7, 1983 Register on the basis of written and verbal comments received. However, the agency in review of the proposal, has determined that clarifications in the definition section of the proposed rules were essential. The addition of "Rent" and the deletion of "Activities of Daily Living (ADL)" were made for this reason. Additional technical changes were made to clarify intent of the proposed rules.

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]\*).

#### 5:70-1.2 Definitions

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

\*["Activities of Daily Living (ADL)" shall mean those [Activities] **personal services** including but not limited to assistance in eating, bathing, grooming, dressing, and transferrring, described in N.J.A.C. 5:70-4.4]\*

...  
\*"**Disposable Income (DI)**" is the income of a participant determined by deducting rent and other allowable **\*medical\* expenses from the individual's net income.**

...  
\*"**Rent**" shall mean the payment agreed to for the use of the tenant's living unit, including utilities other than telephone, and excluding any furnishings or services that may be provided.\*

#### 5:70-6.3 Income, program costs and service subsidy formula

(a) (No change in text from proposal.)

(b) **Net income (N.I.) is gross income less ten percent. For purposes of the subsidy formula, net income (N.I.) is to be computed as one twelfth of annual net income.**

1. **A deduction from net income will be allowed for extraordinary medical \*[or other]\* expenses when such expenses are not compensated for or covered by insurance. This amount shall be determined on an individual basis monthly by the Congregate Services Coordinator with the approval of the Division on Aging.**

# ENVIRONMENTAL PROTECTION

(a)

## DIVISION OF FISH, GAME AND WILDLIFE

### Shellfisheries

### Preservation of Sea Clams

#### Notice of Correction: Executive Order No. 66(1978) Expiration Date, N.J.A.C. 7:25-12.1

An error appears in the December 5, 1983 New Jersey Register at 15 N.J.R. 2039(b) concerning the expiration date of Subchapter 12, Chapter 25, in Title 7. The Executive Order No. 66(1978) Expiration Date for Subchapter 12 should read **December 5, 1988**.

(b)

## DIVISION OF WASTE MANAGEMENT

### Hazardous Waste Management Phase II, Interim Authorization

#### Adopted Amendments: N.J.A.C. 7:26-1.1, 1.4, 7.6, 9:1-9.6, 9.8-9.14, 12.2 and 12.12; 7:14A-4.5

Proposed: November 7, 1983 at 15 N.J.R. 1800(a).

Adopted: December 13, 1983 by Robert Hughey, Commissioner, Department of Environmental Protection.

Filed: December 14, 1983 as R.1983 d.610, **with substantive changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-3.5).

Authority: N.J.S.A. 13:1E-6 and N.J.S.A. 58:10A-4.

Effective Date: January 3, 1984.

Expiration Date pursuant to Executive Order No. 66(1978): 7:26-1, June 30, 1983; 7:26-7, August 6, 1986; 7:26-9 and -12, October 8, 1986; 7:14A-4, June 9, 1988. DEP Docket No. 059-83-10.

#### Summary of Public Comment and Agency Response:

The major issue addressed by commenters on this rule proposal resulted from the decision by the Department not to adopt at this time a rule allowing the use, by hazardous waste as discussed in the Summary of the proposal, facility owners, of a financial test to satisfy the closure and post-closure financial assurance requirements (see N.J.A.C. 7:26-9.10 and 9.11). Commenters were critical of this decision and asserted that the financial test approach was reasonable, especially in light of the fact the United States Environmental Protection Agency (USEPA) allows such approach. If adopted, a financial test would allow a facility owner to provide for closure and post-closure care financial assurance by submitting to a review of their company's financial worth. If the

company which owns the facility qualifies, it may then escape all or part of the requirement to arrange for specific closure and post-closure care funding.

It is important to note that the Department is still considering whether or not to adopt a financial test approach, similar to or more stringent than the federal test. The New Jersey Department of Environmental Protection (NJDEP) has delayed final decision on this because the staff of the Department is reluctant to accept any method of paying for closure and post-closure care at hazardous waste facilities which does not involve guaranteed funds. Regardless, the Department will not adopt a financial test for facility closure and post-closure financial assurance until it is convinced that such an approach will not result in insufficient funds to properly close hazardous waste facilities and, where required, to properly maintain and monitor them during the 30 year, post-closure care period.

One commenter observed that, by not adopting a financial test approach to closure/post-closure funding, the Department's rules fail to meet the test of "equivalence" with USEPA rules. This comment reveals a possible misunderstanding of how the State and Federal hazardous waste programs work together. In order for Federal funding to be given to the State for hazardous waste program implementation, New Jersey's rules and law must be **at least** equivalent in scope to the Federal rules and law. New Jersey's rules may be, and in a variety of cases have been, written to be stronger and more restrictive. Failure to adopt a financial test is one of these cases.

Several commenters were critical of the Department's decision to prohibit management of hazardous waste through the use of small waste piles, (see the proposed amendment to N.J.A.C. 7:26-9.2 and 9.3). The commenters were all operators of such small waste piles and asserted that their waste piles posed limited environmental hazard and, therefore, that waste piles should not be prohibited, across the board.

The Department recognizes that, in specific circumstances, a waste pile may not be especially hazardous. In most cases, where agencies develop universal prohibitions, there are situations where, due to specific circumstances, the prohibited act is not likely to be dangerous. This fact does not alter the Department's conclusion that storage of hazardous waste in open piles is an unacceptable waste management approach. The Department believes that the use of drums, tanks or other containers is the only acceptable storage alternative for hazardous wastes.

Some criticisms of the waste pile prohibition appear to have arisen from misunderstanding. If licensed by the NJDEP, hazardous wastes may be managed by use of surface impoundments (for liquids and sludges) and by use of sludge drying beds and certain approved land application approaches. Thus, for example, the solidification process described by one commenter may not be prohibited by this rule amendment.

The State Department of the Public Advocate raised one major issue, regarding the rules. At N.J.A.C. 7:26-1.1(a)6, the Department proposed a rule which clarifies its existing practice of exempting authorized dischargers of mixed domestic and hazardous wastes from having to obtain a hazardous waste facility permit. The Public Advocate asserted that this exemption should be removed and thereby require that facilities which discharge hazardous wastes to sanitary sewers obtain a hazardous waste facility permit. The comments of the Public Advocate are better directed, not to the rules relating to the hazardous waste program but, rather, to the rules relating to the discharge control program.

One commenter recommended that we adopt rules which

incorporate Federal rule changes, adopted September 1, 1983, relating to signatory and certification requirements, N.J.A.C. 7:26-12.2(i),(j) and (k). The Department is considering these changes at this time. If it is determined that the changes are acceptable for adoption in New Jersey, formal proposal will be forthcoming.

Two rule provisions are being added and one provision modified from the rules proposed on November 7, 1983. A provision is being added at N.J.A.C. 7:26-9.1(d) to exempt Federal and State hazardous waste facilities from the requirements for closure and post-closure financial assurance and liability insurance. This provision was inadvertently left out of the proposal and is contained in the equivalent federal rules. To assert that the State or Federal government might be unable to meet financial obligations to close and care for facilities which they may operate is not appropriate. The State and Federal governments will always have the capacity to finance any closure and post-closure care obligations which might arise, pursuant to legislative appropriation, therefore.

Phrases are being added to N.J.A.C. 7:26-9.10(f) and 9.11(d) to clarify the fact that existing hazardous waste facilities may not use a surety bond guaranteeing performance of closure and post-closure care until they have received a permit from the Department. Provisions to this effect were set forth in the proposed requirements relating specifically to the use of performance bonds, (see N.J.A.C. 7:26-9.10(f)3 and 9.11(d)3). These modifications will remove possible ambiguity in this regard.

Changes are being made to proposed N.J.A.C. 7:26-12.4(a)17, regarding the manifest discrepancy report. At proposal, the Department was not aware that this amendment would have the effect of relaxing existing manifest discrepancy reporting requirements in N.J.A.C. 7:26-7.6(a)4. It was not intended that this provision be a relaxation of the existing requirements. Therefore, the scope of reportable manifest discrepancies described in the proposed amendment is narrowed to make it substantively consistent with existing rules. A cross-reference is also added to N.J.A.C. 7:26-7.6(a)4.

Finally, a phrase was inadvertently left out of the proposed wording of the closure/post-closure performance bond in appendix A of the rules.

**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]\***).

#### 7:26-7.6 Hazardous waste facility operator responsibilities

(a) General requirements are as follows:

1.-3. (No change.)

4. If after acceptance of the hazardous waste delivery, the facility operator determines that the waste is not as described in the manifest, the operator shall:

i. (No change.)

ii. notify the Department in writing within one week of the determination of the discrepancy, describing the nature of the discrepancy and the arrangements made for the disposition of the waste **\*[.]\*\*;** **and\***

**\*iii. Comply with the requirements of N.J.A.C. 7:26-12.4(a)17.\***

#### 7:26-9.1 Scope and applicability

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

**(d) State and Federal facilities are exempt from the financial assurance and liability insurance requirements of N.J.A.C. 7:26-9.10-9.14.\***

#### 7:26-9.10 Financial requirements for facility closure

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

(f) The owner or operator of each facility must establish financial assurance for closure of the facility. He must choose from the options, as specified in (f)1 through 5 below, except the option in (f)3 is not available to owners **\*[of]\*\*or\*** operators of existing facilities **\*until they have received a permit\*:**

1-8. (No change from proposal.)

#### 7:26-9.11 Financial requirements for facility post-closure care

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

(d) The owner or operator of a facility subject to post-closure monitoring or maintenance requirements must establish financial assurance for post-closure care in accordance with the approved post-closure plan for the facility. He must choose from the following options, **\*except that the option in (d)3 is not available to owners or operators of existing facilities until they have received a permit\*:**

1.-8. (No change from proposal.)

#### 7:26-12.4 Standards applicable to all permits

(a) The conditions in this section shall apply to all permits issued pursuant to this subchapter. All conditions applicable to all permits shall be incorporated into the permit either expressly or by reference. If incorporated by reference, a specific citation to this subchapter shall be given in the permit.

1.-16. (No change.)

17. The following reports required by N.J.A.C. 7:26-9. and 10. shall be submitted in addition to those required by (a)12 above:

i. If a **\*[significant]\*** discrepancy in a manifest is discovered, the permittee shall attempt to reconcile the discrepancy. **\*[If not resolved]\* **\*[w]\*\*W\*ithin [15 days]\* **\*one week\***, the permittee shall submit a letter report, including a copy of the manifest, to the Department. Manifest discrepancies are differences between the quantity or type of hazardous waste designated on the manifest or shipping paper, and the quantity or typ of hazardous waste a facility actually receives.****

(1) **\*[Significant d]\* **\*D\*iscrepancies in quantity are:****

(A) For bulk waste variations greater than **\*[10]\* **\*one\*** percent in weight; and**

(B) For batch waste, any variation in piece count, such as a discrepancy of one drum in a truckload.

(2) **\*[Significant d]\* **\*D\*iscrepancies in type are **\*[obvious]\*** differences which can be discovered by inspection or waste analysis, such as waste solvent substituted for waste acid, or toxic constituents, not reported on the manifest or shipping paper.****

(b)-(h) (No change.)

OFFICE OF ADMINISTRATIVE LAW NOTE: Appendix A, Wording of the Instruments (see 40 CFR 264.151), was submitted as part of the proposal but was not published in the Register. Upon adoption, the Department has amended Appendix A. The amended text may be reviewed at the Office of Administrative Law.

## HEALTH

### (a)

#### HEALTH PLANNING AND RESOURCES DEVELOPMENT

##### Certificate of Need Application and Review Process

##### Readoption with Amendment: N.J.A.C. 8:33

Proposed: October 17, 1983 at 15 N.J.R. 1708(b).

Adopted: December 8, 1983 by J. Richard Goldstein, M.D., Commissioner, Department of Health (with approval of Health Care Administration Board).  
Filed: December 14, 1983 as R.1983 d.604, **without change**.

Authority: N.J.S.A. 26:2H-1 et seq.

Effective Date for Readoption: December 14, 1983.  
Effective Date for Amendment: January 3, 1984.  
Expiration Date pursuant to Executive Order No. 66(1978): December 14, 1988.  
**Summary of Public Comments and Agency Responses:**  
**No comments received.**

## HIGHER EDUCATION

(a)

### HIGHER EDUCATION ASSISTANCE AUTHORITY

#### Student Loans; Disbursement Procedure; Plus Loans; Capitalization of Accrued Interest

**Adopted New Rule: N.J.A.C. 9:9-3.5**  
**Adopted Amendment: N.J.A.C. 9:9-1.9**

Proposed: November 7, 1983 at 15 N.J.R. 1820(a).  
Adopted: December 14, 1983 by Jerome Lieberman, Chairman, Higher Education Assistance Authority.  
Filed: December 14, 1983 as R.1983 d.605, **without change**.

Authority: N.J.S.A. 18A:72-10.

Effective Date: January 3, 1983.  
Expiration Date pursuant to Executive Order No. 66(1978): September 2, 1988.

#### **Summary of Public Comments and Agency Responses:**

Only one comment was received by the agency. That comment from the University of Medicine and Dentistry, opposed the proposed new rule and amendment as it would lead to higher levels of student indebtedness. The agency agrees that the rule will result in slightly higher indebtedness. The agency believes, however, that the increased level of indebtedness is a necessary price to pay to encourage the participation of lenders in the program.

## HUMAN SERVICES

(b)

### DIVISION OF PUBLIC WELFARE

#### Ruling 11 Classification and Compensation Plan; Time and Leave Regulations

**Notice of Correction: Executive Order No. 66(1978) Expiration Date, N.J.A.C. 10:109-2 and 3**

An error appears in the December 5, 1983 New Jersey Register at 15 N.J.R. 2042(c). The expiration date for N.J.A.C. 10:109-2 and 3 pursuant to Executive Order No. 66(1978) should read **November 14, 1988**.

## INSURANCE

(c)

### DIVISION OF ADMINISTRATION

#### Agents for Life Insurance, Health Insurance and Annuity Contracts; Temporary Licensing

**Adopted New Rules: N.J.A.C. 11:1-9**

Proposed: November 7, 1983 at 15 N.J.R. 1828(a).  
Adopted: December 14, 1983 by Joseph F. Murphy, Commissioner, Department of Insurance.  
Filed: December 14, 1983 as R.1983 d.603, **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. 17:1-8.1, 17:1C-6(e) and 17B:22-26 a and c.

Effective Date: January 3, 1984.  
Expiration Date pursuant to Executive Order No. 66(1978): January 3, 1989.

#### **Summary of Public Comments and Agency Responses:**

The Department received five written comments on the proposed new rule concerning temporary licensing of agents for life and health insurance and annuity contracts. In general, the commenters were quite supportive of the proposal.

Two commenters, however, voiced concern with respect to the 45-day limitation imposed on the issuance of a temporary license pursuant to N.J.A.C. 11:1-9.3(d) of the proposal. This subsection specifies that the temporary license shall be effective for no more than 45 days from the date of appointment indicated on the temporary certificate. These commenters argued that

the proposal makes no provision for the possibility that the Department may not take action (issuance or denial of the license) within this 45-day time period. Accordingly, it was suggested that the rule be amended to provide for automatic renewal of the temporary license for additional 45-day periods until the Department acts to approve or deny the license.

In the Department's view, the 45-day period of temporary licensing will, in most instances, provide ample time for completion of the normal processing and issuance of the agent's license. Unlimited extensions of the temporary license would appear unnecessary. In consideration of the comments, however, the rule has been amended to provide for a 45-day extension of the temporary license. Insurers utilizing the extension must file an amended Temporary Certificate of Appointment with the Commissioner and furnish the applicant with a copy of the certificate.

Two commenters also questioned the filing requirement set forth at N.J.A.C. 11:1-9.5(c) which specifies that each insurer shall file a monthly report listing all applicants which it has temporarily appointed pursuant to this rule. One commentator felt that this provision required an unnecessary duplication of effort for both the Department and the insurer. The other suggested that the provision be amended to clarify that an insurer need not submit a report to the Department in any month that the insurer has no applicants awaiting licensing.

To ensure its compliance with the substantive and procedural requirements of this rule, an insurer must monitor the status of its temporary licensees. The information required to be furnished pursuant to N.J.A.C. 11:1-9.5(c) should, therefore be readily available to the insurer. The Department believes that the report should serve as a concise and accessible cross-reference for both the insurer and the Department, will aid the insurer in controlling the issuance and expiration of temporary certificates and will facilitate the Department's enforcement of the rule. The requirement has accordingly been retained.

Another writer suggested that the rule be amended to state that a temporary appointment of an agent by a parent insurance company will also serve as a temporary appointment by its subsidiary or affiliated companies authorized to sell the same lines of insurance. The commenter argued that, when an agent approaches a potential client, it is not necessarily clear, prior to a complete analysis of the client's insurance needs, whether such needs may be best met by a product offered by the parent company or its subsidiary or affiliate. It was further noted that North Carolina has enacted a measure dealing with permanent licensing of agents for affiliated companies, and similar proposals are under review in both Massachusetts and Michigan.

New Jersey law does not at the present time provide for affiliate and subsidiary licensing as described by this commenter. A legislative proposal addressing this issue is, however, now under consideration (assembly Bill No. 3571). In review of its pending status, the Department will give further consideration to the question of temporary licensing for agents of subsidiary and/or affiliate companies in conjunction with the finalization of the legislative proposal.

Finally, one commenter objected to the proposed N.J.A.C. 11:1-9.4(b) which specifies that an applicant shall not qualify for temporary licensing in any instance in which educational or examination requirements applicable to the applicant may be waived at the discretion of the Commissioner. Specifically, this writer felt that the provision unfairly discriminates against those applicants of whom an examination is not required based upon a certification that the applicant is a designated Chartered Life Underwriter (CLU).

Rather than simply allowing for a waiver of the examination at the discretion of the Commissioner, the exemption provided at N.J.S.A. 17B:22-12 for applicants with a CLU designation specifies that "No written examination shall be required of" such an applicant. Accordingly, the proposal does not automatically

prohibit such an applicant from qualifying for temporary licensing. It should be noted, however, that proper documentation of CLU status is necessary, and the Department recommends that a current certification from the American College of Life Underwriters be provided, indicating that the applicant has a full designation of CLU and is a member in good standing.

**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]\*).

#### 11:1-9.3 General provisions

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

(d) A temporary license shall continue in force for a period not to exceed 45 days from the effective date of appointment specified on the temporary certificate or until the issuance of the agent's license, whichever is sooner\*[ , provided, however, that a temporary license may be revoked by the Commissioner for cause at any time during the aforesaid 45-day period]\*.

**\*1. In the event the agent's license is not issued within such 45-day period, the insurer may reappoint the applicant for an additional period not to exceed 45 days. The insurer shall file with the Commissioner a Temporary Certificate of Appointment as provided at N.J.A.C. 11:1-9.4(a)4, amended to reflect the extension of the original appointment and furnish the applicant with a copy of such certificate.**

**2. A temporary license may be revoked by the Commissioner for cause at any time during the 45-day period specified in (d) above or any extension thereof.\***

#### 11:1-9.5 Filing requirements

(c) Each insurer shall, on a monthly basis, furnish the Commissioner with a listing of all applicants which it has appointed to act as an agent in accordance with the temporary licensing provisions of this subchapter. The list shall include the applicant's name, address and date of birth and the effective date of temporary appointment **\*and, in the event of a reappointment pursuant to N.J.A.C. 11:1-9.3(d)1, the effective date of such appointment\*.**

## LABOR

### (a)

#### THE COMMISSIONER

#### Unemployment Compensation Contribution Rates of Governmental Entities for 1984

#### Adopted Amendment: N.J.A.C. 12:15-1.5

Proposed: November 7, 1983 at 15 N.J.R. 1829(a).  
Adopted: December 8, 1983 by Roger A. Bodman,  
Commissioner, Department of Labor.  
Filed: December 15, 1983 as R.1983 d.612, **without  
change.**

Authority: N.J.S.A. 34:1-5, 34:1-20 and 43:21-7.3(e).

Effective Date: January 3, 1984.  
Operative Date: January 3, 1984.

Expiration date pursuant to Executive Order No. 66(1978):  
December 31, 1984.

**Summary of Public Comments and Agency Responses:**  
**No comments received.**

(a)

## DIVISION OF UNEMPLOYMENT AND DISABILITY INSURANCE

### Reduction of Unemployment Benefits Due to Pension Payments Prorating Lump Sum Pension Payments

#### Adopted New Rule: N.J.A.C. 12:17-11.3

Proposed: September 6, 1983 at 15 N.J.R. 1436(a).  
Adopted: December 9, 1983 by Roger Bodman,  
Commissioner, Department of Labor.  
Filed: December 13, 1983 as R.1983 d.602, **without  
change.**

Authority: N.J.S.A. 43:21-1 et seq.

Effective Date: January 3, 1984.  
Expiration Date pursuant to Executive Order No. 66(1978):  
January 1, 1986.

**Summary of Public Comments and Agency Responses:**  
**No comments received.**

(b)

## DIVISION OF VOCATIONAL REHABILITATION SERVICES

### Vocational Rehabilitation Facilities Legal Authority, Administration, Advisory Councils, Services, Appeals

#### Adopted Amendment: 12:51-2.1, 3.5, 4.1, 5.1, 6.1, 7.1, 8.2, 8.3, 8.4, 9.1, 10.1, 11.1, 13.1, 13.2, 17.1 18.1

Proposed: September 19, 1983 at 15 N.J.R. 1548(a).  
Adopted: November 29, 1983 by George R. Chizmadia,  
Director, Division of Vocational Rehabilitation  
Services.  
Filed: December 8, 1983 as R.1983 d.600, **without  
change.**

Authority: N.J.S.A. 34:16-21.

Effective Date: January 3, 1984.  
Expiration date pursuant to Executive Order No. 66(1978):  
August 1, 1986.

**Summary of Public Comments and Agency Responses:**  
Comment was made by Mr. Jeffrey L. Faue, Executive Director,

National Association of Social Workers, Inc., (110 West State  
Street, Trenton, NJ 08608-1183) regarding deletion of a reference  
to social workers, under staffing requirements.

However, this was never a staffing requirement and is therefore  
held harmless.

(c)

## DIVISION OF WORKPLACE STANDARDS

### Ski Lifts

#### Adopted New Rule: N.J.A.C. 12:175 Repealed: N.J.A.C. 12:175

Proposed: September 19, 1983 at 15 N.J.R. 1553(a).  
Adopted: December 9, 1983 by Roger A. Bodman,  
Commissioner, Department of Labor.  
Filed: December 15, 1983 as R.1983 d.613, **without  
change.**

Authority: N.J.S.A. 34:4A-1 et seq., specifically 34:4A-  
4.

Effective Date: January 3, 1984.  
Operative Date: April 1, 1984.  
Expiration date pursuant to Executive Order No. 66(1978):  
December 9, 1988.

**Summary of Public Comments and Agency Responses:**  
**No comments received.**

## LAW AND PUBLIC SAFETY

(d)

## DIVISION OF MOTOR VEHICLES

### Licensing Service Driver License

#### Adopted Amendment: N.J.A.C. 13:21-8

Proposed: September 6, 1983 at 15 N.J.R. 1437(b).  
Adopted: October 12, 1983 by Clifford W. Snedeker,  
Director of the Division of Motor Vehicles.  
Filed: December 14, 1983 as R.1983 d.609, **without  
change.**

Authority: N.J.S.A. 39:3-10, 39:3-11.1, 39:3-13, 39:3-13a,  
and 39:3-13.1.

Effective Date: January 3, 1984.  
Expiration Date pursuant to Executive Order No. 66(1978):  
September 26, 1984.

**Summary of Public Comments and Agency Responses:**  
**No comments received.**

(a)

**DIVISION OF MOTOR VEHICLES****Motorized Bicycles  
Procedure to Regulate Operation on  
Highways****Readoption with Amendments: N.J.A.C.  
13:25-8**

Proposed: September 6, 1983 at 15 N.J.R. 1440(a).  
Adopted: October 7, 1983 by Clifford W. Snedeker,  
Director of the Division of Motor Vehicles.  
Filed: December 14, 1983 as R.1983 d.608, **without  
change.**

Authority: N.J.S.A. 39:4-14.3(c).

Effective Date for Readoption: December 14, 1988.  
Effective Date for Amendment: January 3, 1988.  
Expiration Date pursuant to Executive Order No. 66(1978):  
December 14, 1988.

**Summary of Public Comments and Agency Responses.**  
**No comments received.**

**TRANSPORTATION**

(b)

**TRANSPORTATION SERVICES****Rail Freight Program  
Financial Assistance for Reconstruction,  
Improvement or Rehabilitation****Adopted New Rule: N.J.A.C. 16:53C**

Proposed: September 19, 1983 at 15 N.J.R. 1563(a).  
Adopted: December 6, 1983 by James A. Crawford,  
Assistant Commissioner for Transportation Services.  
Filed: December 8, 1983 as R.1983 d.601, **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. 27:1A-3, 27:1A-5 and 27:1A-6.

Effective Date: January 3, 1984.  
Expiration Date under Executive Order No. 66(1978):  
September 19, 1988.

**Summary of Public Comments and Agency Responses  
and Changes to Proposal:**

Two comments were received regarding the proposal. They were from the New Jersey Motor Truck Association, 160 Tices Lane, East Brunswick, New Jersey 08116, and Nicholas, Inc., Petroleum Transport Service, P.O. Box 1022, Rahway, New Jersey 07065.

The New Jersey Motor Truck Association (NJMTA) opposed the proposed new rule which would establish a program within the

Department to "oversee, and assist financially in, the acquisition and improvement of the New Jersey rail freight facilities," for the following reasons:

"1. A state-funded program (subsidy) for rail freight is by its very nature discriminatory to other modes of freight transportation, especially to truck transportation.

"2. A state subsidy for existing rail freight carriers on the acquisition and operation of rail freight carrier lines by the state government itself would drain much needed funds from the New Jersey Department of Transportation budget and, consequently, further reduce necessary expenditures for highway and bridge repairs.

"3. A state subsidy for rail freight or a state-owned rail freight operation would become a bottomless pit of expenses with yearly increases in allocation, alike the growing state subsidy for New Jersey Transit bus and railroad passenger service.

"4. The state should not get into the arbitrary-and, to be sure, counterproductive - service of subsidizing (bailing out) badly run or inefficient rail freight operations, for this would open a flood gate of governmental intervention and interference in the natural competition of the freight marketplace and free enterprise system.

"5. Alternative methods of maintaining freight facilities exist - truck transportation can most often provide a similar service in the affecting industries - that DOT should study before committing itself to the use of tax revenue for bailing out private enterprise."

The NJMTA further expounded on the reasons given above. A complete discussion of the comments and text is on file with the Office of Administrative Law and the Department of Transportation

Response:

1. The New Jersey Department of Transportation is assigned responsibility to provide for efficient and economical transportation by all modes. The proposed rail assistance program has been created to benefit the businesses and industries in the State of New Jersey which require rail transportation services. The proposed rail assistance program has been structured so that government financial participation is limited to the creation and improvement of railroad rights-of-way. There are no funds which will be available for assisting in the operation of any railroad service. This approach is consistent with providing public monies for creating and improving highway rights-of-way for the motor carrier industry.

2. As stated in 1 above, no funds are to be provided for the operational costs of railroad carriers. Also, the NJDOT budget is appropriated annually by the New Jersey Legislature and is intended to address the requirements of all transportation modes.

3. Again, this program is directed towards capital investments for railroad rights-of-way and provides no funds to assist in the operating costs of railroad carriers.

4. Note previous comments.

5. N.J.A.C. 16:53C-3.5 of the proposed regulations provide for "Substitute rail service assistance". This category of improvements is specifically directed at providing assistance to convert rail transportation facilities to facilities which can be used by other modes including motor carriers. It appears that this provision is compatible with the NJMTA recommendation.

The specific chapters and/or subchapters of the rule addressed by the NJMTA were:

N.J.A.C. 16:53C-3.2, "The rail freight properties which are eligible for acquisition assistance are those properties in the State identified as part of a core rail freight system which will be defined by the department (DOT). In other words, the DOT has authority to "define" a rail freight operation eligible for a State subsidy. That is a lot of responsibility and possibly a lot of future budgetary headaches."

Response:

The core rail freight system identifies those rail segments which are required to provide a contiguous network for serving both

intrastate and interstate rail shipments. It is further defined to include rail segments which serve major business/industrial centers throughout the State. This system represents that portion of New Jersey's rail network where the State level of government will assume a primary role in having rail freight facilities preserved. Acquisition of rail properties designated as part of the core rail freight system, will only occur in those instances where ownership cannot be maintained in the private sector. In addition, higher rates of rehabilitation assistance will be available for those lines designated as part of this "core system". Again, no operating assistance is available under this program.

N.J.A.C. 16:53C-8.1, "Upon the approval of an application meeting the requirements of N.J.A.C. 16:53C-7, an agreement for the State share of the approved amount of the estimated project costs will be executed by the applicant and the Commissioner or his designated representative. Such open-ended language gives DOT the right to grant a State subsidy without a public hearing and public comments for each request. This would deny to the trucking industry and other possible objectors and opportunity to present their opinions case-by-case. Such blanket authority by DOT is unwarranted, unnecessary and arbitrary. New Jersey Motor Truck Association believes this blanket rule effectively shuts off relevant comment."

#### Response:

The rule, as published, incorrectly references applications "... meeting the requirements of N.J.A.C. 16:53C-7...". The proper reference should be to N.J.A.C. 16:53-6. It is pointed out in N.J.A.C. 16:53C-3 that a project, to be eligible for funding, must first be analyzed in the State Rail Plan (SRP). One of the requirements for the SRP states "... the Department shall hold a public hearing upon revision of the State Rail Plan." This document is currently revised annually and public notice is provided to all parties, affording them an opportunity to comment on projects proposed for funding during the ensuing year.

In addition to addressing the specific comments of NJMTA, the Department would also like to make the following observations:

NJMTA makes frequent reference to a State "subsidy" program. This term is misleading and has come to imply a program which supports entities which are economically non-viable, and can continue indefinitely as long as the service provided by this entity is considered to be in the public's interest.

By contrast, the State Rail Freight Program analyzes each project as to the viability of the operation and the benefit/cost ratio of the project. Each party receiving aid must agree to pay back the State investment if service is abandoned during the service life of the project. Also, rather than a continuous infusion of funds, this program is a one-time investment for capital improvements, after which the recipient must agree to maintain the rail line in a condition comparable to that achieved at the conclusion of the improvement project.

The Nicholas, Inc. also opposed the proposed new rule. Their specific comments were:

"Being a Common Carrier engaged in truck transportation within the State of New Jersey and paying taxes which go into the general fund, we are violently apposed to seeing our tax dollars used to subsidize our freight railroads, our competition!

"Like the railroads we, too, are struggling for survival during these hard economic times. However, we are also faced with a much more competitive market than the railroads.

"If the railroads want to be in this competitive freight market, let them stand on their own two feet. The trucking industry competing with them has to do just that!

"Do not use our tax dollars to support our competition."

#### Response:

The Department staff felt that these comments were similar to those of NJMTA, and the five-part response made initially is also applicable to the Nicholas, Inc.

The Department has acknowledged and replied to the comments made by the NJMTA and Nicholas, Inc. The acknowledgement and replies are also on file with the Office of Administrative Law and the Department of Transportation.

In view of further Departmental review of the proposed rule there were some language changes made which do not affect the scope or intent of the regulation as originally promulgated.

The Department therefore proposes to adopt the rules with changes as a result of the review.

**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 brackets **\*[thus]\***).

#### 16:53C-1.1 Definitions

"Maintenance" means inspection and light repairs, emergency repairs and the planned program of periodic maintenance necessary to keep a line at its existing condition but not below **\*specified\*** Federal Railroad Administration (FRA) **\*[Class I]\*** safety standards.

"Substitute service assistance" means funds to cover the cost of reducing the transportation impacts of abandoned rail service in a manner less expensive than the continuation of the rail service and includes, but is not limited to, the acquisition, construction or improvement of substitute freight transportation **\*[services,]\*** **\* facilities,\*** for example, team track, intermodal facilities, etc., as described in the State Rail Plan.

#### 16:53C-3.1 General requirements

(a) (No change.)

1. **\*[The]\*** **\*An\*** analysis of **\*[the line]\*** **\*a rail service\*** related to the project **\*[is]\*** **\*must be\*** included in the State Rail Plan (except when the project is of an emergency nature, in which case the State Rail Plan requirement may be waived, at the discretion of the Commissioner).

2. The cost/benefit ratio of **\*[the]\*** **\*any\*** project **\*[is]\*** **\*must be\*** greater than 1.0, as **\*[calculated in]\*** **\*defined in\*** the State Rail Plan.

#### 16:53C-3.2 Acquisition Assistance

(a) The rail freight properties which are eligible for acquisition assistance are those properties in the State identified as part of a core rail freight system which will be defined by the Department. In no case will the State acquire rail properties where continued **\*rail\*** operations can be **\*[provided]\*** **\*maintained\*** through **\* [continued]\*** ownership within the private sector. These properties **\*may\*** include **\*[those identified in the State Rail Plan as having potential]\*** **\*inactive rail lines which have value\*** for future use **\*[for]\*** **\*as\*** rail freight **\*[services.]\*** **\*facilities.\***

(b) Those rail properties identified as elements of the core rail freight system, which will not be continued in the private sector, are eligible for public **\*[purchase]\*** **\*acquisition\*** with a maximum of 100 percent [State funding.] **\*of the cost of acquisition being provided under this program.\***

#### 16:53C-3.3 Rehabilitation or improvement assistance

(a) The rail freight properties eligible for rehabilitation assistance are those properties (as defined by the Department,) for which **\* [the]\*** **\*a\*** one-time investment of capital assistance will insure the continuation or **\*[initiation]\*** **\*creation\*** of safe adequate and efficient rail freight services for a period of **\*[at least]\*** **\*not less than\*** five years.

1. For a State-owned line the operation of the freight service or other appropriate party is eligible to receive a grant not to exceed 70 percent of the total project cost to rehabilitate a rail line to Federal Railroad Administration (FRA), **\*[Class II]\*** safety standards **\*allowing rail operations at speeds appropriate for**

this line.\* On these properties trackage rights fees will be assessed in an amount sufficient to recoup both acquisition and rehabilitation investments.

2. **\*[The]\* \*An\* operator \*or other responsible party, providing rail\* \*of]\* \*freight services,\* \*[or other appropriate party]\* on a \*rail\* line which is part of the core rail freight system is eligible to receive a grant not to exceed 70 percent of the total cost **\*[to]\* \*of\* rehabilitat\*[e]\*\*ing the rail line\* to FRA **\*[Class II]\* safety standards \*allowing rail operations at speeds appropriate for this line\***;****

3. At the discretion of the Commissioner, the operator **\*or other responsible party\* \*of]\* \*providing rail\* freight service, **\*[or other appropriate party]\* on a \*rail\* line which is not an element of the core system is eligible to receive a grant not to exceed 50 percent of the cost **\*[to]\* \*of\* rehabilitat\*[e]\*\*ing the line\* to FRA **\*[Class II]\* safety standards \*allowing rail operations at speeds appropriate for this line\***;******

4. (No change.)

#### 16:53C-3.4 Rail facility construction assistance

In those instances, as defined in the State Rail Plan, where an improvement in the quality and efficiency of rail freight service can be provided **\*[by the]\* \*through\* construction of a rail related facility, funding will be provided **\*in an amount\* not to exceed 50 percent of the **\*total\* cost of **\*[the]\* \*project\* construction.********

#### 16:53C-3.5 Substitute rail service assistance

For industries located on rail segments where the continuation of rail service through acquisition, rehabilitation or rail facility construction assistance is not warranted, a grant not to exceed 50 percent of the **\*total\* cost of **\*project\* construction **\*[would]\* \*will\* be available in order to provide **\*[for]\* \*non rail\* alternative transportation facilities necessitated by the loss of rail service.********

#### 16:53C-4.2 Local share

The required local share of allowable costs under this program shall be provided in cash or **\*by the value\* **\*[through the provision]\* \*of labor and\* materials **\*[to be]\* used **\*[on]\* \*as part of\* the **\*eligible\* project. **\*[The value of work performed by railroad forces may also be counted toward the local share.]\*************

#### 16:53C-5.1 General provisions

(a) The State Rail Plan shall be based on a comprehensive, coordinated and continuing planning process. **\*[As such, it]\* \*It\* shall be developed with an opportunity for participation by **\*[parties interested in rail freight activity.]\* \*all interested parties.\* **\*[At a minimum, the]\* \*The\* Department shall **\*[hold]\* \*schedule\* **\*[an annual]\* \*a\* public hearing upon **\*[revision of]\* \*revising\* the State Rail Plan. Public notice shall be given in accordance with applicable State law and practice.************

(b) The State Rail Plan shall:

1. Specify the objectives of the State's Rail Assistance Program and **\*[explain]\* \*describe\* how the implementation of the State Rail Plan will accomplish these objectives;**

2. Specify the objectives, policies, and long-range expectations for the rail freight network;

3. **\*[Explain]\* \*Describe\* the relevant data sources, assumptions and analytical methodology used in developing the plan;**

4. Contain a description, analysis and recommended action for **\*rail\* lines in the State for which abandonment or discontinuance applications are pending;**

5. (No change.)

6. For each line recommended for assistance, include the amount and source of funds **\*[required]\* \*anticipated\* for project implementation.**

7. For **\*rail\* lines receiving assistance, **\*[include]\* \*describe\* the revenue and cost **\*[data]\* information for the previous **\*s **\*[operating experience and a reevaluation of the recommended project based upon the new data.]\* \*operations as well as any**********

**changes to the status of the line's condition based on revised data.\***

8. **\*[Contain an update of]\* \*Provide revisions to\* information **\*contained\* in previous submittals which is **\*[no longer accurate]\* \*inaccurate\* as a result of **\*[plan]\* \*project\* implementation, governmental action, action by a railroad, or **\*other\* changed conditions;**********

9. Include a program of projects which identifies the projects, project priority, project costs, and anticipated **\*[start-up dates]\* \* construction schedule\* for lines recommended to receive program assistance.**

10. (No change.)

11. Describe the core rail system and the **\*[methodology]\* \* criteria\* used to **\*[establish]\* \*define\* this system.****

#### 16:53C-6.1 General contents

(a) Each application shall include:

1.-3. (No change.)

4. Applicant's **\*[proposed means of furnishing its]\* \*intention to furnish the local\* share of total project costs, including copies of any executed third party agreements to provide the required local share, or a portion thereof;**

5. Assurances that the applicant will comply with **\*[and that the program will be conducted in accordance with]\* applicable State laws, policies, directives, and regulations dealing with discrimination in employment **\*and prevailing wage rate requirements\* on public **\*[contacts;]\* \*contracts;\*******

6. Assurance by the **\*[Chief Executive Officer]\* \*applicant\* that a contingent interest **\*[(redeemable reference shares)]\* shall be retained by the State for a period equal to the service life of the project. **\*[for its share of funds in any line receiving assistance under this program]\*. Further, that during **\*any time within\* this period, the State's share shall be repaid, upon the sale, disposition or abandonment of the **\*rail\* line receiving assistance.**********

(b) Applications for assistance may be addressed to: **\*[the]\* \* Director,\* Office of Freight Services, New Jersey Department of Transportation, 1035 Parkway Avenue, Trenton, New Jersey 08625.**

#### 16:53C-6.2 Acquisition assistance

(a) In addition to meeting the requirements of N.J.A.C. 16:53C-6.1 each application for acquisition shall include:

1.-2. (No change.)

3. **\*Anticipated dates\* **\*[W]\*\*w\*hen rail service is to be **\*[immediately]\* provided over the line, a description of the arrangements made for rail service operation, including copies**\*[ if applicable,]\* of proposed operating agreements, and leases.********

#### 16:53C-6.3 Rehabilitation or improvement assistance and rail facility construction assistance

(a) In addition to meeting the requirements of N.J.A.C. 16:53C-6.1, each application for rehabilitation or improvement assistance and rail facility construction assistance shall include:

1. (No change.)

2. An assurance by **\*[the Chief Executive Officer]\* \*an authorized agent\* of the applicant that:**

i. The rehabilitated or improved facilities or newly constructed facilities will be maintained to prevent deterioration below **\*[the speed at which the line could be operated for at least the period of time established as the payback period in the applicable State Rail Plan analysis.]\* \*the condition equivalent to that which existed upon completion of the facility improvement. This maintenance responsibility will be in force for the time period established as the payback period in the applicable State Rail Plan analysis.\***

3. (No change.)

#### 16:53C-6.4 Substitute service assistance

(a) (No change.)

1. A detailed description of the substitute service project,

including evidence that the cost and scope of the project are limited to **\*[that]\* \*those requirements\*** necessary to replace the rail service being discontinued.

16:53C-6.5 Execution and filing of applications

(a) Each original application shall bear the date of execution and be signed by **\*[the Chief Executive Officer]\* \*an authorized agent\*** of the entity submitting the application.

16:53C-8.1 Grant agreement

(a) (No change.)

(b) The agreement will identify the amount of the grantee's share of the program costs to be furnished in cash and **\*/or\*** through approved **\*[in-kind]\* \*in-lieu-of-cash\* \*[benefits]\* \*contributions\*** as defined in N.J.A.C. 16:53C-4. The applicant shall expend a pro-rata share of its contribution at the same time payments of the State share are made available.

16:53C-8.3 **\*Final\*** settlement

**\*Final\*** Settlement under the agreement **\*[is]\* \*will be\*** made on the basis of a State audit which has determined the allowable costs over the entire term of the agreement. If the State audit determined that the allowable costs under the agreement are less than the amount of the agreement, the difference shall be refunded to the program at the end of the fiscal year in which the audit was performed.

16:53C-9.1 General requirements

The grantee shall retain and make available to the Commissioner, or his designated representative, for the purpose of audit and examination, any financial records, supporting documents, papers, statistical records, contracts and all other records pertinent to, arising out of or connected with the Rail Assistance Program. The records shall be available for a period of three years **\*[,]\* \*after final settlement,\*** or for any longer period necessary to resolve audit findings, following the payment by the Commissioner of the final billing under the agreement.

# MISCELLANEOUS NOTICES

## LAW AND PUBLIC SAFETY

(a)

### DIVISION OF MOTOR VEHICLES

#### Bulk Commodities Application

#### Public Notice

**Take notice** that Clifford W. Snedeker, Director, Division of Motor Vehicles pursuant to the authority of N.J.S.A. 39:5E.11, hereby lists the names and addresses of applicants who have filed an application for a common carrier's Certificate of Public Convenience and Necessity and/or a contract carrier permit to engage in the business of transporting bulk commodities in intrastate commerce.

#### Contract Carrier (Non-Grandfather)

Sigismondi Trucking, Inc. 234 Sunset Lane Howell, New Jersey 07731	Maranatha Trucking, Inc. 226 Stockons Bridge Road Pemberton, New Jersey 08068
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MDET Transport Inc.  
42 Mountain View Avenue  
Long Valley, New Jersey 07853

Protests in writing and verified under oath may be presented by interested parties to the Director of Motor Vehicles within 20 days following the publication date of an application.

## TRANSPORTATION

(b)

### THE COMMISSIONER

#### New Jersey Highway System State Takeover of Landis Avenue Route 77 to Route 55 Freeway, Redesignated as New Route 56

#### Public Notice

Take notice that on November 10, 1983, John P. Sheridan Jr., Commissioner, Department of Transportation under authority of N.J.S.A. 27:7-4 and 27:7-6 acting for and in behalf of the State of New Jersey did determine and did take over as part of the State Highway System, Landis Avenue, as shown delineated on map entitled "NEW JERSEY DEPARTMENT OF TRANSPORTATION, TAKE OVER, LANDIS AVENUE PROPOSED STATE ROUTE 56, FROM ROUTE 77 TO ROUTE 55 FREEWAY, TOWNSHIPS OF UPPER DEERFIELD,

DEERFIELD, AND PITTSBORO, CITY OF VINELAND, COUNTY OF CUMBERLAND, COUNTY OF SALEM, SCALE: AS INDICATED, AUGUST 1983," and described as follows:

Beginning at the intersection of New Jersey State Route 77 and Landis Avenue and Carls Corner, in the Township of Upper Deerfield, County of Cumberland, and extending generally in an easterly direction through the Townships of Upper Deerfield and Deerfield, in the County of Cumberland and the Township of Pittsgrove, in the County of Salem to its terminus on the eastside of Route 55 Freeway, (Station 31+00 as shown on the Construction Plans of Route 55, Freeway Section 6F & 7E) in the City of Vineland, in the County of Cumberland, a distance of approximately 7.76 miles.

The roadway has been designated as New Jersey State Highway Route 56.

A copy of the map is on file with the Office of Administrative Law, 88 East State Street, Trenton, New Jersey 08625 and the Department's, Jurisdictional Unit, 2137 Hamilton Avenue, Trenton, New Jersey 08619.

## OTHER AGENCIES

(c)

### EXECUTIVE COMMISSION ON ETHICAL STANDARDS

#### Administrative Practice and Procedure Rules

#### Recodification: N.J.A.C. 19:61

**Take notice** that the Executive Commission on Ethical Standards has recodified its administrative practice and procedure rules as N.J.A.C. 19:61. These rules do not currently appear in the New Jersey Administrative Code but have been reproduced below in full text. The text of N.J.A.C. 19:61 will be printed in the next update of the Code.

#### SUBCHAPTER 1. ORGANIZATION

##### 19:61-1.1 Scope of rules

The rules in this chapter shall constitute the practice and procedure of the Executive Commission on Ethical Standards and shall govern all activities of the Commission pursuant to N.J.S.A. 52:13D-12, et seq.

##### 19:61-1.2 Meetings and offices

The Commission shall meet at the call of its chairman upon not less than three days' notice to the members thereof. The Commission may maintain offices in such place or places as it may deem advisable.

##### 19:61-1.3 Presiding member

The chairman shall preside, but in case of absence or inability to serve, the vice-chairman shall temporarily preside in his stead. In the absence of both, the senior member attending shall preside. Seniority of the members of the Commission shall be determined by the order of their respective appointments to the Commission.

## 19:61-1.4 Quorum

Four members of the Commission shall constitute a quorum. If a quorum does not attend a session of the Commission, the presiding member may adjourn the Commission, or, in the absence of all the members, the senior staff representative present may adjourn the Commission from day to day. Seniority of staff representatives shall be determined by the order of employment by the Commission.

## 19:61-1.5 Executive or open meetings

Those meetings of the Commission involving hearings or matters of public concern or interest shall be referred to as open meetings. Those meetings of the Commission at which final decisions and advisory opinions are discussed or which involve matters of internal organization or procedure shall be termed executive meetings and, at the discretion of the Commission, may be conducted privately when permitted by the provisions of the Open Public Meetings Act, 10:4-6 et seq.

## 19:61-1.6 Majority vote

(a) No determination of the Commission shall be rendered unless supported by the vote of members constituting a majority of the quorum present. However, determinations involving disciplinary actions, advisory opinions and amendments to these rules shall only be rendered if supported by the vote of members constituting a majority of the full membership.

(b) When by reason of absence, disability or disqualification, the number of members able to act is less than a majority, the chairman shall apply to the Governor for the appointment of a temporary member or members.

## 19:61-1.7 Relaxation of rules

The rules applicable to the Commission shall be considered as general rules for the government of the Commission and the conduct of causes and matters; and as the design of them is to facilitate business and advance justice, they may be relaxed or dispensed with by the Commission in any instance where it shall be manifest to the Commission that a strict adherence to them will work surprise or injustice. In any matter not expressly controlled by these rules or by statute, the Chairman shall exercise his or her discretion.

## 19:61-1.8 Conflict with agency rules

Any conflict between the rules established by the Commission and those developed by the various State agencies to implement their respective Codes of Ethics shall be resolved in favor of the rules established by the Commission.

## 19:61-1.9 Enlargement of time

(a) A reasonable extension of time for the taking of any action for which these rules prescribe a time limitation may be granted by the Commission upon a clear showing of good cause and the absence of prejudice.

## 19:61-1.10 Order of business

(a) The presiding member shall call the Commission to order and proceed to business at the hour fixed for convening or as soon thereafter as a quorum shall be present. The first order of business at each session shall be the rendering of the decision and/or opinions on pending causes and matters, the votes in each instance being taken and duly recorded.

1. The Chairman shall promptly notify each party and the head of the department employing said State officer or employee of the Commission's decision and/or opinion, and shall forward them copies of same.

2. If a party to the action is represented by counsel, notification shall be made to the party through his or her attorney.

## 19:61-1.11 Administrative head

The Chairman may appoint an Administrative Head of the Commission to fulfill the various administrative tasks delegated to him or her.

## 19:61-1.12 Definitions

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

"Commission" shall mean the Executive Commission on Ethical Standards continued and established in the Department of Law and Public Safety by the provisions of N.J.S.A. 51:13D-12, et seq.

"Chairman" and "Vice-Chairman" shall mean the members of the Executive Commission on Ethical Standards designated by the Governor to serve as the Chairman and Vice-Chairman thereof.

## SUBCHAPTER 2. JURISDICTION

## 19:61-2.1 Jurisdiction of the Commission

(a) The jurisdiction of the Commission shall extend to those situations arising under the provisions of N.J.S.A. 52:13D-12, et seq., involving State officers and employees, and Special State officers and employees of the Executive Branch of the government.

(b) Situations arising under the provisions of N.J.S.A. 52:13D-12, et seq., involving members of the Legislature and persons holding part-time elective or appointive office or employment in the Legislative Branch are not within the jurisdiction of the Commission.

## 19:61-2.2 Procedure where Commission is without jurisdiction

Whenever it shall appear that the Commission is without jurisdiction over a matter brought before it, it shall so notify the person bringing the matter. Where possible, the matter shall be forwarded to the proper Commission or agency for further action.

## SUBCHAPTER 3. PROCEEDINGS

## 19:61-3.1 Form of complaints; procedure

(a) The procedures in this subchapter shall govern the handling of complaints:

(b) Every complaint shall be in writing, signed and sworn to, and filed with the Chairman of the Commission in triplicate. The complaint shall state the name and address of the complainant and the State officer or employee complained against, and the facts constituting the alleged violation of the provisions of N.J.S.A. 52:13D-12, et seq., or any code, rule or regulation promulgated by any State agency pursuant thereto.

1. It shall be within the discretion of the Commission to transfer those complaints involving the alleged violation of a code, rule, or regulation promulgated by a State agency, to that agency for disposition in accord with its procedures.

(c) Upon receipt of a complaint, the Chairman shall make written acknowledgement thereof to the complainant. He or she shall forthwith serve a copy on the State officer or employee named therein either personally or by certified mail, return receipt requested. The Chairman shall also send a copy of the complaint to the head of the Department which employs the State officer or employee named therein.

(d) The State officer or employee shall, within 10 days of the service of a copy of the complaint upon him or her, file a written answer thereto, in triplicate, with the Chairman. The Chairman shall thereafter mail one copy of the answer to the complainant and one copy to the head of the Department which employs the State officer or employee making such answer.

(e) The Chairman upon receipt of the answer, or at the expiration of the 10-day period if there be no answer, shall direct an investigation to be made of said complaint.

1. Such investigation shall be promptly instituted and completed

and shall include interviews of the complainant, and the State officer or employee involved.

2. Upon its conclusion, a written report of the investigation shall be made to the entire Commission.

(f) The Commission shall consider the report of the preliminary investigation at its first regular meeting following the submission of said report.

1. If a Commission member holds office or employment in the same Department which employs the State officer or employee named in the complaint, he or she shall disqualify himself or herself from participation in any decisional processes relating to that particular case.

2. If the Commission, after consideration of the report of the preliminary investigation, finds that there has been no violation of N.J.S.A. 52:13D-12, et seq., or any code, rule, or regulation promulgated pursuant thereto, as alleged, it shall direct the Chairman, to make said dismissal, together with the report upon which it is based, part of the permanent records of the Commission. At the same time the Chairman shall, in writing, notify the complainant, the State officer or employee involved, and the head of the Department employing the State officer or employee, of the dismissal and the reasons upon which it is based, and shall thereupon mark the file "closed."

(g) If the Commission, after considering the report of the preliminary investigation, determines that there are indications of a violation meriting further investigation, the complaint shall be set down promptly for hearing. The Chairman shall give at least 10 days' written notice to the State officer or employee involved and to the complainant; the notice to be given by certified mail, return receipt requested. Notice shall also be given to the head of the Department employing the State officer or employee. The notice shall state:

1. The time, place, and nature of the hearing;

2. A statement of the legal authority and jurisdiction under which the hearing is to be held;

3. A statement of the particular provisions of N.J.S.A. 52:13D-12, et seq., or any code, rules or regulations promulgated by any State agency pursuant thereto, involved and a statement of the nature of the alleged violation of said provisions;

4. That a party may be represented by counsel if he or she desires;

5. That, upon receipt of the names and addresses of proposed witnesses, the Chairman will issue the necessary subpoenas;

6. That the State officer or employee may produce witnesses and such proof before the Commission as may be relevant to the issue.

(h) A public hearing shall be conducted unless the Commission determines that the interests of justice and fairness require otherwise. A complete stenographic record shall be kept, and to this end a certified shorthand stenographer shall be designated by the Commission and shall prepare all transcripts as may be requested by the Commission or, with the approval of the Commission, by any participant in or party to the hearing.

1. Any such participant or party having received the approval of the Commission may obtain a copy of the transcript upon payment of the fee therefore. The fee shall be sent in accord with N.J.S.A. 47:1A-2.

2. A copy of the transcript shall also be kept at the office of the Commission available for inspection by any party or participant who cannot afford payment of the aforesaid fees.

(i) The conduct of all hearings shall conform to the requirements of the Administrative Procedure Act, N.J.S.A. 52:1B-1, et seq.

(j) The presiding member of the Commission shall have authority and discretion to control the order of the proceedings, to administer oaths to witnesses, to rule on any procedural or evidential motions or objections, to order witnesses to produce evidence in accordance with the provisions of N.J.S.A. 52:13D-12, et seq., and to make such rulings as may be necessary to conduct a fair and orderly hearing.

1. The parties shall not be bound in the course of the hearing by rules of evidence whether statutory, common law, or adopted by

the Rules of Court. All relevant evidence is admissible, except as otherwise provided herein.

2. The presiding member shall give effect to the rules of privilege recognized by law. Notice may be taken of judicially noticeable facts.

3. The presiding member may in his or her discretion exclude any evidence if he or she finds that its probative value is substantially outweighed by the risk that its admission will either necessitate undue consumption of time, or create substantial danger of undue prejudice or confusion.

(k) The Commission shall render its decision not later than 60 days following the final day of hearings. The decision shall be in writing and shall include findings of fact and conclusions of law, separately stated.

1. Findings of fact, if set forth in statutory language, shall be accompanied by the concise and explicit statement of the underlying facts supporting the findings. This decision shall be made part of the permanent records of the Commission and shall be the final decision of the Commission.

2. The Chairman, at the same time, shall notify the complainant, the State officer or employee, and the head of the Department employing the State officer or employee, of the decision and the reasons therefor. The decision shall be effective in accordance with the terms thereof.

(l) If the Commission determines that the State officer or employee has violated the provisions of N.J.S.A. 52:13D-12, et seq., or any code, rule, or regulation promulgated by any State agency pursuant thereto, it shall fine said State officer or employee not less than \$100.00 nor more than \$500.00 which penalty may be collected in a summary proceeding pursuant to the Penalty Enforcement Law (N.J.S.A. 2A:58-1).

1. The Commission may further order or direct the State agency employing the State officer or employee to suspend said officer or employee for a period not in excess of one year, in accordance with the provisions of Title 11 and the Rules of the Department of Civil Service.

2. Should the Commission find that the conduct of said State officer or employee constitutes a willful and continuous disregard of the provisions of N.J.S.A. 52:13D-12, et seq., or any code, rule, or regulation promulgated by any State agency pursuant thereto, it may order or direct the State agency employing the State officer or employee to remove the State officer or employee from his or her office of employment and may further direct that the State agency bar such person from holding any public office or employment in this State in any capacity whatsoever for a period of not exceeding five years from the date on which he or she was found guilty by the Commission, in accordance with the provisions of Title 11 and the Rules of the Department of Civil Service.

#### 19:61-3.2 Subpoena for witnesses

(a) If the Commission shall determine that the testimony of any person or persons is required, it may issue a subpoena in the name of the Commission requiring such person or persons to appear and testify before the Commission or member thereof, from day to day until the examination of such person or persons shall be completed.

(b) The subpoena may also contain a direction that such person bring with him or her to the examination, any books, papers, or documents designated therein.

(c) If a person subpoenaed to attend any hearing refuses or fails to appear or to be examined, or to answer any question or to produce any books, records, accounts, papers and documents when ordered to do so by the Commission, the Commission may apply to the Superior Court to compel the person to comply forthwith with the subpoena, directive or order of the Commission.

#### 19:61-3.3 Complaint by member of commission

Any member of the Commission may file a complaint with the Chairman in the same manner prescribed in N.J.A.C. 19:61-2.1. Said complaint shall thereafter be treated in accordance with

N.J.A.C. 19:61-2.1, except that the complainant Commission member shall thereafter be precluded from participating in any decisional processes having to do with that particular cause.

#### 19:61-3.4 Complaint before State agency

A complaint alleging the violation by a State officer or employee of a code, rule, or regulation promulgated by a State agency pursuant to the provisions of N.J.S.A. 51:13D-121, et seq., may be filed with the State agency employing said officer or employee in accord with the procedures established by the agency to process such complaints. Upon receipt of such complaint, the State agency shall file a copy of same with the Commission. It shall be within the discretion of the Commission to direct the State agency to transfer the complaint to it for hearing in accord with N.J.A.C. 19:61-2.1.

#### 19:61-3.5 Determination by State agency

Notice of all determinations made by State agencies in connection with hearings conducted pursuant to N.J.A.C. 19:61-3.4 of these Rules shall be filed with this Commission. All determinations which involve the removal of a State officer(s) or employee(s) or any other disciplinary actions, shall be effective when approved by this Commission and in accord with the provisions of Title 11 and the Rules of the Department of Civil Service.

### SUBCHAPTER 4. ADVISORY OPINIONS

#### 19:61-4.1 Requests for advisory opinions

Requests for advisory opinions concerning possible violations of N.J.S.A. 52:13D-12, et seq., or any code, rules or regulations promulgated pursuant thereto, may be made by any person or persons. Said request shall be made in writing; shall contain a full statement of the facts and circumstances giving rise to the question in issue; and shall be filed in triplicate with the Chairman of the Commission.

#### 19:61-4.2 Rendering of advisory opinions

The rendering of an advisory opinion must be supported by a vote of a majority of the full membership of the Commission.

#### 19:61-4.3 Advisory opinions rendered by State agencies

Copies of advisory opinions rendered by State agencies in accord with their procedures shall be filed with the Commission. It shall be within the discretion of the Commission to review said advisory opinions and either affirm or reverse same.

### SUBCHAPTER 5. GENERAL PROVISIONS

#### 19:61-5.1 Investigations and hearings

The Commission shall have the power to undertake investigations and hold hearings into matters having relevance to the provisions of N.J.S.A. 52:13D-12, et seq., whether or not a formal complaint has been filed or request for advisory opinion made, and to this end, the full investigative authority and subpoena power of the Commission shall obtain and be available as required.

#### 19:61-5.2 Publication

The Chairman of the Commission shall cause to be filed with the Office of Administrative Law:

1. All advisory opinions rendered pursuant to Section 10(g) of Ch. 182 of the Laws of 1971, as amended, and
2. Notice of any disciplinary action taken by the Commission pursuant to § 10(i) of Ch. 182 of the Laws of 1971, as amended.

#### 19:61-5.3 Continuation and amendment of rules

These rules shall remain in effect until revised, repealed or ended pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1, et seq., and by majority vote of the members of the Commission.

#### 19:61-5.4 Validity of rules of any portion declared invalid

If any rule, sentence, paragraph or section of these rules or the application thereof to any persons or circumstances shall be adjudged by a court of competent jurisdiction to be invalid, or if by legislative action any rule shall lose its force and effect such judgment or action shall not affect, impair or void the remainder of these rules.

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# HOW TO USE THE TABLE OF CITATIONS

Generally, the key to locating a particular adopted rule is to find, under the appropriate Administrative Code Title, the N.J.A.C. citation of the rule you are researching. If you do not know the exact citation, scan the column of rule descriptions for the subject of your research.

The N.J.A.C. citation itself indicates the extent of the changes to a rule. Every citation includes, at a minimum, the numerical designation of the title and chapter (1:30), and may include subchapter and section designations (1:30-1.1). In general, the less specific the citation, the more extensive the rule change. For example, 1:30 means that much or all of chapter 30 of title 1 has been modified; 1:30-1 means that several sections of subchapter 1 of 1:30 have been revised; and 1:30-1.1 means that only section 1 of 1:30-1 has been changed.

An N.J.A.C. citation that includes several section numbers (1:30-1.1, 1.3, 1.4) or several different subchapter and section numbers (1:30-1.1, 2.1, 4.3) means that similar or related changes have been made to those provisions. Additionally, a citation may designate an entirely new rule rather than an amended one.

In general, each rule is listed separately and chronologically. However, where an adoption notice contained several related rule adoptions or amendments within a single chapter, all of those changes may be under a single entry. Therefore, to be certain that you have found all of the changes to a given rule, be sure to scan the citations above and below that rule to find any entries which might contain related rule adoptions, including the one you are researching.

## INDEX OF ADOPTED RULES

The *Index of Adopted Rules* contains rules which have been promulgated subsequent to the most recent update of the New Jersey Administrative Code. **Rules which are being promulgated in this Register, and which appear in the Table of Rules in this issue, do not appear in this index. These rules will appear in next month's Index of Adopted Rules.**

The rules in this index are listed in order of their N.J.A.C. citations. Accompanying the N.J.A.C. citation for each rule is a brief description of the rule's content, the Register citation for its proposal notice, its Office of Administrative Law (OAL) document citation (which should be used if ordering a copy of the rule from OAL), and the Register citation for its adoption. At the bottom of the listing for each Title is the date of the most recent Code update for that Title.

The *Index of Adopted Rules* appears in the first Register of each month, complementing the *Index of Proposed Rules* which appears in the second Register of each month. Together, these indices make

available to a Code and Register subscriber all legally effective rules, and enable the subscriber to keep track of all State agency rulemaking activities from the initial proposal through final promulgation.

For any rule not yet published in a Code update, the full text of the proposal notice as published in the Register, plus the full text of any changes published with the adoption notice in the Register, constitute an official copy of the promulgated rule. If the full text of either the proposed rule or any changes does not appear in the Register, it is available for a fee from:

Administrative Filings  
CN 301  
Trenton, New Jersey 08625

**To be certain that you have a copy of each proposed rule which may have been adopted but which does not yet appear in the most recent Code update, you should retain each Register beginning with October 5, 1979.**

### N.J.A.C. CITATION

PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
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1:1-2.2	Contested cases and OAL jurisdiction	14 N.J.R. 486(a)	R. 1982 d.467	15 N.J.R. 23(a)
1:1-3.2	Placement of case on inactive list	15 N.J.R. 1399(a)	R. 1983 d.515	15 N.J.R. 1939(a)
1:1-3.3	Pre-hearing conferences and tape-recording	14 N.J.R. 606(a)	R. 1982 d.297	14 N.J.R. 975(a)
1:1-3.11	Succession of parties in contested cases	14 N.J.R. 606(b)	R. 1982 d.295	14 N.J.R. 975(b)
1:1-9.1, 9.2, 9.6, 9.7	Interlocutory review and emergency relief	14 N.J.R. 1182(a)	R. 1982 d.472	15 N.J.R. 25(a)
1:1-9.7	Interlocutory review	15 N.J.R. 1399(b)	R. 1983 d.517	15 N.J.R. 1939(b)
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2:2-1	Animal Health: readopted Reportable Diseases	15 N.J.R. 1202(a)	R. 1983 d.448	15 N.J.R. 1753(a)
2:2-2	Readopted: Brucellosis Control and Eradication	15 N.J.R. 1203(a)	R. 1983 d.411	15 N.J.R. 1647(a)
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2:2-2.19	Brucellosis testing for intrastate movement	14 N.J.R. 865(a)	R. 1982 d.360	14 N.J.R. 1154(a)
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3:2-2	Repealed: Plain language review of contracts	14 N.J.R. 454(a)	R. 1982 d.213	14 N.J.R. 755(a)
3:6-3	Standardization of executive officer classification	14 N.J.R. 491(a)	R. 1982 d.244	14 N.J.R. 834(c)
3:6-7.1-7.8	Mutual savings banks: Investment restatement accounting	14 N.J.R. 676(a)	R. 1982 d.307	14 N.J.R. 988(a)
3:6-13	Automated teller machines	15 N.J.R. 190(a)	R. 1983 d.286	15 N.J.R. 1179(a)
3:6-14	Foreign banks: Biennial certification fee	15 N.J.R. 6(a)	R. 1983 d.42	15 N.J.R. 330(a)
3:7-4	Readopted: Notice of Maturity on Long Term Time Deposits	15 N.J.R. 1053(a)	R. 1983 d.363	15 N.J.R. 1467(b)
3:7-5, 5.1-5.5	Statement of interest: Officers defined	14 N.J.R. 492(a)	R. 1982 d.245	14 N.J.R. 834(d)
3:11-1.1	Readopted: Approval of banks to exceed 10% limitation on investments	15 N.J.R. 658(b)	R. 1983 d.264	15 N.J.R. 1094(a)
3:11-2.1	Commercial bank lending: Approved subsidiaries	15 N.J.R. 110(a)	R. 1983 d.108	15 N.J.R. 622(a)
3:11-7.2, 7.8, 7.9	Expanded lending limitations	15 N.J.R. 192(a)	R. 1983 d.133	15 N.J.R. 688(a)
3:11-7.7	Time deposit balances and 10 percent limitation	14 N.J.R. 608(b)	R. 1982 d.263	14 N.J.R. 909(a)
3:17-7.1, 7.3	Small loan lenders and second mortgage purchases	15 N.J.R. 111(a)	R. 1983 d.120	15 N.J.R. 622(b)
3:23-2.1	License fees for credit sales and loan businesses	15 N.J.R. 463(a)	R. 1983 d.183	15 N.J.R. 889(b)
3:26-3.1	Readopted: Action upon Detection of Crime	15 N.J.R. 372(a)	R. 1983 d.184	15 N.J.R. 889(c)
3:28-5.1-5.7	Mutual savings and loan: Investment restatement accounting	14 N.J.R. 678(a)	R. 1982 d.306	14 N.J.R. 989(a)
3:30-1.3, 1.4	Maturity notice on fixed-term and variable	15 N.J.R. 1207(b)	R. 1983 d.459	15 N.J.R. 1754(e)

3:38-1	savings accounts	14 N.J.R. 571(a)	R. 1982 d.302	14 N.J.R. 977(a)
3:38-2, 3, 4, 5, 6	Licensing of mortgage bankers and brokers Mortgage bankers and brokers: Rules of operation (Title 3, Transmittal 18 dated June 21, 1982)	14 N.J.R. 493(a)	R. 1982 d.303	14 N.J.R. 977(b)

**CIVIL SERVICE--TITLE 4**

4:1-2.1	"Base salary" defined	14 N.J.R. 679(a)	R. 1982 d.331	14 N.J.R. 1089(a)
4:1-5	Commission Review and Appeals: readopted Hearing Rules	15 N.J.R. 1148(a)	R. 1983 d.421	15 N.J.R. 1647(c)
4:1-5.11	Hearings: Decision notification	15 N.J.R. 111(b)	R. 1983 d.100	15 N.J.R. 543(b)
4:1-7.11	Hours of work and compensation	14 N.J.R. 938(a)	R. 1983 d.159	15 N.J.R. 801(a)
4:1-8	Readopted: Examinations and Applications	15 N.J.R. 1292(a)	R. 1983 d.444	15 N.J.R. 1755(a)
4:1-8.3	Notice of examinations	15 N.J.R. 726(a)	R. 1983 d.307	15 N.J.R. 1245(c)
4:1-8.8B	Veterans' age reduction	14 N.J.R. 455(a)	R. 1982 d.326	14 N.J.R. 1089(b)
4:1-10.1, 10.2, 10.3, 10.5	Noncompetitive and labor titles	14 N.J.R. 1186(a)	R. 1982 d.496	15 N.J.R. 83(a)
4:1-12	Readopted: Certification and Appointment rules	15 N.J.R. 1403(a)	R. 1983 d.513	15 N.J.R. 1857(a)
4:1-12.10	Notifying eligibles of certification	14 N.J.R. 940(a)	R. 1983 d.17	15 N.J.R. 141(a)
4:1-13.4	Police and firefighters: Working test periods	14 N.J.R. 115(a)	R. 1982 d.204	14 N.J.R. 709(a)
4:1-15.2	Lateral title change	14 N.J.R. 940(b)	R. 1983 d.340	15 N.J.R. 1372(a)
4:1-16.13	Request for reemployment (local)	15 N.J.R. 272(b)	R. 1983 d.222	15 N.J.R. 1015(b)
4:1-17.16	Advancing of sick leave (State)	14 N.J.R. 299(a)	R. 1982 d.300	14 N.J.R. 978(a)
4:1-18.2, 18.6-18.8	Hours of work and compensation	14 N.J.R. 938(a)	R. 1983 d.159	15 N.J.R. 801(a)
4:1-18.4	Repealed: Dual employment rules	14 N.J.R. 941(a)	R. 1983 d.18	15 N.J.R. 141(b)
4:1-18.5	Inclement weather emergency policy (State)	15 N.J.R. 273(a)	R. 1983 d.196	15 N.J.R. 889(d)
4:1-20.9	Tuition aid program (State)	15 N.J.R. 274a)	R. 1983 d.306	15 N.J.R. 1246(a)
4:1-25.1	Public inspection of records	14 N.J.R. 942(a)	R. 1983 d.134	15 N.J.R. 689(a)
4:2-2.1	Repealed: Veterans' age reduction	14 N.J.R. 455(a)	R. 1982 d.326	14 N.J.R. 1089(b)
4:2-5	Repealed (see 4:1-5)	15 N.J.R. 1148(a)	R. 1983 d.421	15 N.J.R. 1647(c)
4:2-6.8	Repealed (see 4:1-10)	14 N.J.R. 1186(a)	R. 1982 d.496	15 N.J.R. 83(a)
4:2-7.1	Repealed (see 4:1-7.11, 18.8)	14 N.J.R. 938(a)	R. 1983 d.159	15 N.J.R. 801(a)
4:2-8.1, 8.9	Readopted (see 4:1-8)	15 N.J.R. 1292(a)	R. 1983 d.444	15 N.J.R. 1755(a)
4:2-10.1, 10.2	Repealed (see 4:1-10)	14 N.J.R. 1186(a)	R. 1982 d.496	15 N.J.R. 83(a)
4:2-12.5, 12.7, 12.8	Readopted (see 4:1-12)	15 N.J.R. 1403(a)	R. 1983 d.513	15 N.J.R. 1857(a)
4:2-15.2	Repealed (see 4:1-15.2)	14 N.J.R. 940(b)	R. 1983 d.340	15 N.J.R. 1372(a)
4:2-17.14	Repealed: Sick leave advance	14 N.J.R. 299(a)	R. 1982 d.300	14 N.J.R. 978(a)
4:2-18.1	Repealed (see 4:1-18.5)	15 N.J.R. 273(a)	R. 1983 d.196	15 N.J.R. 889(d)
4:2-18.4	Repealed: Dual employment rules	14 N.J.R. 941(a)	R. 1983 d.18	15 N.J.R. 141(b)
4:2-20.3	Granting of increments after denial	15 N.J.R. 112(a)	R. 1983 d.164	15 N.J.R. 890(a)
4:2-20.9	Repealed (see 4:1-20.9)	15 N.J.R. 274(a)	R. 1983 d.306	15 N.J.R. 1246(a)
4:2-20.12	Repealed (see 4:1-25.1)	14 N.J.R. 942(a)	R. 1983 d.134	15 N.J.R. 689(a)
4:3-2.1	Repealed: Veterans' age reduction	14 N.J.R. 455(a)	R. 1982 d.326	14 N.J.R. 1089(b)
4:3-5	Repealed (see 4:1-5)	15 N.J.R. 1148(a)	R. 1983 d.421	15 N.J.R. 1647(c)
4:3-6.7	Repealed: Modification of sheriff's officer series	15 N.J.R. 820(b)	R. 1983 d.419	15 N.J.R. 1650(a)
4:3-6.9	Repealed (see 4:1-10)	14 N.J.R. 1186(a)	R. 1982 d.496	15 N.J.R. 83(a)
4:3-8.2, 8.3, 8.7, 8.8	Readopted (see 4:1-8)	15 N.J.R. 1292(a)	R. 1983 d.444	15 N.J.R. 1755(a)
4:3-10.1	Notice of repeal			15 N.J.R. 1965(b)
4:3-12.7, 12.8	Readopted (see: 4:1-12)	15 N.J.R. 1403(a)	R. 1983 d.513	15 N.J.R. 1857(a)
4:3-13.1	Repealed: Formerly CSPM (Local) 13-4.101	14 N.J.R. 115(a)	R. 1982 d.204	14 N.J.R. 709(a)
4:3-17.6	Repealed: Sick leave advance	14 N.J.R. 299(a)	R. 1982 d.300	14 N.J.R. 978(a)
4:3-18.1	Repealed: Dual employment rules	14 N.J.R. 941(a)	R. 1983 d.18	15 N.J.R. 141(b)
4:6	Overtime Committee Rules	14 N.J.R. 1126(a)	R. 1983 d.158	15 N.J.R. 801(b)

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**COMMUNITY AFFAIRS--TITLE 5**

5:3-2.1	Rooming house licensure: nonpublic records	15 N.J.R. 1152(a)	R. 1983 d.433	15 N.J.R. 1758(a)
5:10-1.3	Hotels and multiple dwellings	13 N.J.R. 387(b)	R. 1981 d.363	13 N.J.R. 704(a)
5:10-1.3	State-local cooperative housing inspection	15 N.J.R. 1054(a)	R. 1983 d.389	15 N.J.R. 1575(c)
5:10-1.4	Row houses and multiple dwelling jurisdiction	15 N.J.R. 375(a)	R. 1983 d.156	15 N.J.R. 803(a)
5:10-1.4, 1.6	Row house and retirement community fire safety	15 N.J.R. 1054(b)	R. 1983 d.388	15 N.J.R. 1576(a)
5:10-1.17	Readopted: Hotel and multiple dwelling inspection fees	14 N.J.R. 909(b)	R. 1982 d.334	14 N.J.R. 1089(c)
5:10-2.2	Hotels and multiple dwellings	13 N.J.R. 387(b)	R. 1981 d.363	13 N.J.R. 704(a)
5:10-2.2, 25.3	Standards for hotels and multiple dwellings	14 N.J.R. 119(a)	R. 1982 d.253	14 N.J.R. 910(a)
5:10-25.3	Hotels and multiple dwellings	13 N.J.R. 387(b)	R. 1981 d.363	13 N.J.R. 704(a)
5:11-2.1	Emergency relocation benefits	15 N.J.R. 6(b)	R. 1983 d.59	15 N.J.R. 330(b)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
5:11-3.2	Duplicate rental assistance	14 N.J.R. 72(a)	R. 1982 d.71	14 N.J.R. 278(a)
5:11-3.11	Emergency relocation benefits	15 N.J.R. 6(b)	R. 1983 d.59	15 N.J.R. 330(b)
5:11-9.2	Relocation assistance hearings	13 N.J.R. 186(d)	R. 1981 d. 183	13 N.J.R. 332(a)
5:11-9.2	Parties to relocation assistance hearing	14 N.J.R. 1188(a)	R. 1982 d.487	15 N.J.R. 83(b)
5:12	Repeal State aid for urban renewal projects	13 N.J.R. 187(a)	R. 1981 d.180	13 N.J.R. 333(a)
5:12	Plain language review of residential leases	13 N.J.R. 473(a)	R. 1981 d.424	13 N.J.R. 782(b)
5:12	Repealed: Plain language review of leases	14 N.J.R. 222(a)	R. 1982 d.139	14 N.J.R. 426(a)
5:13-1.1, 1.5, 1.19, 1.20, 1.25, 1.27	Limited dividend and nonprofit housing corporations	15 N.J.R. 193(a)	R. 1983 d. 145	15 N.J.R. 803(b)
5:13-1.3, 1.21-1.24, 1.26	Repealed	15 N.J.R. 193(a)	R. 1983 d. 145	15 N.J.R. 803(b)
5:17	Expiration date for retirement community disclosure	13 N.J.R. 560(d)	R. 1981 d.425	13 N.J.R. 782(c)
5:21	Repealed: Uniform standards for mobile homes	13 N.J.R. 717(a)	R. 1982 d. 7	14 N.J.R. 142(a)
5:22-1.4	Residential tax exemptions: additions and improvements	15 N.J.R. 586(a)	R. 1983 d.258	15 N.J.R. 1094(b)
5:22-2.6	Multiple dwelling exemptions and tax list designations (joint adoption, see 18:12-6A.8)	14 N.J.R. 72(b)	R. 1982 d.78	14 N.J.R. 278(b)
5:23	Readopted: Uniform Construction Code	14 N.J.R. 1247(a)	R. 1983 d.144	15 N.J.R. 803(c)
5:23-1.4	Manufactured homes	13 N.J.R. 717(a)	R. 1982 d.7	14 N.J.R. 142(a)
5:23-1.4, -2	Uniform Construction Code	13 N.J.R. 119(a)	R. 1981 d.134	13 N.J.R. 258(b)
5:23-2.5	Uniform Construction Code	13 N.J.R. 120(a)	R. 1981 d.133	13 N.J.R. 258(c)
5:23-2.5	Uniform Construction Code	13 N.J.R. 390(a)	R. 1981 d.462	13 N.J.R. 885(d)
5:23-2.6	Uniform Construction Code inspections	13 N.J.R. 187(b)	R. 1981 d.182	13 N.J.R. 333(b)
5:23-2.8	Manufactured homes	13 N.J.R. 717(a)	R. 1982 d.7	14 N.J.R. 142(a)
5:23-2.38	Licensing	14 N.J.R. 734(a)	R. 1982 d.436	14 N.J.R. 1449(a)
5:23-3	Uniform Construction Code	13 N.J.R. 121(a)	R. 1981 d.132	13 N.J.R. 258(d)
5:23-3.2	Uniform Construction Code	13 N.J.R. 120(a)	R. 1981 d.133	13 N.J.R. 258(c)
5:23-3.3	Uniform Construction Code interpretations	13 N.J.R. 561(a)	R. 1981 d.454	13 N.J.R. 886(a)
5:23-3.3	Uniform Construction Code: Casino hotels	13 N.J.R. 561(b)	R. 1981 d.455	13 N.J.R. 886(b)
5:23-3.8A	Products violating the Uniform Construction Code	15 N.J.R. 587(a)	R. 1983 d.296	15 N.J.R. 1247(a)
5:23-3.9	Manufactured homes	13 N.J.R. 717(a)	R. 1982 d.7	14 N.J.R. 142(a)
5:23-3.14, 3.15	Building and plumbing subcode supplements	14 N.J.R. 1326(a)	R. 1983 d.12	15 N.J.R. 141(c)
5:23-4.3	Temporary appointments of municipal code officials	13 N.J.R. 863(a)	R. 1982 d.23	14 N.J.R. 142(b)
5:23-4.6	Manufactured homes	13 N.J.R. 717(a)	R. 1982 d.7	14 N.J.R. 142(a)
5:23-4.8	Uniform Construction Code	13 N.J.R. 120(a)	R. 1981 d.133	13 N.J.R. 258(c)
5:23-4.8	Interlocal Construction Code enforcement (recodified as 5:23-4.17(d))	14 N.J.R. 495(a)	R. 1982 d.401	14 N.J.R. 1300(a)
5:23-4.8(c)	Now codified as 5:23-4.19	14 N.J.R. 456(a)	R. 1982 d.220	14 N.J.R. 755(b)
5:23-4.8, 4.10	Manufactured homes	13 N.J.R. 717(a)	R. 1982 d.7	14 N.J.R. 142(a)
5:23-4.10A	Manufactured homes	13 N.J.R. 717(a)	R. 1982 d.42	14 N.J.R. 233(a)
5:23-4.10A	Recodified as 5:23-4.25A	14 N.J.R. 496(a)	R. 1982 d.232	14 N.J.R. 834(e)
5:23-4.15, 4.26	Licensing	14 N.J.R. 734(a)	R. 1982 d.436	14 N.J.R. 1449(a)
5:23-4.17, 4.20	UCC enforcing agency fees	14 N.J.R. 943(a)	R. 1982 d.402	14 N.J.R. 1300(b)
5:23-4.19	Remitting of UCC training fees	14 N.J.R. 456(a)	R. 1982 d.220	14 N.J.R. 755(b)
5:23-4.20	Uniform Construction Code: Periodic inspection fees	14 N.J.R. 1129(a)	R. 1982 d.463	15 N.J.R. 32(a)
5:23-4.20	Correction: UCC periodic inspection fees	14 N.J.R. 1129(a)	R. 1982 d.463	15 N.J.R. 84(a)
5:23-4.20, 5.12	Uniform Construction Code fees	15 N.J.R. 1406(a)	R. 1983 d.548	15 N.J.R. 2033(b)
5:23-4.25A	Manufactured homes standards	14 N.J.R. 496(a)	R. 1982 d.232	14 N.J.R. 834(e)
5:23-5.2	Uniform Construction Code	13 N.J.R. 119(a)	R. 1981 d.134	13 N.J.R. 258(b)
5:23-5.2, 5.9, 5.11	Licensing	14 N.J.R. 734(a)	R. 1982 d.436	14 N.J.R. 1449(a)
5:23-5.3, 5.5	Uniform Construction Code	13 N.J.R. 390(a)	R. 1981 d.462	13 N.J.R. 885(d)
5:23-5.5	Uniform Construction Code	13 N.J.R. 635(a)	R. 1981 d.463	13 N.J.R. 886(c)
5:23-5.5	Licensing of Code officials	13 N.J.R. 801(a)	R. 1982 d.10	14 N.J.R. 143(b)
5:23-5.5	Fire subcode officials and construction licensing	14 N.J.R. 8(a)	R. 1982 d.56	14 N.J.R. 234(a)
5:23-5.5, 5.6, 5.7	Code enforcement (provisional) licensees	13 N.J.R. 799(b)	R. 1982 d.8	14 N.J.R. 143(a)
5:23-5.8, 5.9	Licensing of Code officials	13 N.J.R. 801(a)	R. 1982 d.10	14 N.J.R. 143(b)
5:23-5.11	Code enforcement (provisional) licensees	13 N.J.R. 799(b)	R. 1982 d.8	14 N.J.R. 143(a)
5:23-5.11	Uniform Construction Code	13 N.J.R. 119(a)	R. 1981 d.134	13 N.J.R. 258(b)
5:24-1.3	Condominium and cooperative conversion	13 N.J.R. 70(a)	R. 1981 d.131	13 N.J.R. 258(e)
5:24-1.3	Correction: Condominium and cooperative conversion	13 N.J.R. 70(a)	R. 1981 d.131	13 N.J.R. 333(c)
5:24-1.4, 1.5, 1.12	Condominium and cooperative conversion	13 N.J.R. 392(a)	R. 1981 d.354	13 N.J.R. 562(a)
5:24-2	Protected tenancy for disabled and seniors	13 N.J.R. 802(a)	R. 1982 d.9	14 N.J.R. 144(a)
5:25-2.8	Restoration of builders' registrations	14 N.J.R. 9(a)	R. 1982 d.55	14 N.J.R. 234(b)
5:25-3.1	New home warranty and mixed use property	13 N.J.R. 863(b)	R. 1982 d.22	14 N.J.R. 145(a)
5:25-5.5	New home warranties and builders' registration	13 N.J.R. 187(c)	R. 1981 d.181	13 N.J.R. 333(d)
5:25-5.5	Warranty coverage claims	14 N.J.R. 944(a)	R. 1982 d.386	14 N.J.R. 1210(a)
5:26	Planned real estate development full disclosure	12 N.J.R. 631(b)	R. 1981 d.130	13 N.J.R. 259(a)

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5:26-2.3, 3.1, 3.2, 3.4, 4.1-4.4, 5.2, 6.3, 9.1, 10.1, 10.2, 11.1	Planned real estate development full disclosure	15 N.J.R. 1055(a)	R. 1983 d.446 15 N.J.R. 1758(b)
5:26-2.4	Registration fees for planned developments	14 N.J.R. 609(a)	R. 1982 d.260 14 N.J.R. 912(a)
5:26-2.4	Planned real estate development registration fees	15 N.J.R. 1059(a)	R. 1983 d.370 15 N.J.R. 1468(a)
5:26-2.4, 3.1, 10.5	Planned real estate development full disclosure	13 N.J.R. 474(a)	R. 1981 d.365 13 N.J.R. 704(b)
5:26-8.7	Planned real estate developments: annual audits	15 N.J.R. 1408(a)	R. 1983 d.576 15 N.J.R. 2154(a)
5:27	Rooming and boarding houses	13 N.J.R. 393(a)	R. 1981 d.359 13 N.J.R. 704(c)
5:27-1.5	Certificate of occupancy for boarding house change of use	15 N.J.R. 821(a)	R. 1983 d.342 15 N.J.R. 1468(b)
5:27-1.6	Rooming and boarding houses: License fees	15 N.J.R. 7(a)	R. 1983 d.60 15 N.J.R. 330(c)
5:27-1.6, 2.1	Multi-building rooming and boarding houses	14 N.J.R. 1075(a)	R. 1982 d.422 14 N.J.R. 1365(a)
5:27-1.6	Rooming and boarding houses and discrimination	13 N.J.R. 562(b)	R. 1981 d.435 13 N.J.R. 842(e)
5:27-2.1	Fire safety in boarding houses;	14 N.J.R. 496(b)	R. 1982 d.378 14 N.J.R. 1210(b)
5:27-3.2	Rooming houses and discrimination	13 N.J.R. 562(b)	R. 1981 d.435 13 N.J.R. 842(e)
5:27-3.5	Boarding houses: Non-ambulatory residents	14 N.J.R. 499(a)	R. 1982 d.379 14 N.J.R. 1211(a)
5:27-3.12	Limited tenure residents and boarding houses	15 N.J.R. 375(b)	R. 1983 d.157 15 N.J.R. 804(a)
5:27-4.8, 5.1, 5.3, 5.8, 5.9	Fire safety in boarding houses	14 N.J.R. 496(b)	R. 1982 d.378 14 N.J.R. 1210(b)
5:27-5.1	Fire drills in rooming houses	14 N.J.R. 1248(a)	R. 1982 d.490 15 N.J.R. 84(b)
5:27-5.3	Correction: Fire safety in boarding houses	14 N.J.R. 496(b)	R. 1982 d.378 14 N.J.R. 1300(c)
5:27-10.6	Boarding houses: self-administration of medicine	14 N.J.R. 499(a)	R. 1982 d.379 14 N.J.R. 1211(a)
5:27-12	Safety improvement loans	14 N.J.R. 496(b)	R. 1982 d.378 14 N.J.R. 1210(b)
5:27-12.2	Boarding houses: rental assistance agreements	15 N.J.R. 587(b)	R. 1983 d.251 15 N.J.R. 1015(c)
5:29	Petitions for rules	13 N.J.R. 259(b)	R. 1981 d.242 13 N.J.R. 395(a)
5:30	Readopted: Local Finance Board rules	15 N.J.R. 463(b)	R. 1983 d.277 15 N.J.R. 1180(a)
5:30	Correction: Local Finance Board rules	15 N.J.R. 463(b)	R. 1983 d.277 15 N.J.R. 1373(b)
5:30-1.11	Realized revenue analysis report	13 N.J.R. 475(a)	R. 1981 d.381 13 N.J.R. 755(a)
5:30-3.3	"Dedication by rider" to local budgets	14 N.J.R. 301(a)	R. 1982 d.186 14 N.J.R. 654(a)
5:30-3.4	Filing of municipal budget amendments	13 N.J.R. 188(a)	R. 1981 d.216 13 N.J.R. 395(b)
5:30-9.2	Form of tax collection record	13 N.J.R. 121(b)	R. 1981 d.122 13 N.J.R. 260(a)
5:30-9.3	Tax collector examination	13 N.J.R. 70(d)	R. 1981 d.121 13 N.J.R. 260(b)
5:36	Readopted: Grant rules for Handicapped Persons' Recreational Opportunities Act (recodified as 5:51)	15 N.J.R. 1305(a)	R. 1983 d.443 15 N.J.R. 1759(a)
5:38	Federal Aid Project Notification rules	15 N.J.R. 1494(a)	R. 1983 d.488 15 N.J.R. 1858(a)
5:42	Repealed (see 5:38)	15 N.J.R. 1494(a)	R. 1983 d.488 15 N.J.R. 1858(a)
5:70	Congregate Housing Services Program	14 N.J.R. 609(b)	R. 1982 d.272 14 N.J.R. 912(b)
5:71	County offices on aging	13 N.J.R. 395(c)	R. 1981 d.356 13 N.J.R. 563(a)
5:80-3.1	HFA housing projects: maximum family income	15 N.J.R. 1212(a)	R. 1983 d.470 15 N.J.R. 1860(a)
5:80-4.1	NJHFA: Debarment and suspension	12 N.J.R. 385(a)	R. 1981 d.255 13 N.J.R. 397(a)
5:80-5	Housing Finance Agency: transfer of ownership interests	15 N.J.R. 822(a)	R. 1983 d.315 15 N.J.R. 1373(c)
5:90	Repealed: Urban Loan Authority rules	14 N.J.R. 558(a)	R. 1982 d.288 14 N.J.R. 983(a)
5:100-1.5, 1.6	Ombudsman for institutionalized elderly	15 N.J.R. 588(a)	R. 1983 d.215 15 N.J.R. 1016(a)
5:100-2	Ombudsman for institutionalized elderly	15 N.J.R. 588(a)	R. 1983 d.215 15 N.J.R. 1016(a)

(Title 5, Transmittal 16 dated March 19, 1981)

**EDUCATION-TITLE 6**

6:2-1.1, 1.2, 1.7-1.19	Filing appeals before State Board	14 N.J.R. 261(a)	R. 1982 d.268 14 N.J.R. 913(a)
6:3-1	School districts: general provisions	15 N.J.R. 376(a)	R. 1983 d.248 15 N.J.R. 1016(b)
6:3-1.10	School districts: standards for determining seniority	15 N.J.R. 464(a)	R. 1983 d.255 15 N.J.R. 1017(a)
6:3-1.10	Standards for determining seniority	15 N.J.R. 1409(a)	R. 1983 d.563 15 N.J.R. 2034(a)
6:3-3	Readopted: Withdrawal from Limited Purpose Regional School Districts	15 N.J.R. 728(a)	R. 1983 d.368 15 N.J.R. 1468(c)
6:8-1.1, 3.4, 3.8, 4.2, 4.6	Statewide testing program	15 N.J.R. 979(b)	R. 1983 d.458 15 N.J.R. 1759(b)
6:11-4	Readopted: Types of Teaching Certificates	15 N.J.R. 1154(a)	R. 1983 d.492 15 N.J.R. 1860(b)
6:11-4	Teacher certification: correction	15 N.J.R. 1154(a)	R. 1983 d.492 15 N.J.R. 2034(b)
6:11-3.3	Fees for certificates and transcript evaluation	14 N.J.R. 1188(b)	R. 1983 d.40 15 N.J.R. 244(a)
6:11-3.12, 4.7	County substitute certification: School nurse, athletic coach	14 N.J.R. 1010(a)	R. 1982 d.486 15 N.J.R. 84(c)
6:11-3.12, 4.7	Hiring coaches for interscholastic athletics	15 N.J.R. 1152(b)	R. 1983 d.493 15 N.J.R. 1860(c)
6:11-4	Readopted: Types of Teaching Certificates	15 N.J.R. 1154(a)	R. 1983 d.492 15 N.J.R. 1860(b)
6:11-4	Teacher certification: correction	15 N.J.R. 1154(a)	R. 1983 d.492 15 N.J.R. 2034(b)
6:11-7	Repealed existing subchapter	14 N.J.R. 456(b)	R. 1982 d.269 14 N.J.R. 914(a)
6:11-7.1	State Approval of Teacher Education	14 N.J.R. 456(b)	R. 1982 d.269 14 N.J.R. 914(a)
6:20-2.10	Local districts: petty cash fund	15 N.J.R. 982(a)	R. 1983 d.491 15 N.J.R. 1861(a)
6:20-3.1	Building use charge by receiving districts	14 N.J.R. 499(b)	R. 1982 d.270 14 N.J.R. 914(b)

N.J.A.C. CITATION	PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)	
6:20-3.1	Correction: Operative date of building use charge	14 N.J.R. 499(b)	R.1982 d.270	14 N.J.R. 978(b)
6:20-4.1, 4.2	Tuition for private schools for handicapped	15 N.J.R. 730(a)	R.1983 d.369	15 N.J.R. 1469(a)
6:21-1.4	Useful life of school buses	15 N.J.R. 982(b)	R.1983 d.457	15 N.J.R. 1760(a)
6:21-5.1-5.12	Standards for school buses	15 N.J.R. 383(a)	R.1983 d.247	15 N.J.R. 1019(a)
6:21-6, 18, 19	Repealed: see 6:21-5.1-5.12	15 N.J.R. 383(a)	R.1983 d.247	15 N.J.R. 1019(a)
6:28	Readopted: Special Education rules	15 N.J.R. 732(a)	R.1983 d.348	15 N.J.R. 1470(a)
6:28-5.10, 5.11, 6.10, 6.11	Approval of auxiliary services for private school students	14 N.J.R. 617(a)	R.1982 d.316	14 N.J.R. 1054(a)
6:29-6.3	County substitute certification: Athletic coach	14 N.J.R. 1010(a)	R.1982 d.486	15 N.J.R. 84(c)
6:29-6.3	Hiring coaches for interscholastic athletics	15 N.J.R. 1152(b)	R.1983 d.493	15 N.J.R. 1860(c)
6:39-1.1-1.4	Statewide testing program	15 N.J.R. 979(b)	R.1983 d.458	15 N.J.R. 1759(b)
6:53	Vocational education safety standards	14 N.J.R. 619(a)	R.1982 d.368	14 N.J.R. 1154(b)
6:64-2.1-2.4	County library reorganization	15 N.J.R. 194(a)	R.1983 d.199	15 N.J.R. 890(b)
6:66	Archives and History and Records Management: transferred to Department of State by Governor's Reorganization Plan	_____	_____	15 N.J.R. 818(a)
6:66-2.15, 2.17, 2.20, 2.21, 3.12, 3.13	Records Management: microfilm systems and standards	15 N.J.R. 590(a)	R.1983 d.241	15 N.J.R. 1019(b)
6:68-4.1-4.9	Library Construction Incentive Act rules	15 N.J.R. 196(a)	R.1983 d.198	15 N.J.R. 890(c)
6:69-1	Repealed: public library construction	15 N.J.R. 1410(a)	R.1983 d.564	15 N.J.R. 2034(c)
6:72-77	State Museum: transferred to Department of State by Governor's Reorganization Plan	_____	_____	15 N.J.R. 270
6:79-1.9, 1.11	Child nutrition program changes	14 N.J.R. 1248(b)	R.1983 d.71	15 N.J.R. 440(a)
<b>(Title 6, Transmittal 18 dated June 21, 1982)</b>				
<b>ENVIRONMENTAL PROTECTION-TITLE 7</b>				
7:1A	Water Supply Bond Act loans	14 N.J.R. 10(a)	R.1982 d.167	14 N.J.R. 573(c)
7:1A	Extension of application closing date	Public Notice	R.1982 d.167	14 N.J.R. 1172(a)
7:1A-2.3, 2.4, 2.5, 2.8, 2.9, 2.12, 2.13, 2.14, 2.18, 2.20, 2.35	Water Supply Bond Loan rules	15 N.J.R. 1307(a)	R.1983 d.534	15 N.J.R. 1940(a)
7:1A-2.5, 2.12, 2.13	Water Supply Bond Act loans	14 N.J.R. 499(c)	R.1982 d.281	14 N.J.R. 915(a)
7:1A-3	Emergency interim repair of water systems	14 N.J.R. 1075(b)	R.1983 d.26	15 N.J.R. 141(d)
7:1C-1.5	Fees for 90-day construction permits	13 N.J.R. 123(c)	R.1981 d.187	13 N.J.R. 334(b)
7:1C-1.5	Maximum fees for waterfront development permits	13 N.J.R. 564(a)	R.1981 d.473	13 N.J.R. 943(b)
7:1C-1.13	90-day construction permits	Procedural	R.1981 d.48	13 N.J.R. 128(b)
7:1G	Loan procedures: water supply interconnections	14 N.J.R. 1012(a)	R.1983 d.425	15 N.J.R. 1650(b)
7:1H-3.4	County fees for solid waste enforcement activities	14 N.J.R. 1328(a)	R.1983 d.50	15 N.J.R. 330(d)
7:1I	Sanitary Landfill Facility Contingency Fund	15 N.J.R. 1213(a)	R.1983 d.571	15 N.J.R. 2034(d)
7:2	Readopted: State Park Service rules	15 N.J.R. 822(b)	R.1983 d.320	15 N.J.R. 1373(d)
7:2	State Park Service rules	15 N.J.R. 983(a)	R.1983 d.464	15 N.J.R. 1760(b)
7:6-1.37	Water skiing events on private lakes	15 N.J.R. 765(a)	R.1983 d.280	15 N.J.R. 1180(b)
7:6-7.1, 7.2, 7.4, 7.6	Obtaining title to abandoned vessels	15 N.J.R. 1411(a)	R.1983 d.503	15 N.J.R. 1861(b)
7:7-2	Waterfront development permits	13 N.J.R. 73(c)	R.1981 d.355	13 N.J.R. 564(b)
7:7A-1.13	Correction to Code: Wetlands maps	_____	_____	14 N.J.R. 1403(a)
7:7A-1.13	Wetlands maps in Atlantic County	15 N.J.R. 119(a)	R.1983 d.335	15 N.J.R. 1374(a)
7:7A-1.13	Wetlands maps in Cumberland County	15 N.J.R. 119(a)	R.1983 d.401	15 N.J.R. 1576(b)
7:7A-1.13	Wetlands maps in Cape May County	14 N.J.R. 1330(a)	R.1983 d.402	15 N.J.R. 1576(c)
7:7A-1.13	Correction: Expiration date of wetlands maps	_____	_____	15 N.J.R. 1654(a)
7:7A-1.13	Wetlands maps in Middlesex County	15 N.J.R. 386(a)	R.1983 d.535	15 N.J.R. 1941(a)
7:7D-2.3, 2.5, 2.8	CAFRA procedural rules	13 N.J.R. 75(a)	R.1981 d.267	13 N.J.R. 401(b)
7:7E	Coastal Management Program: "Routine implementation" determination	_____	_____	14 N.J.R. 1467(b)
7:7E-5.3, 5.6, 5.7	Coastal resource and development	14 N.J.R. 1129(b)	R.1983 d.27	15 N.J.R. 142(a)
7:7F	Shore Protection Program	14 N.J.R. 865(b)	R.1982 d.421	14 N.J.R. 1365(b)
7:8	Storm water management	14 N.J.R. 1022(a)	R.1983 d.24	15 N.J.R. 142(b)
7:9-2	Readopted: rules on individual subsurface disposal systems	15 N.J.R. 591(a)	R.1983 d.243	15 N.J.R. 1042(a)
7:9-4, -5, -6	Water quality standards	12 N.J.R. 108(c)	R.1981 d.80	13 N.J.R. 194(b)
7:9-10	Repealed: Duplicative review of Pinelands and coastal area sewerage installation	15 N.J.R. 1155(a)	R.1983 d.432	15 N.J.R. 1654(b)
7:9-8, -11, -14	Repealed	12 N.J.R. 108(c)	R.1981 d.80	13 N.J.R. 194(b)
7:9-10.2, 10.3, 10.9	Pinelands and coastal area sewerage approval	14 N.J.R. 504(a)	R.1982 d.298	14 N.J.R. 979(a)
7:9-10.4, 10.5, 10.6	One-year suspension of rules	14 N.J.R. 504(a)	R.1982 d.298	14 N.J.R. 979(a)
7:9-13.3, 13.5, 13.6	Sewer extension ban	12 N.J.R. 639(b)	R.1981 d.224	13 N.J.R. 402(a)
7:10	Readopted: Safe Drinking Water Act rules	15 N.J.R. 592(a)	R.1983 d.244	15 N.J.R. 1019(c)
7:10-8	Repealed: See 7:18	13 N.J.R. 260(d)	R.1981 d.279	13 N.J.R. 481(c)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
7:11-2	Consolidated Rate Schedule: D&R Canal and Spruce Run-Round Valley	15 N.J.R. 122(a)	R. 1983 d.191	15 N.J.R. 891(a)
7:11-2, -4	Water rate schedule: D and R, Spruce Run-Round Valley	14 N.J.R. 681(a)	R. 1982 d.455	14 N.J.R. 1449(b)
7:11-4	Repealed (see 7:11-2)	15 N.J.R. 122(a)	R. 1983 d.191	15 N.J.R. 891(a)
7:12	Readopted: Shellfish-Growing Water Classification	15 N.J.R. 595(a)	R. 1983 d.249	15 N.J.R. 1020(a)
7:12-1.1, 1.3,	Condemnation of certain shellfish beds	13 N.J.R. 191(b)	R. 1981 d.190	13 N.J.R. 339(b)
7:12-1.2-1.5	Shellfish beds: Reclassification	14 N.J.R. 310(a)	R. 1982 d.182	14 N.J.R. 655(a)
7:12-1.3	Condemnation of certain shellfish areas	13 N.J.R. 566(a)	R. 1981 d.431	13 N.J.R. 755(b)
7:12-2	Shellfish waters condemnation	13 N.J.R. 191(b)	R. 1981 d.190	13 N.J.R. 339(b)
7:12-2.9, 2.12	Correction: Shellfish transplant and processing programs	15 N.J.R. 595(a)	R. 1983 d.249	15 N.J.R. 1761(a)
7:13-1.11(b)7	Flood plain delineation of Great Egg Harbor River	12 N.J.R. 506(a)	R. 1981 d.88	13 N.J.R. 194(d)
7:13-1.11(b)8	Flood plain delineation of Mullica River and tributaries	12 N.J.R. 506(b)	R. 1981 d.7	13 N.J.R. 194(e)
7:13-1.11(d)49	Flood hazard area delineations	12 N.J.R. 640(b)	R. 1981 d.144	13 N.J.R. 339(c)
7:13-1.11(d)50	Flood hazard area delineations	12 N.J.R. 640(a)	R. 1981 d.145	13 N.J.R. 340(a)
7:13-1.11(c)17	Delaware Basin floodway delineations	13 N.J.R. 805(a)	R. 1982 d.154	14 N.J.R. 472(b)
7:13-1.11(b)9	Floodway delineations along Tuckahoe River	13 N.J.R. 921(a)	R. 1982 d.155	14 N.J.R. 473(a)
7:13-1.11(d)47	Floodway delineations in Hackensack basin	14 N.J.R. 19(a)	R. 1982 d.156	14 N.J.R. 473(b)
7:13-1.11(d)39	Floodway delineations: Woodbridge and Rahway rivers	13 N.J.R. 920(a)	R. 1982 d.157	14 N.J.R. 473(c)
7:13-1.11(b)5	Delineated streams along Upper Mullica River	14 N.J.R. 367(b)	R. 1982 d.209	14 N.J.R. 755(c)
7:13-1.11(d)31	Delineated streams in Somerset County	14 N.J.R. 367(a)	R. 1982 d.392	14 N.J.R. 1211(b)
7:13-1.11(d)42	Floodway delineations in Union County	14 N.J.R. 870(a)	R. 1982 d.428	14 N.J.R. 1365(c)
7:13-1.11(b)6	Floodway delineations along Cedar Creek, Lacey Twp.	14 N.J.R. 683(a)	R. 1982 d.430	14 N.J.R. 1365(d)
7:13-1.11(c)2	Floodway delineations along Big Timber Creek	14 N.J.R. 505(a)	R. 1982 d.431	14 N.J.R. 1366(a)
7:13-1.11(c)27	Floodway delineations along Pond Run, Mercer County	14 N.J.R. 506(a)	R. 1982 d.432	14 N.J.R. 1366(b)
7:13-1.11(d)48	Floodway delineations in Morris County	14 N.J.R. 870(b)	R. 1982 d.453	14 N.J.R. 1451(a)
7:13-1.11(d)48	Floodway delineations in Essex County	14 N.J.R. 1027(a)	R. 1982 d.478	15 N.J.R. 32(b)
7:13-1.11(d)1	Floodway delineations in Hunterdon County	14 N.J.R. 1131(b)	R. 1983 d.109	15 N.J.R. 622(c)
7:13-1.11(c)28	Floodway delineations in Burlington County	14 N.J.R. 1434(a)	R. 1983 d.135	15 N.J.R. 689(b)
7:13-1.11(d)42	Floodway delineations in Somerset-Union counties	14 N.J.R. 1131(a)	R. 1983 d.136	15 N.J.R. 690(a)
7:13-1.11(c)29	Floodway delineations in Monmouth County	14 N.J.R. 1134(a)	R. 1983 d.168	15 N.J.R. 893(a)
7:13-1.11(b)10	Flood delineations in Ocean-Monmouth counties	14 N.J.R. 1189(a)	R. 1983 d.197	15 N.J.R. 894(a)
7:13-1.11(d)47	Floodway delineation along Mill Brook in Montvale	15 N.J.R. 989(a)	R. 1983 d.405	15 N.J.R. 1576(d)
7:13-1.11(c)	Floodway delineations in Mercer County	14 N.J.R. 1132(a)	R. 1983 d.462	15 N.J.R. 1761(b)
7:13-1.11(d)45	Floodways along the Raritan River	15 N.J.R. 659(a)	R. 1983 d.463	15 N.J.R. 1761(c)
7:13-1.11(b)	Flood hazard area delineations in Monmouth County	15 N.J.R. 198(a)	R. 1983 d.569	15 N.J.R. 2039(a)
7:13-1.11	Readopted: Delineated Floodway rules	15 N.J.R. 839(a)	R. 1983 d.321	15 N.J.R. 1374(b)
7:14	Pollutant discharge and waste management	12 N.J.R. 569(f)	R. 1981 d.84	13 N.J.R. 194(c)
7:14-2	Construction of wastewater treatment facilities	14 N.J.R. 75(a)	R. 1982 d.338	14 N.J.R. 1155(b)
7:14-2.12	Correction: Select trench backfill payment width	14 N.J.R. 75(a)	R. 1982 d.338	15 N.J.R. 440(b)
7:14-5, App. A	Statewide septage management	13 N.J.R. 124(a)	R. 1982 d.82	14 N.J.R. 336(c)
7:14A	Conditions for users of DTW	12 N.J.R. 569(f)	R. 1981 d.84	13 N.J.R. 194(c)
7:14A	Readopted: NJPDES permit program rules	15 N.J.R. 606(a)	R. 1983 d.260	15 N.J.R. 1094(c)
7:14A-1.8, 1.9, 2.1	Fee schedule for NJPDES permittees	14 N.J.R. 684(a)	R. 1982 d.495	15 N.J.R. 85(a)
7:14A-1.9	Water quality: Underground injection control	14 N.J.R. 1136(a)	R. 1983 d.9	15 N.J.R. 145(a)
7:14A-4	Industrial waste management facilities	12 N.J.R. 569(f)	R. 1981 d.373	13 N.J.R. 705(a)
7:14A-4.2, 4.3	Hazardous waste management	14 N.J.R. 1137(a)	R. 1983 d.25	15 N.J.R. 146(a)
7:14A-4.3	"Wastewater treatment unit" defined	14 N.J.R. 506(b)	R. 1982 d.310	14 N.J.R. 1054(b)
7:14A-5.11, 5.13, 5.15, 5.16	Underground injection control	14 N.J.R. 1136(a)	R. 1983 d.9	15 N.J.R. 145(a)
7:14A-11, 13.1	Hazardous waste management	13 N.J.R. 724(a)	R. 1982 d.97	14 N.J.R. 338(a)
7:14A-13.4	Pollutant discharge and waste management	13 N.J.R. 89(a)	R. 1981 d.214	13 N.J.R. 403(a)
7:17	Hard clam depuration pilot plant program	12 N.J.R. 253(a)	R. 1981 d.56	13 N.J.R. 194(a)
7:18	Laboratory certification and standards of performance	13 N.J.R. 260(d)	R. 1981 d.279	13 N.J.R. 481(c)
7:19	Water diversion and water supply allocation permits	13 N.J.R. 639(a)	R. 1981 d.488	14 N.J.R. 42(a)
7:19-3	Water diversion fees for non-growing use	14 N.J.R. 459(a)	R. 1982 d.239	14 N.J.R. 834(f)
7:19-3.9	Annual review: fee schedule for water supply allocation			15 N.J.R. 950(a)
7:19-4	Diversion assessment and payment for public water supply	15 N.J.R. 276(a)	R. 1983 d.400	15 N.J.R. 1577(a)
7:20A	Water diversion for agriculture and horticulture	14 N.J.R. 1249(a)	R. 1983 d.562	15 N.J.R. 2154(b)
7:21	Water policy and supply council	Organizational	R. 1981 d.366	13 N.J.R. 705(b)
7:22	Natural Resources Bond Fund	13 N.J.R. 481(d)	R. 1981 d.456	13 N.J.R. 886(d)
7:23-2	Flood control bond grants	13 N.J.R. 192(a)	R. 1981 d.223	13 N.J.R. 403(b)
7:24	Dam restoration grants	13 N.J.R. 9(a)	R. 1981 d.104	13 N.J.R. 195(b)
7:25-2	Use of Wildlife Management Areas	15 N.J.R. 840(a)	R. 1983 d.336	15 N.J.R. 1374(c)
7:25-2.14	Field trials and horseback riding permits	15 N.J.R. 387(a)	R. 1983 d.185	15 N.J.R. 894(b)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
7:25-4.6	Nongame and exotic wildlife inspection	13 N.J.R. 806(a)	R. 1981 d.513	14 N.J.R. 102(a)
7:25-5	Game Code	13 N.J.R. 262(a)	R. 1981 d.253	13 N.J.R. 403(c)
7:25-5	1982-83 Game Code	14 N.J.R. 402(b)	R. 1982 d.212	14 N.J.R. 755(d)
7:25-5.13, 5.28, 5.29	1982-83 Game Code changes	14 N.J.R. 871(a)	R. 1982 d.351	14 N.J.R. 1158(a)
7:25-5	1983-1984 Game Code	15 N.J.R. 771(a)	R. 1983 d.302	15 N.J.R. 1247(b)
7:25-6	1982-1983 Fish Code	13 N.J.R. 483(a)	R. 1981 d.470	13 N.J.R. 887(a)
7:25-6	1983 Fish Code	14 N.J.R. 872(a)	R. 1982 d.429	14 N.J.R. 1366(c)
7:25-6	1984-85 Fish Code	15 N.J.R. 1217(a)	R. 1983 d.542	15 N.J.R. 1942(a)
7:25-7.2	Oyster seed beds recodification	13 N.J.R. 193(a)	R. 1981 d.189	13 N.J.R. 340(b)
7:25-7.10	Taking of oysters	13 N.J.R. 125(a)	R. 1981 d.199	13 N.J.R. 403(d)
7:25-7.10	Senior citizen's oyster license	14 N.J.R. 629(a)	R. 1982 d.337	14 N.J.R. 1158(b)
7:25-7.13	Crab dredging	13 N.J.R. 125(b)	R. 1981 d.200	13 N.J.R. 404(a)
7:25-7.13	Crab dredging in Atlantic Coast section	15 N.J.R. 1413(a)	R. 1983 d.541	15 N.J.R. 1943(a)
7:25-9.1	Taking of hard clams: size tolerance control	14 N.J.R. 689(a)	R. 1983 d.270	15 N.J.R. 1095(a)
7:25-9.2	Hard clam harvest penalties	13 N.J.R. 404(b)	R. 1981 d.362	13 N.J.R. 706(a)
7:25-9.2	Penalties for harvesting undersized clams	15 N.J.R. 1220(a)	R. 1983 d.461	15 N.J.R. 1762(a)
7:25-9.4	Bay scallops	13 N.J.R. 126(a)	R. 1981 d.256	13 N.J.R. 404(c)
7:25-12.1	Sea clam harvesting	Emergency	R. 1981 d.448	13 N.J.R. 843(a)
7:25-12.1	Harvest of sea clams	13 N.J.R. 613(a)	R. 1981 d.486	13 N.J.R. 943(c)
7:25-12.1	1982 sea clam harvest limits	Emergency	R. 1982 d.80	14 N.J.R. 288(a)
7:25-12.1	Sea clam harvest	14 N.J.R. 881(a)	R. 1982 d.393	14 N.J.R. 1213(a)
7:25-12.1	Preservation of sea clams	15 N.J.R. 1414(a)	R. 1983 d.567	15 N.J.R. 2039(b)
7:25-14	Atlantic Coast crabbing	13 N.J.R. 262(b)	R. 1981 d.299	13 N.J.R. 546(a)
7:25-14	Crab pots	15 N.J.R. 388(b)	R. 1983 d.291	15 N.J.R. 1181(a)
7:25-14.8-14.10	Crab harvesting	13 N.J.R. 645(a)	R. 1982 d.169	14 N.J.R. 578(a)
7:25-15.1	Hard clam relay program	13 N.J.R. 645(b)	R. 1982 d.117	14 N.J.R. 387(a)
7:25-15.1	Readopted: Relay of hard clams	14 N.J.R. 1055(a)	R. 1982 d.411	14 N.J.R. 1300(d)
7:25-15.1	Relay of hard clams	Emergency	R. 1983 d.519	15 N.J.R. 1959(a)
7:25-16.1	Upstream line revisions	13 N.J.R. 484(a)	R. 1981 d.469	13 N.J.R. 887(b)
7:25-16.1	Upstream fishing lines	14 N.J.R. 882(a)	R. 1982 d.454	14 N.J.R. 1451(b)
7:25-18A	Readopted: Fisheries closures and advisories	15 N.J.R. 39(a)	R. 1983 d.102	15 N.J.R. 543(c)
7:25-21	Terrapin	13 N.J.R. 126(b)	R. 1981 d.198	13 N.J.R. 405(a)
7:25-22.1	Marine finfish: Menhaden season	14 N.J.R. 945(a)	R. 1983 d.137	15 N.J.R. 690(b)
7:25A-1.1	Emergency: Oyster dredging license moratorium	Emergency	R. 1981 d.94	13 N.J.R. 195(a)
7:25A-1.1, 1.2	Oyster dredging licenses	13 N.J.R. 192(b)	R. 1981 d.188	13 N.J.R. 340(c)
7:25A-1.1, 1.2, 2.1, 2.3-2.5	Oyster dredging and management	15 N.J.R. 990(a)	R. 1983 d.351	15 N.J.R. 1473(a)
7:25A-1.2	Sale of licensed oyster vessel	15 N.J.R. 1415(a)	R. 1983 d.591	15 N.J.R. 2158(a)
7:25A-2.1-2.7	Oyster management in Delaware Bay	13 N.J.R. 192(c)	R. 1981 d.197	13 N.J.R. 405(b)
7:25A-3.1	Oyster seed beds recodification	13 N.J.R. 193(a)	R. 1981 d.189	13 N.J.R. 340(b)
7:25A-3.1	1982 seed oyster season	14 N.J.R. 264(a)	R. 1982 d.148	14 N.J.R. 426(b)
7:25A-3.1	1983 oyster seed bed season	15 N.J.R. 200(a)	R. 1983 d.161	15 N.J.R. 804(b)
7:25A-3.1	Oyster seed beds	15 N.J.R. 1415(b)	R. 1983 d.568	15 N.J.R. 2040(a)
7:25A-4	Oyster cultch program	15 N.J.R. 1416(a)	R. 1983 d.590	15 N.J.R. 2159(a)
7:26-1	Solid waste administration	12 N.J.R. 511(a)	R. 1981 d.281	13 N.J.R. 484(b)
7:26-1	Hazardous waste management	12 N.J.R. 511(a)	R. 1981 d.370	13 N.J.R. 706(b)
7:26-1.1	Pollutant discharge and waste management	12 N.J.R. 569(f)	R. 1981 d.84	13 N.J.R. 194(c)
7:26-1.1, 1.4	Hazardous waste management	14 N.J.R. 1138(a)	R. 1982 d.433	14 N.J.R. 1367(a)
7:26-1.4	Hazardous waste management	13 N.J.R. 567(a)	R. 1982 d.324	14 N.J.R. 1089(d)
7:26-1.4	Correction: Hazardous waste management	14 N.J.R. 1137(a)	R. 1983 d.25	15 N.J.R. 333(a)
7:26-1.4	Sanitary landfill closure and post-closure	14 N.J.R. 883(a)	R. 1983 d.192	15 N.J.R. 894(c)
7:26-1.4	Hazardous waste: gas cylinder facility exemption	15 N.J.R. 390(a)	R. 1983 d.350	15 N.J.R. 1474(a)
7:26-1.4, 2.6, 2.11, 2.13, 3.5	Solid waste classifications	15 N.J.R. 660(a)	R. 1983 d.570	15 N.J.R. 2040(b)
7:26-1.7	Hazardous waste management	14 N.J.R. 1138(a)	R. 1982 d.433	14 N.J.R. 1367(a)
7:26-1.8	Hazardous waste management	13 N.J.R. 724(a)	R. 1982 d.97	14 N.J.R. 338(a)
7:26-2.9, 2.13	Sanitary landfill closure and post-closure	14 N.J.R. 883(a)	R. 1983 d.192	15 N.J.R. 894(c)
7:26-2.14	Hazardous waste management	14 N.J.R. 1138(a)	R. 1982 d.433	14 N.J.R. 1367(a)
7:26-3.2,4.7	Solid waste collection and haulage	Procedural	R. 1981 d.49	13 N.J.R. 129(a)
7:26-3.8	Hazardous waste management	14 N.J.R. 1138(a)	R. 1982 d.433	14 N.J.R. 1367(a)
7:26-4	Readopted: solid waste fee schedules	15 N.J.R. 662(a)	R. 1983 d.269	15 N.J.R. 1095(b)
7:26-4.7	Registration of hazardous waste collector/haulers	14 N.J.R. 368(a)	R. 1982 d.289	14 N.J.R. 979(b)
7:26-4.10	County fees for solid waste enforcement activities	14 N.J.R. 1328(a)	R. 1983 d.50	15 N.J.R. 330(d)
7:26-5.5	Hazardous waste management	14 N.J.R. 1138(a)	R. 1982 d.433	14 N.J.R. 1367(a)
7:26-6	Interdistrict and intradistrict solid waste flow	14 N.J.R. 1027(b)	R. 1982 d.434	14 N.J.R. 1368(a)
7:26-6	Correction: Interdistrict and intradistrict solid waste flow	14 N.J.R. 1027(b)	R. 1982 d.434	15 N.J.R. 900(a)
7:26-7, -8	Solid waste administration	12 N.J.R. 511(a)	R. 1981 d.281	13 N.J.R. 484(b)

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7:26-7.4	Hazardous waste management	13 N.J.R. 567(a)	R.1982 d.324	14 N.J.R. 1089(d)
7:26-7.4, 7.5, 7.7	Waste oil management as hazardous material	14 N.J.R. 20(a)	R.1982 d.494	15 N.J.R. 88(a)
7:26-7.6	Hazardous waste management	14 N.J.R. 1138(a)	R.1982 d.433	14 N.J.R. 1367(a)
7:26-8.13, 8.15	Waste oil management	14 N.J.R. 20(a)	R.1982 d.494	15 N.J.R. 88(a)
7:26-8.13, 8.16	Dioxin and dibenzofuran contamination	Emergency	R.1983 d.292	15 N.J.R. 1184(a)
7:26-8.13, 8.16	Dioxin and dibenzofuran contamination	15 N.J.R. 1184(a)	R.1983 d.502	15 N.J.R. 1861(c)
7:26-8.16	Hazardous waste management	14 N.J.R. 1138(a)	R.1982 d.433	14 N.J.R. 1367(a)
7:26-9	Hazardous waste management	12 N.J.R. 511(a)	R.1981 d.370	13 N.J.R. 706(b)
7:26-9.1, 9.5, 9.9	Hazardous waste management	14 N.J.R. 1138(a)	R.1982 d.433	14 N.J.R. 1367(a)
7:26-9.1, 9.2, 9.4,-10, 11.2, 11.3, 11.5, 11.7, 12.1, 12.2	Hazardous waste management	13 N.J.R. 567(a)	R.1982 d.324	14 N.J.R. 1089(d)
7:26-9.1, 12.1	Gas cylinder facility exemption	15 N.J.R. 390(a)	R.1983 d.350	15 N.J.R. 1474(a)
7:26-11, -12	Hazardous waste management	12 N.J.R. 511(a)	R.1981 d.370	13 N.J.R. 706(b)
7:26-12.2	Hazardous waste management	13 N.J.R. 724(a)	R.1982 d.97	14 N.J.R. 338(a)
7:26-12.3	Permits for existing hazardous waste facilities	15 N.J.R. 1063(a)	R.1983 d.403	15 N.J.R. 1578(a)
7:26-13	Siting of new hazardous waste facilities	15 N.J.R. 113(a)	R.1983 d.276	15 N.J.R. 1096(a)
7:26-13.7	Siting of commercial hazardous waste facilities	15 N.J.R. 1064(a)	R.1983 d.406	15 N.J.R. 1579(a)
7:26-14	Resource recovery grants	13 N.J.R. 9(a)	R.1981 d.184	13 N.J.R. 340(d)
7:26-14	Codification correction: Resource recovery grants	13 N.J.R. 9(a)	R.1981 d.184	15 N.J.R. 147(a)
7:26-15	Recycling of municipal solid waste (joint adoption, see 14A:6)	13 N.J.R. 865(a)	R.1982 d.32	14 N.J.R. 206(b)
7:26-15.8	Recycling grants and loans: Supplementary projects	14 N.J.R. 1346(a)	R.1983 d.119	15 N.J.R. 622(d)
7:27-2	Control and prohibition of open burning	12 N.J.R. 690(a)	R.1981 d.135	13 N.J.R. 264(a)
7:27-9	Sulfur in fuels	13 N.J.R. 870(a)	R.1982 d.456	14 N.J.R. 1452(a)
7:27-10	Sulfur in coal	12 N.J.R. 571(a)	R.1981 d.185	13 N.J.R. 341(a)
7:27-15.1	Specifications for Exhaust Gas Analytical System	Emergency	R.1983 d.407	15 N.J.R. 1607(a)
7:27-15.1	Specifications for Exhaust Gas Analytical System	15 N.J.R. 1607(a)	R.1983 d.536	15 N.J.R. 1943(b)
7:27-16	Air pollution control: Volatile organic substances	13 N.J.R. 127(a)	R.1982 d.3	14 N.J.R. 145(b)
7:28-1, 2	Radiation protection	15 N.J.R. 391(a)	R.1983 d.592	15 N.J.R. 2160(a)
7:28-24	Licensing of nuclear medicine technologists	14 N.J.R. 507(a)	R.1982 d.457	14 N.J.R. 1455(a)
7:28-41	Mercury vapor lamps	13 N.J.R. 9(b)	R.1981 d.464	13 N.J.R. 887(c)
7:29B	Noise measurement	13 N.J.R. 127(b)	R.1982 d.81	14 N.J.R. 339(a)
7:30-1, -2, -4, -8	State Pesticide Control Code	14 N.J.R. 787(a)	R.1982 d.435	14 N.J.R. 1385(a)
7:30-3,-5,-6,-7	State Pesticide Control Code	14 N.J.R. 787(a)	R.1983 d.166	15 N.J.R. 915(a)
7:30-10	State Pesticide Control Code: Pesticide use	14 N.J.R. 787(a)	R.1983 d.63	15 N.J.R. 333(b)
7:36-3.1	Green Acres reimbursement	14 N.J.R. 461(a)	R.1982 d.231	14 N.J.R. 835(a)
7:38-1.17	Wild and scenic rivers addition	13 N.J.R. 568(a)	R.1982 d.2	14 N.J.R. 147(a)
7:50	Pinelands management	13 N.J.R. 569(a)	R.1982 d.131	14 N.J.R. 388(a)
7:50	Pinelands Comprehensive Management Plan and Sunset Provision	Public Notice		14 N.J.R. 1102(b)

(Title 7, Transmittal 16 dated January 14, 1981; 7:7E, Transmittal 17 dated June 21, 1982)

**HEALTH-TITLE 8**

8:13-2.1, 2.3, 2.4, 2.7-2.9, 2.11, 2.13-2.15	Soft-shell clam depuration	14 N.J.R. 415(a)	R.1982 d.241	14 N.J.R. 835(b)
8:18-1	Repealed: Children's boarding home rules	14 N.J.R. 1436(b)	R.1983 d.101	15 N.J.R. 544(a)
8:21-2.34	Repealed (see 8:21-12)	14 N.J.R. 1265(a)	R.1983 d.115	15 N.J.R. 623(a)
8:21-3.23	Legal animal repellants	14 N.J.R. 79(a)	R.1982 d.123	14 N.J.R. 389(a)
8:21-3.24	Ingredients for human self-defense sprays	14 N.J.R. 1029(a)	R.1982 d.451	14 N.J.R. 1456(a)
8:21-3.25	Sale and possession of nitrous oxide	14 N.J.R. 1190(a)	R.1983 d.41	15 N.J.R. 244(b)
8:21-9	Readopted: Licensing rules for food and cosmetic plants	15 N.J.R. 609(a)	R.1983 d.345	15 N.J.R. 1475(a)
8:21-9.5	License fees for wholesale food and cosmetic plants	15 N.J.R. 1317(a)	R.1983 d.456	15 N.J.R. 1762(b)
8:21-10	Designated fluid milk products	12 N.J.R. 643(c)	R.1980 d.539	13 N.J.R. 13(f)
8:21-12	Nonalcoholic beverages and bottled water	14 N.J.R. 1265(a)	R.1983 d.115	15 N.J.R. 623(a)
8:21-12.5	Correction: labeling of bottled water	15 N.J.R. 623(a)		15 N.J.R. 809(a)
8:22-1	State Sanitary Code-Campgrounds	13 N.J.R. 130(a)	R.1981 d.161	13 N.J.R. 342(a)
8:22-2	Repeal mobile home park rules	12 N.J.R. 577(d)	R.1980 d.499	13 N.J.R. 13(c)
8:23-1.4	Psittacosis testing of quarantined birds	15 N.J.R. 466(a)	R.1983 d.207	15 N.J.R. 918(a)
8:24	Retail food establishments; vending machines	14 N.J.R. 509(a)	R.1983 d.98	15 N.J.R. 544(b)
8:24	Correction: retail food establishments		R.1983 d.98	15 N.J.R. 809(b)
8:25	Readopted: Youth Camp Safety rules	15 N.J.R. 467(a)	R.1983 d.186	15 N.J.R. 918(b)

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8:25-6.12	Youth camp certification fees	14 N.J.R. 1191(a)	R. 1982 d. 476	15 N.J.R. 33(a)
8:30	Expiration date	13 N.J.R. 265(a)	R. 1981 d. 283	13 N.J.R. 485(b)
8:30	Long-term care facilities	14 N.J.R. 417(a)	R. 1982 d. 205	14 N.J.R. 709(b)
8:30	Repealed (see 8:39)	15 N.J.R. 279(a)	R. 1983 d. 236	15 N.J.R. 1022(b)
8:30-1.4	Health care facilities licensure fees	14 N.J.R. 1273(a)	R. 1983 d. 66	15 N.J.R. 336(a)
8:30-14	Recodified as 8:39-27	15 N.J.R. 279(a)	R. 1983 d. 236	15 N.J.R. 1022(b)
8:31-22.1	Doctors' offices in medical facilities	13 N.J.R. 807(a)	R. 1982 d. 273	14 N.J.R. 915(b)
8:31-23.1	Parking garage standards	13 N.J.R. 807(b)	R. 1982 d. 274	14 N.J.R. 916(a)
8:31-24.1	Hospital personnel housing	13 N.J.R. 808(a)	R. 1982 d. 275	14 N.J.R. 916(b)
8:31-25.1	Mobile intensive care paramedics: Approved	14 N.J.R. 1331(a)	R. 1983 d. 28	15 N.J.R. 147(b)
8:31-26.1	Health care facilities: ownership by convicted persons	15 N.J.R. 307(a)	R. 1983 d. 235	15 N.J.R. 1021(a)
8:31-26.3	All health care facilities: Employee physicals	14 N.J.R. 1274(a)	R. 1983 d. 69	15 N.J.R. 337(a)
8:31-26.3	Health care facilities: employee physical exams	15 N.J.R. 470(a)	R. 1983 d. 234	15 N.J.R. 1022(a)
8:31-26.4	Child abuse and neglect	13 N.J.R. 12(a)	R. 1981 d. 157	13 N.J.R. 342(b)
8:31-26.4	Correction: Child abuse reporting	13 N.J.R. 12(a)	R. 1981 d. 157	13 N.J.R. 756(a)
8:31-26.5	Licensure fees	14 N.J.R. 1273(a)	R. 1983 d. 66	15 N.J.R. 336(b)
8:31-27	Megavoltage radiation (recodified as 8:33I)	13 N.J.R. 406(b)	R. 1981 d. 406	13 N.J.R. 756(b)
8:31-28.1, 28.3	Need and designation of regional services	12 N.J.R. 515(a)	R. 1980 d. 528	13 N.J.R. 13(d)
8:31-30.1	Plan Review Fee multiplier	13 N.J.R. 265(b)	R. 1981 d. 284	13 N.J.R. 486(a)
8:31A-7	1982 SHARE regulations	13 N.J.R. 266(a)	R. 1981 d. 325	13 N.J.R. 571(c)
8:31A-7	SHARE Manual: 1983 rate review guidelines	14 N.J.R. 887(a)	R. 1982 d. 452	14 N.J.R. 1456(b)
8:31A-7	SHARE Manual: relief from overspending challenge	15 N.J.R. 200(b)	R. 1983 d. 201	15 N.J.R. 918(c)
8:31A-8.1	Hospital reporting: medical discharge abstract	15 N.J.R. 470(b)	R. 1983 d. 338	15 N.J.R. 1374(d)
8:31A-9.2	Correction to Code: SHARE Manual	10 N.J.R. 534(c)	R. 1979 d. 25	14 N.J.R. 44(a)
8:31A-10.1	Mobile unit rate guidelines	13 N.J.R. 647(a)	R. 1982 d. 38	14 N.J.R. 208(a)
8:31B-2.2, 2.4	Uniform Bill-Patient Summary (inpatient)	13 N.J.R. 410(a)	R. 1981 d. 404	13 N.J.R. 756(c)
8:31B-2.4, 2.6	Uniform bill-patient summaries (inpatient)	15 N.J.R. 1325(a)	R. 1983 d. 598	15 N.J.R. 2162(a)
8:31B-3	Hospital procedural and methodological regulations	12 N.J.R. 515(b)	R. 1980 d. 455	12 N.J.R. 645(c)
8:31B-3	Procedural and methodological regulations	13 N.J.R. 486(b)	R. 1981 d. 494	14 N.J.R. 45(a)
8:31B-3	Nursing Management Report: RIM Methodology	14 N.J.R. 737(a)	R. 1982 d. 427	15 N.J.R. 43(a)
8:31B-3	Hospital rate setting: RIM and other 1983 changes	14 N.J.R. 737(a)	R. 1982 d. 427	14 N.J.R. 1389(a)
8:31B-3	Hospital rate setting: 1984 procedure and methodology	15 N.J.R. 1326(a)	R. 1983 d. 597	15 N.J.R. 2163(a)
8:31B-3.19	Hospital rate setting: Patient care cost finding	14 N.J.R. 737(a)	R. 1983 d. 194	15 N.J.R. 919(a)
8:31B-3.20D	Rate of return: For-profit hospitals	13 N.J.R. 266(b)	R. 1981 d. 290	13 N.J.R. 486(c)
8:31B-3.26, 3.72	Hospital rate setting: economic factor; periodic adjustments	15 N.J.R. 471(a)	R. 1983 d. 206	15 N.J.R. 920(a)
8:31B-3.27, 3.73	Hospital rate setting: capital facilities; reconciliation	15 N.J.R. 201(a)	R. 1983 d. 200	15 N.J.R. 920(b)
8:31B-4	Hospital financial elements and reporting regulations	12 N.J.R. 516(a)	R. 1980 d. 453	12 N.J.R. 645(a)
8:31B-4.6, 4.25, 4.64, 4.66, 4.67, 4.131	1984 Hospital Financial Elements and Reporting	15 N.J.R. 1334(a)	R. 1983 d. 596	15 N.J.R. 2166(a)
8:31B-4.44, 4.66	1983 Financial Elements and Reporting	14 N.J.R. 946(b)	R. 1982 d. 449	14 N.J.R. 1457(a)
8:31B-4.62	Excluded health care services	12 N.J.R. 643(d)	R. 1981 d. 10	13 N.J.R. 92(a)
8:31B-5.1, 5.2	Diagnosis related groups and outliers	15 N.J.R. 1336(a)	R. 1983 d. 595	15 N.J.R. 2167(a)
8:31B-5.1, 5.2, 5.3	Diagnostic related groups	13 N.J.R. 726(b)	R. 1982 d. 37	14 N.J.R. 147(b)
8:31B-6.1-6.5	Mobile unit rate guidelines	13 N.J.R. 647(a)	R. 1982 d. 28	14 N.J.R. 208(a)
8:33	Certificate of Need application changes	13 N.J.R. 267(a)	R. 1981 d. 296	13 N.J.R. 487(b)
8:33-2.2	Batching cycle for long-term care facilities	15 N.J.R. 307(b)	R. 1983 d. 205	15 N.J.R. 920(c)
8:33D-1.3	Regional hemophilia care centers	13 N.J.R. 727(a)	R. 1982 d. 26	14 N.J.R. 147(c)
8:33E-1.1	Cardiac diagnostic facilities	13 N.J.R. 649(a)	R. 1982 d. 24	14 N.J.R. 147(d)
8:33E-2.2	Cardiac surgical centers	13 N.J.R. 651(a)	R. 1982 d. 25	14 N.J.R. 147(e)
8:33F	Regional renal disease services: certification of need	15 N.J.R. 1221(a)	R. 1983 d. 431	15 N.J.R. 1654(c)
8:33F-1.1-1.4, 1.6, 1.7	Regional end-stage renal services	13 N.J.R. 922(b)	R. 1982 d. 143	14 N.J.R. 426(c)
8:33G	Certificate of Need reviews: CT scanners	13 N.J.R. 487(c)	R. 1981 d. 472	13 N.J.R. 944(a)
8:33G-1.2, 1.4	CT scanners: Need review	14 N.J.R. 1275(a)	R. 1983 d. 64	15 N.J.R. 337(b)
8:33H-3.3	Medicare and Medicaid beds in long-term care	14 N.J.R. 191(a)	R. 1982 d. 180	14 N.J.R. 578(b)
8:33H-3.3	Long-term care: expansion and new construction	15 N.J.R. 473(a)	R. 1983 d. 195	15 N.J.R. 921(a)
8:33H-3.10	Long-term care: bed need methodology	15 N.J.R. 1226(a)	R. 1983 d. 429	15 N.J.R. 1656(a)
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8:37	Expiration date	13 N.J.R. 265(a)	R. 1981 d. 283	13 N.J.R. 485(b)
8:37	Intermediate care facilities	14 N.J.R. 417(a)	R. 1982 d. 205	14 N.J.R. 709(b)
8:37	Repealed (see 8:39)	15 N.J.R. 279(a)	R. 1983 d. 236	15 N.J.R. 1022(b)
8:37-4.7	Licensure fees	14 N.J.R. 1273(a)	R. 1983 d. 66	15 N.J.R. 336(a)
8:39	Licensure of long-term care facilities	15 N.J.R. 279(a)	R. 1983 d. 236	15 N.J.R. 1022(b)
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8:39-1.35	Operational dates	13 N.J.R. 265(a)	R. 1981 d. 283	13 N.J.R. 485(b)
8:39-1.35	Long-term care facilities	14 N.J.R. 417(a)	R. 1982 d.205	14 N.J.R. 709(b)
8:40	Repealed: interim rules for abortion facilities	15 N.J.R. 308(a)	R. 1983 d.202	15 N.J.R. 922(a)
8:42-1.4, 2.4	Licensure fees	14 N.J.R. 1273(a)	R. 1983 d.66	15 N.J.R. 336(a)
8:42-1.8	Child abuse and neglect	13 N.J.R. 12(a)	R. 1981 d.157	13 N.J.R. 342(b)
8:42-2	Readopted: Inpatient drug treatment facilities	14 N.J.R. 812(a)	R. 1982 d.391	14 N.J.R. 1214(a)
8:42-2	Repealed (see 8:42B)	15 N.J.R. 397(a)	R. 1983 d.309	15 N.J.R. 1248(a)
8:42A	Alcoholism treatment facilities	13 N.J.R. 217(b)	R. 1981 d.236	13 N.J.R. 411(a)
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8:42B	Drug treatment facilities: licensure	15 N.J.R. 397(a)	R. 1983 d.309	15 N.J.R. 1248(a)
8:43-1.4	Licensure fees	14 N.J.R. 1273(a)	R. 1983 d.66	15 N.J.R. 336(a)
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8:43-2.13	Licensure of Residential Health Care Facilities	12 N.J.R. 644(a)	R. 1980 d.529	13 N.J.R. 13(e)
8:43-3.3, 3.20, 3.22	Residential health care standards	13 N.J.R. 268(b)	R. 1981 d.297	13 N.J.R. 495(b)
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8:43-3.22	Fire safety in residential care homes	14 N.J.R. 194(a)	R. 1982 d.145	14 N.J.R. 427(b)
8:43-3.22	Fire protection in residential health care	15 N.J.R. 991(a)	R. 1983 d.462	15 N.J.R. 1657(a)
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8:43-4.13, 4.14	Residential health care standards	13 N.J.R. 268(b)	R. 1981 d.297	13 N.J.R. 495(b)
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8:43-7.1	Residential health care facilities	15 N.J.R. 8(a)	R. 1983 d.90	15 N.J.R. 440(c)
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8:43A-1.5	Licensure fees	14 N.J.R. 1273(a)	R. 1983 d.66	15 N.J.R. 336(a)
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8:43B-1.13	Child abuse and neglect	13 N.J.R. 12(a)	R. 1981 d.157	13 N.J.R. 342(b)
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8:43F-2.3	Licensure fees	14 N.J.R. 1273(a)	R. 1983 d.66	15 N.J.R. 336(a)
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8:44	Readopted: Operation of Clinical Laboratories	15 N.J.R. 995(a)	R. 1983 d.498	15 N.J.R. 1862(a)
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8:65-10.4, 10.8	Controlled dangerous substances	Emergency	R. 1981 d.50	13 N.J.R. 132(b)
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8:71	Interchangeable drug products	13 N.J.R. 654(a)	R. 1981 d.503	14 N.J.R. 45(d)
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8:71	Correction: Generic drug list	14 N.J.R. 690(a)	R. 1982 d.426	15 N.J.R. 33(b)
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 10:49-5 Readopted: Fair Hearing rules 15 N.J.R. 848(a) R. 1983 d. 327 15 N.J.R. 1375(b)  
 10:49-5.3, 5.4 Recipient fair hearings 12 N.J.R. 581(b) R. 1980 d. 512 13 N.J.R. 17(f)  
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 10:49-6 Readopted: Medicaid Administrative Provisions 15 N.J.R. 1075(a) R. 1983 d. 349 15 N.J.R. 1475(c)  
 10:49-6.5 Medicaid: Payment recovery from estates 14 N.J.R. 80(a) R. 1982 d. 147 14 N.J.R. 427(c)  
 10:49-6.8 Compromising claims 12 N.J.R. 582(a) R. 1980 d. 502 13 N.J.R. 17(b)  
 10:50 Patient certification 13 N.J.R. 413(a) R. 1981 d. 331 13 N.J.R. 575(a)  
 10:50 Readopted: Transportation Services Manual 15 N.J.R. 999(a) R. 1983 d. 375 15 N.J.R. 1582(b)  
 10:50-2.7 Automated Data Exchange Billing 13 N.J.R. 296(a) R. 1981 d. 250 13 N.J.R. 418(a)  
 10:51 Patient certification 13 N.J.R. 413(a) R. 1981 d. 331 13 N.J.R. 575(a)  
 10:51-1.7 Pharmacy Manual: legend drug dispensing fee  
Emergency R. 1983 d. 333 15 N.J.R. 1386(a)  
 10:51-1.13, 1.14 Emergency amend "Less than effective" drugs  
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 10:51-1.13, 1.14 "Less than effective" drugs: Reimbursement 13 N.J.R. 873(a) R. 1982 d. 28 14 N.J.R. 158(a)  
 10:51-1.14, 1.17 Pharmaceutical Services: Fees and delivery 14 N.J.R. 1336(a) R. 1983 d. 56 15 N.J.R. 339(b)  
 10:51-1.17 Legend drug dispensing fee 13 N.J.R. 575(c) R. 1981 d. 411 13 N.J.R. 758(d)  
 10:51-1.17, 3.15 Pharmacy Manual: legend drug dispensing fee  
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 10:51-1.19 Emergency amendment: "Less than effective" drugs  
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 10:51-1.19 "Less than effective" drugs: Reimbursement 13 N.J.R. 873(a) R. 1982 d. 28 14 N.J.R. 158(a)  
 10:51-1(App. B,D) Pharmaceutical Services Manual 13 N.J.R. 134(a) R. 1981 d. 124 13 N.J.R. 274(a)  
 10:51-1(App. B,D) Non-legend drugs and legend services 13 N.J.R. 739(a) R. 1981 d. 505 14 N.J.R. 46(a)  
 10:51-1(App. E) Pharmacy Manual: Protein replacements 14 N.J.R. 418(b) R. 1982 d. 211 14 N.J.R. 757(b)  
 10:51-1(App. B,C,D) Pharmaceutical Services 14 N.J.R. 1142(a) R. 1982 d. 458 14 N.J.R. 1458(b)  
 10:51-1(App. B,D,E) Pharmaceutical Services 15 N.J.R. 664(a) R. 1983 d. 293 15 N.J.R. 1253(b)  
 10:51-2 Pharmacy Manual billing procedures 13 N.J.R. 274(b) R. 1981 d. 247 13 N.J.R. 415(a)  
 10:51-2.6 Reporting chemotherapy injectable drugs 14 N.J.R. 813(a) R. 1982 d. 340 14 N.J.R. 1161(a)  
 10:51-3 Pharmaceutical services in LTC facilities 13 N.J.R. 415(b) R. 1981 d. 344 13 N.J.R. 577(a)  
 10:51-3.15 Capitation of fee for legend drugs dispensed by  
LTC pharmacy providers 13 N.J.R. 577(b) R. 1981 d. 465 13 N.J.R. 887(d)  
 10:51-3.15 Pharmacy Manual: capitation rates Emergency R. 1983 d. 333 15 N.J.R. 1386(a)

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10:51-4.5	Repeal payments for pharmaceutical consultants	12 N.J.R. 410(a)	R. 1981 d.101 13 N.J.R. 228(c)
10:51-5	Readopted: PAAD in Pharmacy Manual	15 N.J.R. 209(a)	R. 1983 d.155 15 N.J.R. 806(a)
10:51-5.9, 5.12	Prescription policies; telephone orders	15 N.J.R. 209(a)	R. 1983 d.155 15 N.J.R. 806(a)
10:51-5.16, 5.19	"Less than effective" drugs: Reimbursement	13 N.J.R. 873(a)	R. 1982 d.28 14 N.J.R. 158(a)
10:51-5.28-5.33	Pharmaceutical Assistance to the Aged	13 N.J.R. 289(a)	R. 1981 d.248 13 N.J.R. 415(c)
10:51-6	Expired: Institutional Pharmacy Permits	15 N.J.R. 209(a)	R. 1983 d.155 15 N.J.R. 806(a)
10:52	Hospital and special hospital manuals	13 N.J.R. 416(a)	R. 1981 d.327 13 N.J.R. 578(a)
10:52-1.1	Professional Standards Review Organization	12 N.J.R. 661(c)	R. 1981 d.51 13 N.J.R. 147(c)
10:52-1.1	Nurse-midwife services	14 N.J.R. 889(a)	R. 1982 d.415 14 N.J.R. 1393(a)
10:52-1.1	Medical day care	14 N.J.R. 1332(a)	R. 1983 d.75 15 N.J.R. 442(a)
10:52-1.3	Non-covered hospital services	13 N.J.R. 14(d)	R. 1981 d.126 13 N.J.R. 291(a)
10:52-1.3	Surgical procedures requiring second opinion	13 N.J.R. 292(a)	R. 1982 d.73 14 N.J.R. 278(c)
10:52-1.3	Second opinion requirement on certain surgery	14 N.J.R. 1143(a)	R. 1982 d.459 14 N.J.R. 1458(c)
10:52-1.4	Professional Standards Review Organization	12 N.J.R. 661(c)	R. 1981 d.51 13 N.J.R. 147(c)
10:52-1.9	Out-of-State hospital care	13 N.J.R. 654(b)	R. 1982 d.52 14 N.J.R. 235(b)
10:52-1.9	Medical day care	14 N.J.R. 1332(a)	R. 1983 d.75 15 N.J.R. 442(a)
10:52-1.17	Out-of-State inpatient hospital services	13 N.J.R. 15(a)	R. 1981 d.162 13 N.J.R. 358(b)
10:52-1.17	Correction: Out-of-State hospital services	13 N.J.R. 15(a)	R. 1981 d.162 13 N.J.R. 416(b)
10:52-1.18	Out-of-State hospital services	13 N.J.R. 359(a)	R. 1981 d.293 13 N.J.R. 497(a)
10:52-2.2	Uniform billing of hospital services	13 N.J.R. 93(a)	R. 1982 d.13 14 N.J.R. 158(b)
10:52-2.8A	Outpatient dental services	13 N.J.R. 416(c)	R. 1981 d.479 13 N.J.R. 946(a)
10:52-2.13	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250 13 N.J.R. 418(a)
10:52-3.6	Outpatient dental services	13 N.J.R. 416(c)	R. 1981 d.479 13 N.J.R. 946(a)
10:53	Hospital and special hospital manuals	13 N.J.R. 416(a)	R. 1981 d.327 13 N.J.R. 578(a)
10:53-1.1	Professional Standards Review Organization	12 N.J.R. 661(c)	R. 1981 d.51 13 N.J.R. 147(c)
10:53-1.1	Medical day care	14 N.J.R. 1332(a)	R. 1983 d.75 15 N.J.R. 442(a)
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10:53-1.3	Second opinion requirement	14 N.J.R. 1143(a)	R. 1982 d.459 14 N.J.R. 1458(c)
10:53-1.4	Professional Standards Review Organization	12 N.J.R. 661(c)	R. 1981 d.51 13 N.J.R. 147(c)
10:53-1.15	Medical day care	14 N.J.R. 1332(a)	R. 1983 d.75 15 N.J.R. 442(a)
10:53-2.18	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250 13 N.J.R. 418(a)
10:54-1	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249 13 N.J.R. 417(a)
10:54-1.2	Routine chest X rays	13 N.J.R. 94(a)	R. 1981 d.125 13 N.J.R. 292(b)
10:54-1.2	Surgical procedures requiring second opinion	13 N.J.R. 292(a)	R. 1982 d.73 14 N.J.R. 278(c)
10:54-1.2	Second opinion requirement	14 N.J.R. 1143(a)	R. 1982 d.459 14 N.J.R. 1458(c)
10:54-1.3	Record keeping by providers	12 N.J.R. 520(b)	R. 1981 d.329 13 N.J.R. 574(b)
10:54-1.5	Physicians and Psychologist Manual	12 N.J.R. 662(a)	R. 1981 d.374 13 N.J.R. 706(d)
10:54-1.6	Reimbursement for anesthesia time	12 N.J.R. 413(a)	R. 1981 d.220 13 N.J.R. 417(b)
10:54-1.7	Rehabilitation services	15 N.J.R. 782(a)	R. 1983 d.583 15 N.J.R. 2168(b)
10:54-1.20	Physicians Services: Sterilization by hysterectomy	14 N.J.R. 1337(a)	R. 1983 d.55 15 N.J.R. 339(c)
10:54-1.22	Routine chest X rays	13 N.J.R. 94(a)	R. 1981 d.125 13 N.J.R. 292(b)
10:54-2.1	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250 13 N.J.R. 418(a)
10:54-2.4, 2.5	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249 13 N.J.R. 417(a)
10:54-2.6	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250 13 N.J.R. 418(a)
10:54-3	Procedure Code Manual	12 N.J.R. 520(c)	R. 1980 d.511 13 N.J.R. 17(e)
10:54-3	Physician's Services Manual: Procedure codes	13 N.J.R. 95(a)	R. 1981 d.111 13 N.J.R. 299(a)
10:54-3	Physician's Services Manual: Procedure codes	13 N.J.R. 223(a)	R. 1981 d.211 13 N.J.R. 418(c)
10:54-3	Procedure codes for pacemakers	13 N.J.R. 297(a)	R. 1981 d.251 13 N.J.R. 430(a)
10:54-3	Procedure codes for physicians services	13 N.J.R. 298(a)	R. 1981 d.305 13 N.J.R. 578(b)
10:54-3	Physician services procedure codes	13 N.J.R. 298(b)	R. 1981 d.314 13 N.J.R. 578(c)
10:54-3	Procedure Code Manual	13 N.J.R. 578(d)	R. 1981 d.475 13 N.J.R. 946(b)
10:54-3	Surgical procedures requiring second opinion	13 N.J.R. 292(a)	R. 1982 d.73 14 N.J.R. 278(c)
10:54-3	Procedure codes: Second opinion requirement	14 N.J.R. 1143(a)	R. 1982 d.459 14 N.J.R. 1458(c)
10:54-3	Procedure codes: Nurse-midwife services	14 N.J.R. 889(a)	R. 1982 d.415 14 N.J.R. 1393(a)
10:55	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331 13 N.J.R. 575(a)
10:56	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331 13 N.J.R. 575(a)
10:56-1.8, 1.12	Dental Services Manual	12 N.J.R. 700(a)	R. 1981 d.219 13 N.J.R. 430(b)
10:56-1.14, 1.15	Limitations on diagnostic dental services	13 N.J.R. 875(a)	R. 1982 d.403 14 N.J.R. 1301(a)
10:56-1.14, 1.21, 2.2, 3.3, 3.6, 3.7, 3.15	Orthodontic treatment by general practitioners	15 N.J.R. 1160(a)	R. 1983 d.584 15 N.J.R. 2170(a)
10:56-3.15	Orthodontics	13 N.J.R. 134(b)	R. 1981 d.113 13 N.J.R. 299(b)
10:57-1.4	Podiatry services	13 N.J.R. 360(a)	R. 1981 d.300 13 N.J.R. 579(a)
10:57-1.5	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249 13 N.J.R. 417(a)
10:57-1.9	Podiatry services	13 N.J.R. 360(a)	R. 1981 d.300 13 N.J.R. 579(a)
10:57-1.20, 2.5-2.7	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249 13 N.J.R. 417(a)
10:57-2.8	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250 13 N.J.R. 418(a)
10:58	Nurse-midwife services	14 N.J.R. 889(a)	R. 1982 d.415 14 N.J.R. 1393(a)
10:59	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331 13 N.J.R. 575(a)

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10:59-1.7,1.8	Repair of durable medical equipment	12 N.J.R. 25(a)	R. 1980 d.510	13 N.J.R. 17(d)
10:59-1.9	Medical Supplier Manual	13 N.J.R. 430(c)	R. 1981 d.376	13 N.J.R. 707(a)
10:59-1.10	Repair of durable medical equipment	12 N.J.R. 25(a)	R. 1980 d.510	13 N.J.R. 17(d)
10:59-1.10	IPPB equipment	13 N.J.R. 223(b)	R. 1981 d.328	13 N.J.R. 579(b)
10:59-1.11	Repair of durable medical equipment	12 N.J.R. 25(a)	R. 1980 d.510	13 N.J.R. 17(d)
10:59-2.6-2.8	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:59-2.11	Repair of durable medical equipment	12 N.J.R. 25(a)	R. 1980 d.510	13 N.J.R. 17(d)
10:60	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:60-1, 2, 1-2.3	Home Health Services Manual revisions	14 N.J.R. 264(b)	R. 1982 d.199	14 N.J.R. 656(a)
10:60-1.3	Covered home health services: medical supplies	15 N.J.R. 610(a)	R. 1983 d.266	15 N.J.R. 1102(a)
10:60-1.4	Rehabilitation services	15 N.J.R. 782(a)	R. 1983 d.583	15 N.J.R. 2168(b)
10:60-2.6	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:61-1.4	Record retention requirements	13 N.J.R. 95(b)	R. 1981 d.110	13 N.J.R. 299(c)
10:61-1.4	Physician orders for laboratory services	13 N.J.R. 430(d)	R. 1981 d.342	13 N.J.R. 579(c)
10:61-2.3	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:61-2.6	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:62	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:62-1.5	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:62-1.7	Procedure codes for ophthalmologists and optometrists	13 N.J.R. 299(d)	R. 1981 d.280	13 N.J.R. 497(b)
10:62-3	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:62-3.8	Vision Care Manual: lens and frame envelopes	15 N.J.R. 783(a)	R. 1983 d.434	15 N.J.R. 1768(b)
10:63-1.2	Rehabilitation in long-term care	14 N.J.R. 420(a)	R. 1982 d.210	14 N.J.R. 757(c)
10:63-1.4	Long Term Care Manual	12 N.J.R. 700(a)	R. 1981 d.219	13 N.J.R. 430(b)
10:63-1.4	Special equipment in long-term care	13 N.J.R. 877(a)	R. 1982 d.110	14 N.J.R. 391(a)
10:63-1.4	Rehabilitation services	15 N.J.R. 782(a)	R. 1983 d.583	15 N.J.R. 2168(b)
10:63-1.5	Inspection of long-term care	14 N.J.R. 81(a)	R. 1982 d.72	14 N.J.R. 279(a)
10:63-1.5	Medical Evaluation Team (LTC) and alternate care option	15 N.J.R. 485(a)	R. 1983 d.304	15 N.J.R. 1254(a)
10:63-1.6	Level III care in LTC facilities	14 N.J.R. 462(a)	R. 1982 d.264	14 N.J.R. 917(c)
10:63-1.8	Long Term Care Manual	12 N.J.R. 700(a)	R. 1981 d.219	13 N.J.R. 430(b)
10:63-1.8	Clinical records in long-term care facilities	12 N.J.R. 701(a)	R. 1981 d.33	13 N.J.R. 146(c)
10:63-1.11	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:63-1.14	Retention of records in LTC facilities	13 N.J.R. 431(a)	R. 1981 d.345	13 N.J.R. 579(d)
10:63-1.19	LTCISM: Termination of Medicaid eligibility	13 N.J.R. 15(b)	R. 1981 d.62	13 N.J.R. 225(b)
10:63-1.21	Three-year audit cycle	12 N.J.R. 701(a)	R. 1981 d.23	13 N.J.R. 146(a)
10:63-1.22	LTC: "Field audit" defined	14 N.J.R. 1031(a)	R. 1983 d.5	15 N.J.R. 155(a)
10:63-2	Readopted: Billing Procedures in long-term care	15 N.J.R. 421(a)	R. 1983 d.182	15 N.J.R. 925(a)
10:63-3.1	Reimbursement to Long Term Care Facilities	12 N.J.R. 702(a)	R. 1981 d.87	13 N.J.R. 227(a)
10:63-3.2	LTC: Related-party lease costs	14 N.J.R. 742(a)	R. 1983 d.74	15 N.J.R. 442(b)
10:63-3.8	LTC's nursing care costs	13 N.J.R. 360(b)	R. 1981 d.326	13 N.J.R. 579(e)
10:63-3.10	LTC: Capital Facilities Allowance rate	14 N.J.R. 743(a)	R. 1983 d.73	15 N.J.R. 443(a)
10:63-3.20	Long-term care facilities: Reimbursement appeals	14 N.J.R. 269(a)	R. 1983 d.11	15 N.J.R. 156(a)
10:63-3.21	Rescission: Long-term care per diem reduction	13 N.J.R. 498(a)	R. 1981 d.375	13 N.J.R. 707(b)
10:64	Hearing Aid Services Manual	14 N.J.R. 413(a)	R. 1982 d.74	14 N.J.R. 279(b)
10:65	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:65-1.2-1.8, 2.1, 2.4-2.7	Medical day care	14 N.J.R. 1332(a)	R. 1983 d.75	15 N.J.R. 442(a)
10:65-2.1	Medical day care rates	13 N.J.R. 362(a)	R. 1981 d.318	13 N.J.R. 580(a)
10:66	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:66-1.5, 1.6	Mental health partial care services	13 N.J.R. 662(a)	R. 1982 d.19	14 N.J.R. 158(c)
10:66-2.10	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:66-3.1-3.3	Independent clinic services procedure codes	13 N.J.R. 363(a)	R. 1981 d.313	13 N.J.R. 580(b)
10:66-3.3	Procedure codes for Medicaid	12 N.J.R. 662(b)	R. 1981 d.112	13 N.J.R. 299(e)
10:66-3.3	Independent Clinic Services Manual	13 N.J.R. 224(a)	R. 1981 d.212	13 N.J.R. 431(b)
10:66-3.3	Mental health partial care services	13 N.J.R. 662(a)	R. 1982 d.19	14 N.J.R. 158(c)
10:66-3.3	Family planning procedure codes	13 N.J.R. 663(a)	R. 1982 d.84	14 N.J.R. 343(b)
10:66-3.3	Independent Clinic Services: procedures code revisions	14 N.J.R. 1339(a)	R. 1983 d.386	15 N.J.R. 1583(a)
10:67-1.2	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:67-1.8	Physicians and Psychologist Manual	12 N.J.R. 662(a)	R. 1981 d.374	13 N.J.R. 706(d)
10:67-2.5,2.8	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:67-2.10	Psychological services procedure codes	13 N.J.R. 298(a)	R. 1981 d.305	13 N.J.R. 578(b)
10:68-2.5,2.7	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:68-2.8	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:69A	Readopted: Pharmaceutical Assistance Manual (PAAD)	15 N.J.R. 211(a)	R. 1983 d.154	15 N.J.R. 806(b)
10:69A-2.1	Pharmaceutical Assistance for Aged and Disabled	14 N.J.R. 321(b)	R. 1982 d.198	14 N.J.R. 659(a)
10:69A-5.6	PAA eligibility determinations	13 N.J.R. 432(a)	R. 1981 d.332	13 N.J.R. 580(c)
10:69A-7.1	PAA: Payment recovery from estates	14 N.J.R. 80(a)	R. 1982 d.147	14 N.J.R. 427(c)
10:69B	Lifeline Credit and Tenants Lifeline Assistance	15 N.J.R. 1227(a)	R. 1983 d.524	15 N.J.R. 1944(b)

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10:81	PAM: Readopted Federal requirements	13 N.J.R. 759(a)	R. 1981 d.518 14 N.J.R. 102(c)
10:81-1.14	PAM: Welfare board minutes	13 N.J.R. 877(b)	R. 1982 d.151 14 N.J.R. 473(d)
10:81-2.3	PAM: readopted AFDC application and eligibility rules	15 N.J.R. 933(a)	R. 1983 d.319 15 N.J.R. 1375(c)
10:81-2.6, 2.17, 2.18	PAM: AFDC changes	14 N.J.R. 1078(a)	R. 1982 d.482 15 N.J.R. 92(a)
10:81-2.7	PAM: Deprivation of parental support in AFDC-C	12 N.J.R. 703(a)	R. 1981 d.28 13 N.J.R. 146(b)
10:81-3.1, 3.5, 3.11, 3.13, 3.18	PAM: AFDC changes	14 N.J.R. 1078(a)	R. 1982 d.482 15 N.J.R. 92(a)
10:81-3.17	PAM: Readopted revisions	14 N.J.R. 1168(a)	R. 1982 d.441 14 N.J.R. 1459(a)
10:81-3.35	PAM: Legally responsible relatives	14 N.J.R. 814(a)	R. 1982 d.352 14 N.J.R. 1161(b)
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10:100-1	Service Programs: Organization and Administration rules		15 N.J.R. 1966(a)
10:100-1.23	Readopt SSI payment levels	13 N.J.R. 502(a)	R. 1981 d.386 13 N.J.R. 773(b)
10:100-1.23	Readopted: SSI payment levels	14 N.J.R. 760(a)	R. 1983 d.315 14 N.J.R. 1059(a)
10:100-1.23	SSI payment levels (recodified as 10:100-App. A)	Emergency	R. 1983 d.290 15 N.J.R. 1188(a)
10:100-3.6	Special Payments Handbook: Funeral contributions	14 N.J.R. 463(b)	R. 1982 d.285 14 N.J.R. 981(a)
10:100-App. A	SSI payment levels	15 N.J.R. 1188(a)	R. 1983 d.383 15 N.J.R. 1586(a)
10:100-App. A	Supplemental Security Income payment levels	15 N.J.R. 1734(a)	R. 1983 d.594 15 N.J.R. 2171(b)
10:109-1	Ruling 11	13 N.J.R. 581(b)	R. 1981 d.445 13 N.J.R. 846(b)
10:109-1.4	Ruling 11: Tuition Aid	14 N.J.R. 375(b)	R. 1982 d.227 14 N.J.R. 837(b)
10:109-2,3, App I, II	Readopted: Ruling 11 classification and leave rules	15 N.J.R. 1546(a)	R. 1983 d.552 15 N.J.R. 2042(c)
10:109-3.2, 3.4	Ruling 11-Sick leave and leave without pay	13 N.J.R. 515(a)	R. 1981 d.395 13 N.J.R. 774(a)
10:109-App. I,II	Ruling 11: Salary increases for CWA employees	13 N.J.R. 741(a)	R. 1981 d.498 14 N.J.R. 46(b)
10:109-App. II	County welfare agencies: Salary parity with State	14 N.J.R. 630(a)	R. 1982 d.319 14 N.J.R. 1060(a)
10:120-3	Youth and Family Services: readopted fair hearing rules	15 N.J.R. 1340(a)	R. 1983 d.442 15 N.J.R. 1769(a)
10:121-2	Adoption subsidy	14 N.J.R. 746(a)	R. 1982 d.321 14 N.J.R. 1060(b)
10:121-3	Adoption complaint investigation fees	15 N.J.R. 1341(a)	R. 1983 d.509 15 N.J.R. 1865(b)
10:121-5.1	Medical information form	12 N.J.R. 703(c)	R. 1981 d.63 13 N.J.R. 226(a)
10:121A	Adoption agency practices	13 N.J.R. 99(a)	R. 1981 d.298 13 N.J.R. 516(a)
10:122-1.1-1.3, 2.1, 2.2, 3.2, 3.3	Combined standards for child care centers	15 N.J.R. 850(a)	R. 1983 d.372 15 N.J.R. 1586(b)
10:122-1.1-1.3, 2.1, 2.2, 2.4, 2.5, 2.6, 3.1-3.6	Child care centers for ages 2 1/2-5	15 N.J.R. 214(a)	R. 1983 d.179 15 N.J.R. 926(a)
10:122-4.1, 4.3-4.7	Child care centers: Staff requirements	14 N.J.R. 816(b)	R. 1982 d.384 14 N.J.R. 1218(a)
10:122-4.1, 4.3-4.7	Correction: Child care centers	14 N.J.R. 816(b)	R. 1982 d.384 14 N.J.R. 1307(a)
10:122-4.2	Standards for child care centers	14 N.J.R. 82(a)	R. 1982 d.136 14 N.J.R. 428(c)
10:122-4.2-4.7, 5.1-5.4, 6.1-6.6, 6.9, 7.3	Combined standards for child care centers	15 N.J.R. 850(a)	R. 1983 d.372 15 N.J.R. 1586(b)
10:122-4.4, 4.6, 5.1-5.4, 6.1-6.9, 7.1,7.2,7.6,7.7	Child care centers for ages 2 1/2-5	15 N.J.R. 214(a)	R. 1982 d.179 15 N.J.R. 926(a)
10:122-7.1-7.7	Child care centers	14 N.J.R. 82(a)	R. 1982 d.136 14 N.J.R. 428(c)
10:123-1	Repealed (see 10:5)	15 N.J.R. 208(a)	R. 1983 d.587 15 N.J.R. 2172(a)
10:123-2.4	Rooming houses: visits by county welfare staff	15 N.J.R. 1168(a)	R. 1983 d.420 15 N.J.R. 1665(a)
10:123-3.1, 3.2	Personal needs allowance	13 N.J.R. 595(a)	R. 1981 d.423 13 N.J.R. 774(b)
10:123-3.1, 3.2	Personal needs allowance	13 N.J.R. 595(a)	R. 1981 d.423 14 N.J.R. 287(a)
10:123-3.1, 3.2	Personal needs allowance: Residential health care	14 N.J.R. 699(a)	R. 1982 d.301 14 N.J.R. 981(b)
10:123-3.2	Residential health care and boarding homes: personal needs allowance	15 N.J.R. 1735(a)	R. 1983 d.588 15 N.J.R. 2172(b)
10:124	Children's shelter facilities and homes	14 N.J.R. 125(a)	R. 1982 d.222 14 N.J.R. 761(a)
10:125	Repealed (see 10:5)	15 N.J.R. 208(a)	R. 1983 d.587 15 N.J.R. 2172(a)
10:126	Repealed (see 10:5)	15 N.J.R. 208(a)	R. 1983 d.587 15 N.J.R. 2172(a)
10:127	Residential child care facilities	15 N.J.R. 486(a)	R. 1983 d.393 15 N.J.R. 1597(a)
10:130	Shelters for victims of domestic violence	14 N.J.R. 197(a)	R. 1982 d.138 14 N.J.R. 429(a)
10:130	Repealed: Children's shelters manual	14 N.J.R. 125(a)	R. 1982 d.222 14 N.J.R. 761(a)
10:130-3	Funding of shelters for victims of domestic violence	15 N.J.R. 1169(a)	R. 1983 d.399 15 N.J.R. 1603(a)
10:131	Adoption assistance and child welfare	14 N.J.R. 744(a)	R. 1982 d.317 14 N.J.R. 1057(b)
10:132	Court actions and proceedings	13 N.J.R. 595(b)	R. 1981 d.434 13 N.J.R. 846(c)
10:140	1982 State Plan for Services to Developmentally Disabled	14 N.J.R. 699(b)	R. 1982 d.320 14 N.J.R. 1060(c)

(Title 10, Transmittal 15 dated November 10, 1980)

**CORRECTIONS-TITLE 10A**

(Title 10A, Transmittal 7 dated June 21, 1982)

**INSURANCE-TITLE 11**

11:1-5.5	Notice of Cancellation and Nonrenewal: property and casualty insurance			15 N.J.R. 810(a)
11:1-14	Licenses: Address change; process serving	14 N.J.R. 748(a)	R. 1982 d.336	14 N.J.R. 1099(b)
11:2-17.7	Claims settlement practices	14 N.J.R. 966(a)	R. 1982 d.400	14 N.J.R. 1307(b)
11:2-18	Readable policies	14 N.J.R. 967(a)	R. 1982 d.410	14 N.J.R. 1307(c)
11:2-18.4	Correction: Readable policies	14 N.J.R. 1308	R. 1982 d.410	14 N.J.R. 1398(b)
11:3-7.3, 7.7	Additional personal injury protection	14 N.J.R. 543(b)	R. 1982 d.246	14 N.J.R. 917(d)
11:3-8	Nonrenewal of automobile policies	15 N.J.R. 231(a)	R. 1983 d.190	15 N.J.R. 927(a)
11:3-12	Automobile rate filers: flat uniform premium tax and fees	15 N.J.R. 1170(a)	R. 1983 d.424	15 N.J.R. 1666(a)

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11:3-13	Auto insurance: collision and comprehensive deductibles	15 N.J.R. 1342(a)	R. 1983 d.467 15 N.J.R. 1769(b)
11:3-13	Options for collision and comprehensive coverages	Emergency	R. 1983 d.537 15 N.J.R. 1961(a)
11:5	Readopted: Real Estate Commission rules	15 N.J.R. 1343(a)	R. 1983 d.471 15 N.J.R. 1865(c)
11:13	Commercial lines insurance	14 N.J.R. 1045(a)	R. 1982 d.423 14 N.J.R. 1398(c)
<b>(Title 11, Transmittal 17 dated June 21, 1982)</b>			
<b>LABOR-TITLE 12</b>			
12:15-1.3	1983 unemployment and disability benefits	14 N.J.R. 969(a)	R. 1982 d.383 14 N.J.R. 1218(b)
12:15-1.3	Unemployment and disability: 1984 maximum weekly rates	15 N.J.R. 1434(a)	R. 1983 d.521 15 N.J.R. 1944(c)
12:15-1.4	1983 wage base for unemployment contributions	14 N.J.R. 970(a)	R. 1982 d.382 14 N.J.R. 1219(a)
12:15-1.4	Unemployment compensation: 1984 taxable wage base	15 N.J.R. 1435(a)	R. 1983 d.522 15 N.J.R. 1944(d)
12:15-1.5	1983 contribution rates for government entities	14 N.J.R. 970(b)	R. 1982 d.381 14 N.J.R. 1219(b)
12:17-10.3, 10.4	Repayment of unemployment benefits	15 N.J.R. 74(a)	R. 1983 d.83 15 N.J.R. 447(a)
12:45	Vocational Rehabilitation Services: legal authority	14 N.J.R. 1438(b)	R. 1983 d.82 15 N.J.R. 693(a)
12:46	Vocational Rehabilitation Services: Administration	14 N.J.R. 1438(b)	R. 1983 d.82 15 N.J.R. 693(a)
12:47	Vocational Rehabilitation Services: advisory councils	14 N.J.R. 1438(b)	R. 1983 d.82 15 N.J.R. 693(a)
12:48	Vocational Rehabilitation Services: potential, eligibility, economic need	14 N.J.R. 1438(b)	R. 1983 d.82 15 N.J.R. 693(a)
12:49	Vocational Rehabilitation Services: appeals	14 N.J.R. 1438(b)	R. 1983 d.82 15 N.J.R. 693(a)
12:50	Repealed: Disability Determinations Service	14 N.J.R. 1438(b)	R. 1983 d.82 15 N.J.R. 693(a)
12:56-3.2	Correction to Code: Exemptions from minimum wage rates		15 N.J.R. 43(b)
12:56-7.2	Wage and hour: "Administrative" defined	14 N.J.R. 1145(a)	R. 1982 d.468 15 N.J.R. 36(a)
12:190	Safety standards for explosives	13 N.J.R. 517(b)	R. 1982 d.229 14 N.J.R. 837(c)
12:191	Repealed	13 N.J.R. 517(b)	R. 1982 d.229 14 N.J.R. 837(c)
12:192	Repealed	13 N.J.R. 517(b)	R. 1982 d.229 14 N.J.R. 837(c)
12:193	Repealed	13 N.J.R. 517(b)	R. 1982 d.229 14 N.J.R. 837(c)
12:195	Readopted: rules on Carnival-Amusement Rides	15 N.J.R. 1002(a)	R. 1983 d.364 15 N.J.R. 1477(b)
12:235-1.5	1983 workers' compensation benefits	14 N.J.R. 971(a)	R. 1982 d.380 14 N.J.R. 1219(c)
12:235-1.5	1984 workers' compensation benefit rates	15 N.J.R. 1437(a)	R. 1983 d.520 15 N.J.R. 1945(a)
<b>(Title 12, Transmittal 15 dated June 21, 1982)</b>			
<b>LAW AND PUBLIC SAFETY-TITLE 13</b>			
13:1	Readopted: Police Training Commission rules	15 N.J.R. 866(a)	R. 1983 d.316 15 N.J.R. 1382(b)
13:2-7.10, 24.4	ABC: wholesaler to retailer credit controls	15 N.J.R. 1557(a)	R. 1983 d.545 15 N.J.R. 1945(b)
13:2-8.1	Correction to ABC rules: Definition of club member		15 N.J.R. 1876(b)
13:2-23.16	ABC: exceptions to prohibited promotions	15 N.J.R. 1558(a)	R. 1983 d.527 15 N.J.R. 1946(a)
13:2-24.11	ABC: manufacturers' rebates and coupons	15 N.J.R. 1003(a)	R. 1983 d.361 15 N.J.R. 1478(a)
13:3-1.2, 1.11, 1.14, 1.16, 1.17	Amusement games control	15 N.J.R. 680(a)	R. 1983 d.303 15 N.J.R. 1254(b)
13:3-1.10, 1.14, 2.2, 3.9, 4.3	Amusement games licensing forms, fees	14 N.J.R. 1194(a)	R. 1982 d.498 15 N.J.R. 93(a)
13:3-2.2, 3.4, 3.5, 3.6, 3.8, 3.9, 3.10, 3.15, 4.3, 7.1, 7.2, 7.9	Amusement games control	15 N.J.R. 680(a)	R. 1983 d.303 15 N.J.R. 1254(b)
13:3-8.1-8.7	Repealed	14 N.J.R. 1194(a)	R. 1982 d.498 15 N.J.R. 93(a)
13:4-2.3	Fact-finding conferences on discrimination complaints	15 N.J.R. 500(a)	R. 1983 d.385 15 N.J.R. 1604(a)
13:4-12.1	Discrimination complaints and hearings before OAL	15 N.J.R. 501(a)	R. 1983 d.347 15 N.J.R. 1481(a)
13:3-8.1-8.7	Repealed	14 N.J.R. 1194(a)	R. 1982 d.498 15 N.J.R. 93(a)
13:18-10	Readopted: Unsatisfied claim and Judgment Fund rules on excess medical benefits	15 N.J.R. 872(a)	R. 1983 d.387 15 N.J.R. 1604(b)
13:19-2	Repealed: Probationary Driver Licenses	15 N.J.R. 501(b)	R. 1983 d.242 15 N.J.R. 1035(b)
13:19-10	Point system; motorized bicycle offenses	15 N.J.R. 1004(a)	R. 1983 d.360 15 N.J.R. 1481(b)
13:19-11	Out-of-state conviction for drunk driving	15 N.J.R. 1009(a)	R. 1983 d.352 15 N.J.R. 1481(c)
13:20-7.3, 7.4	Readopted: Motor vehicle inspection	14 N.J.R. 918(a)	R. 1982 d.364 14 N.J.R. 1162(e)
13:20-7.4	Motor vehicle inspection: repeal odd-even system	Emergency	R. 1983 d.294 15 N.J.R. 1261(a)
13:20-17.3	Attendance fee for driver improvement school	14 N.J.R. 1145(b)	R. 1982 d.485 15 N.J.R. 93(b)
13:20-31.3	Fee for driver alcohol education program	14 N.J.R. 1195(a)	R. 1983 d.19 15 N.J.R. 156(b)
13:20-32.4, 32.14, 32.15	Motor vehicle reinspection centers: mechanic certification	Emergency	R. 1983 d.404 15 N.J.R. 1608(a)
13:20-32.4, 32.14,	Motor vehicle reinspection centers: mechanic certification	15 N.J.R. 1608(a)	R. 1983 d.525 15 N.J.R. 1946(b)
13:20-32.6,	Motor vehicle reinspection centers: Fees	14 N.J.R. 1196(a)	R. 1983 d.20 15 N.J.R. 156(c)

32.9, 32.11 13:20-33.1, 33.2, 33.50, 33.51	Licensed motor vehicle reinspection centers	Emergency	R. 1983 d.547	15 N.J.R. 1963(a)
13:21-4.5	Repealed: "Title only" motor vehicle certification	14 N.J.R. 632(a)	R. 1982 d.370	14 N.J.R. 1163(a)
13:21-9.3	Restoration fee for motor vehicle license	14 N.J.R. 1146(a)	R. 1982 d.484	15 N.J.R. 94(a)
13:25-6	Repeal (see 13:19-10)	15 N.J.R. 1004(a)	R. 1983 d.360	15 N.J.R. 1481(b)
13:25-9	Approved helmets for motorized bicycle operators	15 N.J.R. 684(a)	R. 1983 d.489	15 N.J.R. 1865(d)
13:26	Readopted: Transportation of Bulk Commodities rules	15 N.J.R. 1116(a)	R. 1983 d.441	15 N.J.R. 1770(a)
13:27-3.13	Board of Architects examination fees	15 N.J.R. 502(a)	R. 1983 d.271	15 N.J.R. 1102(b)
13:27-7	Pre-prepared plans for single family houses	15 N.J.R. 1010(a)	R. 1983 d.466	15 N.J.R. 1770(b)
13:27A	Price posting in barber shops	14 N.J.R. 749(a)	R. 1982 d.387	14 N.J.R. 1219(d)
13:28-2	Correction: Expiration date for N.J.A.C. 13:28-2			15 N.J.R. 347(a)
13:29-1.6	CPA qualifying requirements	14 N.J.R. 749(b)	R. 1982 d.405	14 N.J.R. 1309(a)
13:29-1.7	Board of Accountancy: conditional credit	14 N.J.R. 1279(a)	R. 1983 d.211	15 N.J.R. 1035(c)
13:29-3.1-3.9, 3.12-3.18	Board of Accountancy: Professional misconduct	14 N.J.R. 895(a)	R. 1982 d.407	14 N.J.R. 1309(b)
13:32-1.5	Plumbing business and bona fide representative	15 N.J.R. 1171(a)	R. 1983 d.580	15 N.J.R. 2172(c)
13:32-1.8	Pressure seal on plumbing permit applications	14 N.J.R. 750(a)	R. 1982 d.388	14 N.J.R. 1219(e)
13:33-1.1-1.7, 1.9-1.13, 1.15-1.19, 1.25, 1.34, 1.39, 1.42	Licensure of ophthalmic dispensers and technicians	14 N.J.R. 545(a)	R. 1983 d.15	15 N.J.R. 157(a)
13:33-1.38	Minimum standards for eyeglass dispensing	14 N.J.R. 1085(a)	R. 1983 d.81	15 N.J.R. 447(b)
13:34-1.1, 1.3-1.7, 2.1, 3.1-3.7, 4.1, 4.2	Marriage counselor practice	15 N.J.R. 1441(a)	R. 1983 d.544	15 N.J.R. 1947(a)
13:35-1-6	Board of Medical Examiners: standards and rules	15 N.J.R. 503(a)	R. 1983 d.314	15 N.J.R. 1255(a)
13:35-1A.4	Standards for out-of-state medical school	15 N.J.R. 1444(a)	R. 1983 d.549	15 N.J.R. 2044(a)
13:35-3.3, 6.13	Medical examiners board: chiropractic endorsement; fees	15 N.J.R. 784(a)	R. 1983 d.510	15 N.J.R. 1865(e)
13:35-6.5	Responsibility for pronouncement of death	14 N.J.R. 90(a)	R. 1982 d.214	14 N.J.R. 767(a)
13:35-6.5	Correction: Responsibility for pronouncement of death	14 N.J.R. 767(a)	R. 1982 d.214	14 N.J.R. 918(b)
13:35-6.7	Medical examiners board: prescribing amphetamines	15 N.J.R. 785(a)	R. 1983 d.490	15 N.J.R. 1866(a)
13:35-7.9, 10	Repealed (see 13:35-1-6)	15 N.J.R. 503(a)	R. 1983 d.314	15 N.J.R. 1255(a)
13:35-9	Certified Nurse-Midwife and lay midwife practice	14 N.J.R. 632(b)	R. 1982 d.416	14 N.J.R. 1400(a)
13:35-11	In-State clinical training by foreign medical schools	15 N.J.R. 75(a)	R. 1983 d.97	15 N.J.R. 550(b)
13:36-3.4	Mortuary science examination subjects	14 N.J.R. 897(a)	R. 1982 d.409	14 N.J.R. 1309(c)
13:36-4.1	Mortuary science: License renewals	14 N.J.R. 751(a)	R. 1982 d.333	14 N.J.R. 1110(a)
13:36-5.12	Mortuary advertising requirements	14 N.J.R. 898(a)	R. 1982 d.404	14 N.J.R. 1309(d)
13:37-9.2	Practical nursing licensure by examination	14 N.J.R. 701(a)	R. 1982 d.406	14 N.J.R. 1309(e)
13:37-12.1	Board of Nursing: Licensure fees	14 N.J.R. 635(a)	R. 1982 d.408	14 N.J.R. 1310(a)
13:38-2.1	Optometric practice: minimum examination	15 N.J.R. 1234(a)	R. 1983 d.511	15 N.J.R. 1866(b)
13:38-6.1	Optometric practices: readopted rule on patient records	15 N.J.R. 1011(a)	R. 1983 d.359	15 N.J.R. 1481(d)
13:39-5	Readopted: Rules for registration of pharmacists	15 N.J.R. 1172(a)	R. 1983 d.440	15 N.J.R. 1770(c)
13:39-6.4, 6.5, 6.7, 6.8, 9.13	Computerized recordkeeping in pharmacies	14 N.J.R. 1343(a)	R. 1983 d.22	15 N.J.R. 157(b)
13:39-8.14, 9.14	Pharmacist-in-Charge; in-store pharmacies	14 N.J.R. 898(b)	R. 1983 d.341	15 N.J.R. 1482(a)
13:39-9.16	Board of Pharmacy examination fee	14 N.J.R. 1280(a)	R. 1983 d.21	15 N.J.R. 157(c)
13:39-9.16	Board of Pharmacy fees	15 N.J.R. 78(a)	R. 1983 d.95	15 N.J.R. 553(a)
13:40-1.1, 2.1	Engineers and surveyors: Sealing of documents	14 N.J.R. 1345(a)	R. 1983 d.36	15 N.J.R. 157(d)
13:40-3.1	Engineers and land surveyors: Misconduct	14 N.J.R. 1196(b)	R. 1983 d.16	15 N.J.R. 158(a)
13:40-6	Engineers and Land Surveyors: readopted licensing fee schedule	15 N.J.R. 1077(a)	R. 1983 d.418	15 N.J.R. 1667(a)
13:40-6.1	Examination fees for engineers and surveyors	15 N.J.R. 78(b)	R. 1983 d.148	15 N.J.R. 807(c)
13:41-3.2	Professional planning examination fees	15 N.J.R. 79(a)	R. 1983 d.114	15 N.J.R. 626(a)
13:42	Readopted: Licensure of psychologists; misconduct	15 N.J.R. 1497(a)	R. 1983 d.543	15 N.J.R. 1947(b)
13:43-3.3	Certified Shorthand Reporter disclosure	15 N.J.R. 80(a)	R. 1983 d.122	15 N.J.R. 626(b)
13:43-4	Certified Shorthand Reporting: examination and licensure fees	15 N.J.R. 873(a)	R. 1983 d.414	15 N.J.R. 1667(b)
13:44-2.9	Veterinary board: Temporary permits	15 N.J.R. 130(a)	R. 1983 d.113	15 N.J.R. 626(c)
13:44-4.1	Veterinary Medical Examiners fee schedule	14 N.J.R. 1281(a)	R. 1982 d.502	15 N.J.R. 94(b)
13:44-4.1	Veterinary Medical Examiners: registration fees	15 N.J.R. 612(a)	R. 1983 d.252	15 N.J.R. 1035(d)
13:45A-18.1	Fee for consumer contract review	14 N.J.R. 464(a)	R. 1982 d.221	14 N.J.R. 767(b)
13:46-1.1	Boxing and wrestling programs: Definitions	14 N.J.R. 751(b)	R. 1982 d.389	14 N.J.R. 1220(a)
13:46-1.2-1.4	Weights and classes: Recodified as subchapter 1A	14 N.J.R. 751(b)	R. 1982 d.389	14 N.J.R. 1220(a)

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13:46-4	Boxing and wrestling programs: Licenses and permits	14 N.J.R. 751(b) R. 1982 d. 389 14 N.J.R. 1220(a)
13:46-15.15-15.18	Complimentary tickets for boxing and wrestling events	14 N.J.R. 971(b) R. 1982 d. 398 14 N.J.R. 1220(b)
13:46-18.12, 18.18	Repealed	14 N.J.R. 635(b) R. 1982 d. 271 14 N.J.R. 919(a)
13:46-18.15	Same day boxing programs	14 N.J.R. 635(b) R. 1982 d. 271 14 N.J.R. 919(a)
13:47A-3.1	Securities industry: Nonduplication of fingerprinting	14 N.J.R. 550(a) R. 1982 d. 304 14 N.J.R. 981(c)
13:47A-5.2	Broker-dealer registration	14 N.J.R. 551(a) R. 1982 d. 265 14 N.J.R. 919(b)
13:47A-9.13	Repealed exemption restriction for private offering to sophisticated investors	14 N.J.R. 552(a) R. 1982 d. 266 14 N.J.R. 919(c)
13:47B-1.1	Correction to Code: Liquid measuring devices	_____ _____ 14 N.J.R. 1315(b)
13:49-1-8	State Medical Examiner: death investigations	15 N.J.R. 1351(a) R. 1983 d. 589 15 N.J.R. 2172(d)
13:70-3, 14, 15, 29, 29	Readopted: Thoroughbred rules	15 N.J.R. 685(a) R. 1983 d. 295 15 N.J.R. 1256(a)
13:70-3.47	Thoroughbred rules	14 N.J.R. 1146(b) R. 1983 d. 14 15 N.J.R. 158(b)
13:70-4.1	Thoroughbred racing: License fees	14 N.J.R. 1444(a) R. 1983 d. 103 15 N.J.R. 553(b)
13:70-6.55, 6.56, 18.6	Thoroughbred rules	14 N.J.R. 1146(b) R. 1983 d. 14 15 N.J.R. 158(b)
13:70-9.18	Jockey fees	15 N.J.R. 518(a) R. 1983 d. 512 15 N.J.R. 1866(c)
13:70-19.43	Repealed (see 13:70-3, 14, 15, 19, 29)	15 N.J.R. 685(a) R. 1983 d. 295 15 N.J.R. 1256(a)
13:71-1.23	Harness racing: No smoking in barn areas	15 N.J.R. 873(b) R. 1983 d. 337 15 N.J.R. 1383(a)
13:71-5.9, 21, 23	Readopted: Harness rules	15 N.J.R. 685(a) R. 1983 d. 295 15 N.J.R. 1256(a)
13:71-6.24, 11.9	Harness racing: Vaccination; respiratory bleeding	14 N.J.R. 1147(a) R. 1983 d. 13 15 N.J.R. 158(c)
13:71-7.1	Harness racing: License fees	14 N.J.R. 1445(a) R. 1983 d. 104 15 N.J.R. 554(a)
13:76	Arson investigators: training requirements	15 N.J.R. 1078(a) R. 1983 d. 365 15 N.J.R. 1482(b)
<b>(Title 13, Transmittal 18 dated June 21, 1982)</b>		
<b>PUBLIC UTILITIES-TITLE 14</b>		
14:1-3.3	Board proceedings and ex parte communications	14 N.J.R. 1148(a) R. 1983 d. 415 15 N.J.R. 1667(c)
14:3-3.6	Diversion-of-service disputes	15 N.J.R. 787(a) R. 1983 d. 526 15 N.J.R. 1949(a)
14:3-7.16	Diversion-of-service disputes	15 N.J.R. 787(a) R. 1983 d. 526 15 N.J.R. 949(a)
14:17-18	Cable television: common tariff rate-making	15 N.J.R. 1356(a) R. 1983 d. 435 15 N.J.R. 1673(a)
14:18-11	Readopted: CATV application for municipal consent and certification rules	15 N.J.R. 874(a) R. 1983 d. 346 15 N.J.R. 1483(a)
<b>(Title 14, Transmittal 16 dated June 21, 1982)</b>		
<b>ENERGY-TITLE 14A</b>		
14A:3	Correction: Expiration date of N.J.A.C. 14A:3, Energy Conservation	_____ _____ 15 N.J.R. 701(a)
14A:3-1.2, 3, 4, 6, 7, 8, 9	Readopted: Energy Conservation rules	15 N.J.R. 789(a) R. 1983 d. 298 15 N.J.R. 1256(b)
14A:3-11.3, 11.5	Designation of used oil collection sites	13 N.J.R. 681(a) R. 1982 d. 262 14 N.J.R. 919(d)
14A:3-15.8	Recycling grants and loans: Supplementary projects	14 N.J.R. 1346(a) R. 1983 d. 119 15 N.J.R. 622(d)
14A:4	Solar energy systems: readopted standards and qualifications for tax exemption	15 N.J.R. 1448(a) R. 1983 d. 487 15 N.J.R. 1867(a)
14A:5	Solar energy systems: readopted sales tax exemption rules	15 N.J.R. 1450(a) R. 1983 d. 486 15 N.J.R. 1867(b)
14A:12-1	Computing cost savings in shared-savings contracts	14 N.J.R. 820(a) R. 1983 d. 10 15 N.J.R. 158(d)
<b>(Title 14A, Transmittal 8 dated June 21, 1982)</b>		
<b>STATE-TITLE 15</b>		
15:2	Commercial recording: Expedited information services	15 N.J.R. 14(a) R. 1983 d. 61 15 N.J.R. 340(d)
15:15-8.1, 8.2	Repeal rules on Register and Code	14 N.J.R. 366(a) R. 1982 d. 339 14 N.J.R. 1163(b)
<b>(Title 15, Transmittal 13 dated March 19, 1981)</b>		
<b>PUBLIC ADVOCATE-TITLE 15A</b>		
<b>(Title 15A, Transmittal 1 dated March 20, 1978)</b>		
<b>TRANSPORTATION-TITLE 16</b>		
16:2	Readopted: Award of Contracts for Professional services	15 N.J.R. 1176(a) R. 1983 d. 410 15 N.J.R. 1668(a)
16:16	Readopted: State aid for municipal operation and construction of roads	15 N.J.R. 1505(a) R. 1983 d. 494 15 N.J.R. 1867(c)
16:17	Readopted: State aid for municipal operation and construction of roads	15 N.J.R. 1505(a) R. 1983 d. 494 15 N.J.R. 1867(c)
16:22-1.1, 1.2, 1.4	Transportation Rehabilitation and Improvement funds	14 N.J.R. 97(a) R. 1982 d. 68 14 N.J.R. 284(a)
16:25-13	Railroad crossing and bridge cases	14 N.J.R. 1197(a) R. 1983 d. 45 15 N.J.R. 341(a)

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16:28-1	Readopted: State traffic rules	15 N.J.R. 1450(b)	R. 1983 d.495	15 N.J.R. 1867(d)
16:26-1.1	Traffic signal information	13 N.J.R. 152(b)	R. 1981 d.164	13 N.J.R. 372(a)
16:27-1.4	Repeal traffic and parking on NJDOT property	13 N.J.R. 153(a)	R. 1981 d.165	13 N.J.R. 372(b)
16:28-1.2	Speed rate, Route I-80 interchange, Morris County	15 N.J.R. 877(a)	R. 1983 d.329	15 N.J.R. 1868(a)
16:28-1.2	Speed limit on Route I-80	13 N.J.R. 153(b)	R. 1981 d.150	13 N.J.R. 372(c)
16:28-1.15	Speed limits along Route 13	13 N.J.R. 155(a)	R. 1981 d.152	13 N.J.R. 372(d)
16:28-1.16	Speed rates on I-195	14 N.J.R. 323(a)	R. 1982 d.172	14 N.J.R. 580(a)
16:28-1.17	Speed limits on Route 147	13 N.J.R. 239(a)	R. 1981 d.196	13 N.J.R. 451(a)
16:28-1.22	Speed rate on Route 109 in Cape May County	15 N.J.R. 1358(a)	R. 1983 d.438	15 N.J.R. 1868(e)
16:28-1.23	Speed limits along Route 18	13 N.J.R. 744(b)	R. 1981 d.484	13 N.J.R. 947(d)
16:28-1.23	School speed zone on Route 18 in Old Bridge	Emergency	R. 1982 d.465	15 N.J.R. 41(a)
16:28-1.23	Speed rate on Route 18 in East Brunswick	14 N.J.R. 1446(a)	R. 1983 d.51	15 N.J.R. 341(b)
16:28-1.23	Readopted school zone on Route 18 in Old Bridge	15 N.J.R. 41(a)	R. 1983 d.70	15 N.J.R. 448(a)
16:28-1.23	Speed limits on Route 18 in Monmouth and Middlesex Counties	15 N.J.R. 519(a)	R. 1983 d.232	15 N.J.R. 1036(a)
16:28-1.41	US 9 and 35 speed changes in Atlantic County	13 N.J.R. 838(a)	R. 1982 d.11	14 N.J.R. 160(c)
16:28-1.49	Speed limits on Route 35	13 N.J.R. 451(b)	R. 1981 d.333	13 N.J.R. 612(a)
16:28-1.56	Speed rates on US 40 and 322	14 N.J.R. 323(a)	R. 1982 d.172	14 N.J.R. 580(a)
16:28-1.69	Speed rates on US 130	14 N.J.R. 323(a)	R. 1982 d.172	14 N.J.R. 580(a)
16:28-1.69	Speed rates on US130 in Gloucester County	14 N.J.R. 824(a)	R. 1982 d.323	14 N.J.R. 1060(d)
16:28-1.69	Speed rates on US 130 in North Brunswick	14 N.J.R. 1197(b)	R. 1982 d.499	15 N.J.R. 94(c)
16:28-1.72	Speed limits on US 206 and 130 in Bordentown	14 N.J.R. 324(a)	R. 1982 d.168	14 N.J.R. 580(b)
16:28-1.75	Speed rates on Route 36 in Monmouth County	15 N.J.R. 1236(a)	R. 1982 d.417	15 N.J.R. 1869(d)
16:28-1.90	School zone on Route 166 in Dover Twp.	15 N.J.R. 520(a)	R. 1983 d.231	15 N.J.R. 1036(b)
16:28-1.111	Speed limits for Route 87	13 N.J.R. 452(a)	R. 1981 d.334	13 N.J.R. 613(a)
16:28A-1	Readopted: State traffic rules	15 N.J.R. 1450(b)	R. 1983 d.495	15 N.J.R. 1867(d)
16:28A-1.1, 1.2, 1.4, 1.7	Parking on Routes US1, 1 and 9, 4, US9	14 N.J.R. 637(a)	R. 1982 d.283	14 N.J.R. 982(a)
16:28A-1.2	Parking on Routes 1 and 9	13 N.J.R. 239(b)	R. 1981 d.195	13 N.J.R. 452(b)
16:28A-1.2	Parking on Route 1 and 9 in Newark	14 N.J.R. 1049(a)	R. 1982 d.420	14 N.J.R. 1402(a)
16:28A-1.2, 1.7, 1.18, 1.19, 1.25, 1.64	Parking on US1 and 9, US9, Routes 27, 28, 35, 41	15 N.J.R. 1739(a)	R. 1983 d.581	15 N.J.R. 2174(a)
16:28A-1.3, 1.5	Parking on Routes 3 and 5	14 N.J.R. 552(b)	R. 1982 d.247	14 N.J.R. 919(c)
16:28A-1.4	Route 4 bus stops	14 N.J.R. 98(a)	R. 1982 d.83	14 N.J.R. 347(b)
16:28A-1.4	Bus stops on Route 4 in Elmwood Park	14 N.J.R. 825(a)	R. 1982 d.328	14 N.J.R. 1100(b)
16:28A-1.4	Parking on Route 4 in Fair Lawn	15 N.J.R. 1632(a)	R. 1983 d.559	15 N.J.R. 2045(a)
16:28A-1.6	Restricted parking along Route 7	13 N.J.R. 522(a)	R. 1981 d.383	13 N.J.R. 778(b)
16:28A-1.6	Restricted parking on Route 7	13 N.J.R. 745(a)	R. 1981 d.483	13 N.J.R. 947(b)
16:28A-1.6	Parking on Route 7	14 N.J.R. 424(a)	R. 1982 d.203	14 N.J.R. 710(a)
16:28A-1.7	Route US 9 parking	13 N.J.R. 154(a)	R. 1981 d.151	13 N.J.R. 373(a)
16:28A-1.7	Route US 9 parking	13 N.J.R. 157(b)	R. 1981 d.156	13 N.J.R. 373(b)
16:28A-1.7	US 9 parking	13 N.J.R. 239(b)	R. 1981 d.195	13 N.J.R. 452(b)
16:28A-1.7	Parking on US 9	13 N.J.R. 240(a)	R. 1981 d.191	13 N.J.R. 453(a)
16:28A-1.7	Restricted parking along Route US 9	13 N.J.R. 452(c)	R. 1981 d.335	13 N.J.R. 613(b)
16:28A-1.7	Restricted parking on US 9	13 N.J.R. 745(b)	R. 1981 d.487	13 N.J.R. 947(f)
16:28A-1.7	Parking on Routes US9 and 40	13 N.J.R. 932(b)	R. 1982 d.44	14 N.J.R. 236(a)
16:28A-1.7	Parking on US9	14 N.J.R. 199(a)	R. 1982 d.116	14 N.J.R. 391(b)
16:28A-1.7	Parking on US 9 in Dover Twp, Ocean County	15 N.J.R. 686(a)	R. 1983 d.279	15 N.J.R. 1181(c)
16:28A-1.8	Parking and bus stops on Route 10	14 N.J.R. 464(b)	R. 1982 d.223	14 N.J.R. 838(a)
16:28A-1.9	Bus stops on Routes 17 and 166	13 N.J.R. 933(a)	R. 1982 d.45	14 N.J.R. 236(b)
16:28A-1.9	Readopted: Route 17 parking in Mahwah	14 N.J.R. 429(e)	R. 1982 d.201	14 N.J.R. 710(b)
16:28A-1.9	Parking on Route 17 in Paramus	15 N.J.R. 520(b)	R. 1983 d.228	15 N.J.R. 1036(c)
16:28A-1.9, 1.10, 1.11, 1.13, 1.15	Parking on Routes 17, 20, 21, US22, 23	14 N.J.R. 637(a)	R. 1982 d.283	14 N.J.R. 982(a)
16:28A-1.13	Parking on US22	14 N.J.R. 199(a)	R. 1982 d.116	14 N.J.R. 391(b)
16:28A-1.13	Route US 22	13 N.J.R. 154(a)	R. 1981 d.151	13 N.J.R. 373(a)
16:28A-1.13	Parking on US 22	14 N.J.R. 753(a)	R. 1982 d.313	14 N.J.R. 1061(a)
16:28A-1.13	Parking on US 22	14 N.J.R. 1198(a)	R. 1982 d.500	15 N.J.R. 94(d)
16:28A-1.13, 1.31	Parking on US 22 and Route 45	15 N.J.R. 1740(a)	R. 1983 d.577	15 N.J.R. 2175(a)
16:28A-1.14	Restricted parking along Route US 22 alternate	13 N.J.R. 453(b)	R. 1981 d.336	13 N.J.R. 613(c)
16:28A-1.15	Route 23 parking	13 N.J.R. 154(a)	R. 1981 d.151	13 N.J.R. 373(a)
16:28A-1.15	Parking on Route 23	13 N.J.R. 241(a)	R. 1981 d.192	13 N.J.R. 454(b)
16:28A-1.15	Restricted parking along Route 23	13 N.J.R. 454(a)	R. 1981 d.337	13 N.J.R. 613(d)
16:28A-1.15	Parking on Route 23 (Temporary)	14 N.J.R. 1199(a)	R. 1982 d.501	15 N.J.R. 95(a)
16:28A-1.15	Parking on Route 23 in Sussex County	Emergency	R. 1983 d.96	15 N.J.R. 555(a)
16:28A-1.15	Readopted: Parking on Route 23 in Sussex County	15 N.J.R. 555(a)	R. 1983 d.225	15 N.J.R. 1036(d)
16:28A-1.16	Restricted parking along Route 24	13 N.J.R. 455(a)	R. 1981 d.338	13 N.J.R. 613(e)

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16:28A-1.16	Route 24 parking	14 N.J.R. 553(a)	R. 1982 d.248	14 N.J.R. 919(f)
16:28A-1.18	Restricted parking along Route 27	13 N.J.R. 373(c)	R. 1981 d.312	13 N.J.R. 613(f)
16:28A-1.18	Route 27 bus stops in Edison	13 N.J.R. 934(a)	R. 1982 d.46	14 N.J.R. 236(c)
16:28A-1.18	Parking on Route 27	14 N.J.R. 554(a)	R. 1982 d.249	14 N.J.R. 920(a)
16:28A-1.18	Route 27 parking in South Brunswick	15 N.J.R. 317(a)	R. 1983 d.150	15 N.J.R. 807(d)
16:28A-1.18, 1.19	Parking on Routes 27, 28	14 N.J.R. 637(a)	R. 1982 d.283	14 N.J.R. 982(a)
16:28A-1.19	Route 28 parking	13 N.J.R. 155(b)	R. 1981 d.153	13 N.J.R. 373(d)
16:28A-1.19	Route 28 parking	13 N.J.R. 157(b)	R. 1981 d.156	13 N.J.R. 373(b)
16:28A-1.19	Parking on Route 28	13 N.J.R. 242(a)	R. 1981 d.193	13 N.J.R. 455(b)
16:28A-1.19	Parking on Route 28	13 N.J.R. 240(a)	R. 1981 d.191	13 N.J.R. 453(a)
16:28A-1.19	Route 28 parking in Roselle Park	14 N.J.R. 138(a)	R. 1982 d.111	14 N.J.R. 391(c)
16:28A-1.19	Handicapped parking on Route 28 in Elizabeth	15 N.J.R. 1237(a)	R. 1983 d.408	15 N.J.R. 1868(c)
16:28A-1.20, 1.21	Parking on Routes 29 and US 30	14 N.J.R. 554(b)	R. 1982 d.250	14 N.J.R. 920(b)
16:28A-1.21	Parking on US30	14 N.J.R. 825(b)	R. 1982 d.322	14 N.J.R. 1061(b)
16:28A-1.21	Parking on US30 in Atlantic County and Route 94 in Sussex County	15 N.J.R. 1080(a)	R. 1983 d.377	15 N.J.R. 1868(d)
16:28A-1.22	Parking on Route 31	14 N.J.R. 555(a)	R. 1982 d.251	14 N.J.R. 920(c)
16:28A-1.23	Route 33 parking	13 N.J.R. 154(a)	R. 1981 d.151	13 N.J.R. 373(a)
16:28A-1.23	Route 33 parking	13 N.J.R. 156(a)	R. 1981 d.154	13 N.J.R. 374(a)
16:28A-1.23	Route 33 parking in Hopewell Township	13 N.J.R. 838(b)	R. 1982 d.12	14 N.J.R. 161(a)
16:28A-1.23, 1.24, 1.25	Parking on Routes 33, 34, 35	14 N.J.R. 637(a)	R. 1982 d.283	14 N.J.R. 982(a)
16:28A-1.23, 1.25	Restricted parking on Routes 33 and 35	13 N.J.R. 746(a)	R. 1981 d.482	13 N.J.R. 947(c)
16:28A-1.24, 1.26	Parking on Routes 34 and 36	15 N.J.R. 1633(a)	R. 1983 d.557	15 N.J.R. 2045(b)
16:28A-1.25	Route 35 parking	13 N.J.R. 157(a)	R. 1981 d.155	13 N.J.R. 374(b)
16:28A-1.25	Parking on Routes 35 and 439	14 N.J.R. 35(a)	R. 1982 d.60	14 N.J.R. 284(b)
16:28A-1.25	Parking on Route 35	14 N.J.R. 324(b)	R. 1982 d.173	14 N.J.R. 580(c)
16:28A-1.25	Route 35 parking	14 N.J.R. 1198(a)	R. 1982 d.500	15 N.J.R. 94(d)
16:28A-1.25	Route 35 parking	14 N.J.R. 1199(a)	R. 1982 d.501	15 N.J.R. 95(a)
16:28A-1.25	Route 35 parking in Dover Township	15 N.J.R. 318(a)	R. 1983 d.151	15 N.J.R. 808(a)
16:28A-1.25	Parking on Route 35 in Old Bridge	15 N.J.R. 792(a)	R. 1983 d.297	15 N.J.R. 1256(c)
16:28A-1.25, 1.61	Parking on Routes 35 and US 9W	15 N.J.R. 1634(a)	R. 1983 d.558	15 N.J.R. 2045(c)
16:28A-1.26	Parking on Route 36	13 N.J.R. 453(a)	R. 1981 d.191	13 N.J.R. 453(a)
16:28A-1.26, 1.27	Parking on Routes 36, 38	14 N.J.R. 702(b)	R. 1982 d.312	14 N.J.R. 1061(c)
16:28A-1.27	Parking on Route 38	14 N.J.R. 424(a)	R. 1982 d.203	14 N.J.R. 710(a)
16:28A-1.27	Parking on Route 38	14 N.J.R. 753(a)	R. 1982 d.313	14 N.J.R. 1061(a)
16:28A-1.28	Restricted parking on US 40 and Route 70	13 N.J.R. 747(a)	R. 1981 d.481	13 N.J.R. 947(e)
16:28A-1.28	Parking on Routes US9 and 40	13 N.J.R. 932(b)	R. 1982 d.44	14 N.J.R. 236(a)
16:28A-1.28, 1.31, 1.32	Parking on Routes 40, 45, 46	14 N.J.R. 702(b)	R. 1982 d.312	14 N.J.R. 1061(c)
16:28A-1.31	Bus stops on Routes 45 and 77 in Gloucester County	15 N.J.R. 1358(b)	R. 1983 d.437	15 N.J.R. 1869(a)
16:28A-1.32	Parking on Route US 46	13 N.J.R. 241(a)	R. 1981 d.192	13 N.J.R. 454(b)
16:28A-1.32	Parking on Route US 46	13 N.J.R. 242(b)	R. 1981 d.194	13 N.J.R. 455(c)
16:28A-1.32	Restricted parking along Route US 46	13 N.J.R. 522(b)	R. 1981 d.384	13 N.J.R. 779(a)
16:28A-1.32	Restricted parking on US 46	13 N.J.R. 747(b)	R. 1981 d.480	13 N.J.R. 948(a)
16:28A-1.32	Parking on Routes US46 and 202 in Morris County	13 N.J.R. 935(a)	R. 1982 d.47	14 N.J.R. 236(d)
16:28A-1.33	Parking on Route 47	14 N.J.R. 637(a)	R. 1982 d.283	14 N.J.R. 982(a)
16:28A-1.33	Parking on Route 47 in Glassboro	15 N.J.R. 1559(b)	R. 1983 d.531	15 N.J.R. 1954(a)
16:28A-1.33	Parking on Routes 47 (Deptford) and 73 (Mt. Laurel)	15 N.J.R. 1451(a)	R. 1983 d.478	15 N.J.R. 1869(b)
16:28A-1.34	Parking on Route 49	14 N.J.R. 554(a)	R. 1982 d.249	14 N.J.R. 920(a)
16:28A-1.34	Parking on Route 49 in Millville	14 N.J.R. 1283(a)	R. 1983 d.1	15 N.J.R. 162(a)
16:28A-1.36, 1.37	Parking on Routes 57 and 70	13 N.J.R. 242(b)	R. 1981 d.194	13 N.J.R. 455(c)
16:28A-1.36, 1.37	Parking on Routes 57, 70	14 N.J.R. 637(a)	R. 1982 d.283	14 N.J.R. 982(a)
16:28A-1.37	Restricted parking along Route 70	13 N.J.R. 456(a)	R. 1981 d.339	13 N.J.R. 614(a)
16:28A-1.37	Route 70 parking	13 N.J.R. 747(a)	R. 1981 d.481	13 N.J.R. 947(e)
16:28A-1.37	Parking on Route 70 in Lakehurst	15 N.J.R. 426(a)	R. 1983 d.172	15 N.J.R. 929(a)
16:28A-1.37	Parking on Routes 70 and 183 in Camden and Sussex Counties	15 N.J.R. 1560(a)	R. 1983 d.532	15 N.J.R. 1954(b)
16:28A-1.38	Parking on Route 71 in Belmar	14 N.J.R. 325(a)	R. 1982 d.174	14 N.J.R. 580(d)
16:28A-1.38	Parking on Route 71 in Spring Lake Heights	15 N.J.R. 686(a)	R. 1983 d.279	15 N.J.R. 1181(c)
16:28-1.38, 1.40, 1.41, 1.42, 1.45, 1.46	Parking on Routes 71, 73, 77, 79, 94, US 130	14 N.J.R. 637(a)	R. 1982 d.283	14 N.J.R. 982(a)
16:28A-1.40	Parking on Routes 47 (Deptford) and 73 (Mt. Laurel)	15 N.J.R. 1451(a)	R. 1983 d.478	15 N.J.R. 1869(b)
16:28A-1.41	Parking on Route 77	14 N.J.R. 324(b)	R. 1982 d.173	14 N.J.R. 580(c)

N.J.A.C. CITATION	PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
16:28A-1.41	Bus stops on Routes 45 and 77 in Gloucester County	15 N.J.R. 1358(b)	R. 1983 d.437 15 N.J.R. 1869(a)
16:28A-1.43	Restricted parking along Route 82	13 N.J.R. 522(b)	R. 1981 d.384 13 N.J.R. 779(a)
16:28A-1.43	Parking on Route 82 in Springfield	15 N.J.R. 1452(a)	R. 1983 d.479 15 N.J.R. 1869(c)
16:28A-1.43	Parking on Routes 82 and 208 in Union and Fair Lawn	15 N.J.R. 1562(a)	R. 1983 d.533 15 N.J.R. 1954(c)
16:28A-1.44	Route 88 parking	13 N.J.R. 155(b)	R. 1981 d.153 13 N.J.R. 373(d)
16:28A-1.45	Parking on US30 in Atlantic County and Route 94 in Sussex County	15 N.J.R. 1080(a)	R. 1983 d.377 15 N.J.R. 1868(d)
16:28A-1.46	Parking on US 130	13 N.J.R. 746(a)	R. 1981 d.482 13 N.J.R. 947(c)
16:28A-1.50	Bus stops on Routes 17 and 166	13 N.J.R. 933(a)	R. 1982 d.45 14 N.J.R. 236(b)
16:28A-1.50, 1.51	Parking on Routes 166, 168	14 N.J.R. 702(b)	R. 1982 d.312 14 N.J.R. 1061(c)
16:28A-1.51	Restricted parking along Route 168	13 N.J.R. 522(b)	R. 1981 d.384 13 N.J.R. 779(a)
16:28A-1.52, 1.55, 1.57	Parking on Routes 173, US 202, US 206	14 N.J.R. 637(a)	R. 1982 d.283 14 N.J.R. 982(a)
16:28A-1.55	Parking on Routes US46 and 202 in Morris County	13 N.J.R. 935(a)	R. 1982 d.47 14 N.J.R. 236(d)
16:28A-1.55	Restricted parking on State highways	13 N.J.R. 455(a)	R. 1981 d.338 13 N.J.R. 613(e)
16:28A-1.55	Parking on US 202 in Morris Township	15 N.J.R. 131(a)	R. 1983 d.111 15 N.J.R. 626(d)
16:28A-1.56, 1.63	Parking on US 202-206 and 202-31	14 N.J.R. 556(a)	R. 1982 d.252 14 N.J.R. 920(d)
16:28A-1.57	Route US 206 parking	13 N.J.R. 155(b)	R. 1981 d.153 13 N.J.R. 373(d)
16:28A-1.57	Route US 206 parking	13 N.J.R. 156(a)	R. 1981 d.154 13 N.J.R. 374(a)
16:28A-1.57	Parking along US 206	13 N.J.R. 453(b)	R. 1981 d.336 13 N.J.R. 613(c)
16:28A-1.57	US206 parking in Hamilton Township	14 N.J.R. 139(a)	R. 1982 d.112 14 N.J.R. 391(d)
16:28A-1.60	Restricted parking on Route US 322-47	13 N.J.R. 523(a)	R. 1981 d.382 13 N.J.R. 779(b)
16:28A-1.61	Bus stops on US9W in Fort Lee	14 N.J.R. 139(b)	R. 1982 d.113 14 N.J.R. 391(e)
16:28A-1.61	Bustops and parking on US 9W	14 N.J.R. 465(a)	R. 1982 d.224 14 N.J.R. 838(b)
16:28A-1.61	Parking on US 9W in Fort Lee	15 N.J.R. 521(a)	R. 1983 d.227 15 N.J.R. 1036(e)
16:28A-1.64	Route 41 parking	13 N.J.R. 157(a)	R. 1981 d.155 13 N.J.R. 374(b)
16:28A-1.64	Parking on Route 41	14 N.J.R. 425(a)	R. 1982 d.202 14 N.J.R. 710(c)
16:28A-1.64	Parking on Route 41 in Cherry Hill	14 N.J.R. 1446(b)	R. 1983 d.52 15 N.J.R. 342(a)
16:28A-1.65	Route 15 parking	13 N.J.R. 154(a)	R. 1981 d.151 13 N.J.R. 373(a)
16:28A-1.65	Parking on Route 15	14 N.J.R. 466(a)	R. 1982 d.226 14 N.J.R. 838(c)
16:28A-1.65	Route 15 Parking	14 N.J.R. 1198(a)	R. 1982 d.500 15 N.J.R. 94(d)
16:28A-1.66	Parking on Route 18	13 N.J.R. 239(b)	R. 1981 d.195 13 N.J.R. 452(b)
16:28A-1.67	Route 63 parking	13 N.J.R. 157(a)	R. 1981 d.155 13 N.J.R. 374(b)
16:28A-1.67, 1.71	Parking on Routes 63, 67	14 N.J.R. 637(a)	R. 1982 d.283 14 N.J.R. 982(a)
16:28A-1.68	Route 93 parking	13 N.J.R. 155(b)	R. 1981 d.153 13 N.J.R. 373(d)
16:28A-1.68	Parking on Route 93	14 N.J.R. 199(a)	R. 1982 d.116 14 N.J.R. 391(b)
16:28A-1.68, 1.70	Parking on Routes 93, 439	14 N.J.R. 702(b)	R. 1982 d.312 14 N.J.R. 1061(c)
16:28A-1.69	Parking on Route 124	13 N.J.R. 240(a)	R. 1981 d.191 13 N.J.R. 453(a)
16:28A-1.70	Parking on Routes 35 and 439	14 N.J.R. 35(a)	R. 1982 d.60 14 N.J.R. 284(b)
16:28A-1.70	Parking on Route 439 in Elizabeth	15 N.J.R. 521(b)	R. 1983 d.226 15 N.J.R. 1037(a)
16:28A-1.70	Handicapped parking on Route 439 in Elizabeth	15 N.J.R. 1012(a)	R. 1983 d.362 15 N.J.R. 1868(b)
16:28A-1.71	Bus stops on Route 67 in Fort Lee	14 N.J.R. 139(b)	R. 1982 d.113 14 N.J.R. 391(e)
16:28A-1.72, 1.73	Parking on Routes 31-57 and 32	14 N.J.R. 555(a)	R. 1982 d.251 14 N.J.R. 920(c)
16:28A-1.74-1.94	Parking on Routes 33-34, 35, 35-71, 37, US 40-50, 53, 59, I-80, 87, US 130, 33, 153, 159, 161, 182, 62, 208, 280, I-280, 287, I-295, US322, US322-45	14 N.J.R. 637(a)	R. 1982 d.283 14 N.J.R. 982(a)
16:28A-1.81	Parking along Route 87 in Atlantic City	15 N.J.R. 234(a)	R. 1983 d.130 15 N.J.R. 694(a)
16:28A-1.88	Parking on Routes 82 and 208 in Union and Fair Lawn	15 N.J.R. 1562(a)	R. 1983 d.533 15 N.J.R. 1954(c)
16:28A-1.95	Readopted: Parking on Rising Sun Square Road	14 N.J.R. 825(b)	R. 1982 d.322 14 N.J.R. 1061(b)
16:28A-1.96	Parking on Routes 70 and 183 in Camden and Sussex Counties	15 N.J.R. 1560(a)	R. 1983 d.532 15 N.J.R. 1954(b)
16:28A-2	Readopted: State traffic rules	15 N.J.R. 1450(b)	R. 1983 d.495 15 N.J.R. 1867(d)
16:29	Readopted: State traffic rules	15 N.J.R. 1450(b)	R. 1983 d.495 15 N.J.R. 1867(d)
16:29-1.3, 1.20, 1.24-1.28	No passing zone changes	14 N.J.R. 1283(b)	R. 1983 d.2 15 N.J.R. 162(b)
16:30	Readopted: State traffic rules	15 N.J.R. 1450(b)	R. 1983 d.495 15 N.J.R. 1867(d)
16:30-2.5	Stop intersection on Route 71, Oceanport-Eatontown	15 N.J.R. 318(b)	R. 1983 d.152 15 N.J.R. 808(b)
16:30-2.6	Readopted: Stop sign on Old Yorke Road	14 N.J.R. 990(a)	R. 1982 d.414 14 N.J.R. 1402(b)
16:30-2.6	Stop intersection: Rising Sun Square-Old York Road, Bordentown	15 N.J.R. 1359(a)	R. 1983 d.436 15 N.J.R. 1869(e)
16:30-2.7, 2.8	Yield intersections: Routes 31 (Clinton) and 23 (Wayne)	15 N.J.R. 1636(a)	R. 1983 d.560 15 N.J.R. 2046(a)
16:30-3.4	Readopted: US9 bus and HOV lane	14 N.J.R. 661(b)	R. 1982 d.299 14 N.J.R. 982(c)
16:30-3.6	Readopt HOV lanes along Route 444	13 N.J.R. 456(b)	R. 1981 d.323 14 N.J.R. 614(b)

N.J.A.C. CITATION	PROPOSED STATUTE DOCUMENT	ADOPTION NOTICE	ADOPTION NOTICE	
	(N.J.R. CITATION)	CITATION	(N.J.R. CITATION)	
16:30-3.6	Repealed: HOV lanes on Parkway	14 N.J.R. 662(a)	R.1982 d.294	14 N.J.R. 982(d)
16:30-3.7	Bus lane on US 22 in Westfield-Mountainside	15 N.J.R. 522(a)	R.1983 d.229	15 N.J.R. 1037(b)
16:30-7.5	Exclusion of trucks on US1 and 9, Pulaski Skyway	15 N.J.R. 1506(a)	R.1983 d.480	15 N.J.R. 1870(a)
16:30-9.1	Drawbridge use on Route 35 in Old Bridge-Sayerville	15 N.J.R. 132(a)	R.1983 d.106	15 N.J.R. 554(b)
16:31	Readopted: State traffic rules	15 N.J.R. 1450(b)	R.1983 d.495	15 N.J.R. 1867(d)
16:31-1.1	U turns on US 206 in Bordentown	15 N.J.R. 426(b)	R.1983 d.173	15 N.J.R. 930(a)
16:31-1.1	Turns on US 206 in Somerset County	15 N.J.R. 522(b)	R.1983 d.230	15 N.J.R. 1037(c)
16:31-1.3	Turns on Route 46 in Dover, Morris County	15 N.J.R. 319(a)	R.1983 d.153	15 N.J.R. 808(c)
16:31-1.10	Turns along Route US 30	13 N.J.R. 457(a)	R.1981 d.340	13 N.J.R. 614(c)
16:31-1.16	No left turn along Route 79	13 N.J.R. 614(d)	R.1981 d.460	13 N.J.R. 895(b)
16:31-1.17	Left turns on Route 73, Winslow Twp.	14 N.J.R. 466(b)	R.1982 d.225	14 N.J.R. 838(d)
16:31-1.18	Turns on Route 31 in Hunterdon County	14 N.J.R. 826(a)	R.1982 d.327	14 N.J.R. 1100(c)
16:31-1.19	Turns on Route 33 in Mercer County	14 N.J.R. 973(a)	R.1982 d.394	14 N.J.R. 1220(c)
16:31-1.20	Left turns on Route 28 in Somerset County	14 N.J.R. 1447(a)	R.1983 d.53	15 N.J.R. 342(b)
16:31-1.21	Turns on Route 15 in Morris County	15 N.J.R. 319(a)	R.1983 d.153	15 N.J.R. 808(c)
16:31A	Readopted: State traffic rules	15 N.J.R. 1450(b)	R.1983 d.495	15 N.J.R. 1867(d)
16:31A-1.4, 1.13, 1.17, 1.19, 1.23	Prohibited rights on red: Routes 4, 18, 24, 28, 33	13 N.J.R. 935(b)	R.1982 d.48	14 N.J.R. 236(e)
16:31A-1.25, 1.35, 1.37, 1.65	Prohibited rights on red: Routes 35, 49, US46, and 206	13 N.J.R. 936(a)	R.1982 d.49	14 N.J.R. 237(a)
16:31A-1.67	Route 1-280 right-on-red prohibition in Orange	13 N.J.R. 937(a)	R.1982 d.50	14 N.J.R. 237(b)
16:31A-1.77	Route 181 right-on-red prohibition in Sparta	13 N.J.R. 937(b)	R.1982 d.51	14 N.J.R. 237(c)
16:32	Designated routes for special categories of trucks	Emergency	R.1983 d.124	15 N.J.R. 643(a)
16:32	Readopted: Designated routes for special categories of trucks	15 N.J.R. 643(a)	R.1983 d.259	15 N.J.R. 1102(c)
16:32	Correction: Designated routes for special categories of trucks	15 N.J.R. 1102(c)	R.1983 d.259	15 N.J.R. 1182(a)
16:41-2.1, 2.3-2.14, 2.18, 2.19, 3.3	Access driveways along highways	14 N.J.R. 1284(a)	R.1983 d.530	15 N.J.R. 1955(a)
16:41-7.2	Street intersections	14 N.J.R. 1289(a)	R.1983 d.529	15 N.J.R. 1957(a)
16:41-8.1, 8.4, 8.5, 8.6	Outdoor advertising	13 N.J.R. 615(a)	R.1981 d.497	14 N.J.R. 46(d)
16:41A-7.1	Outdoor Advertising Tax Act	13 N.J.R. 616(a)	R.1981 d.496	14 N.J.R. 47(a)
16:51	Recodified as 16:73	13 N.J.R. 881(a)	R.1982 d.40	14 N.J.R. 209(a)
16:51-4	Repealed: Delegation of powers	13 N.J.R. 881(a)	R.1982 d.40	14 N.J.R. 209(a)
16:53-1.1-1.3, 1.6-1.9, 1.11, 1.19, 1.21-1.30, 2	Autobus specifications	14 N.J.R. 1347(a)	R.1983 d.110	15 N.J.R. 694(b)
16:53-1.29, 1.30, 3.23, 3.24, 6.21, 6.30, 7.17, 7.23, 8.22, 8.25	Autobus specifications	15 N.J.R. 877(b)	R.1983 d.445	15 N.J.R. 1771(a)
16:53-2	Autobus specifications	13 N.J.R. 834(a)	R.1982 d.30	14 N.J.R. 160(b)
16:53-3.1-3.39, 4, 5.1, 6, 7, 8, 9.1, 9.2	Autobus specifications	14 N.J.R. 1347(a)	R.1983 d.110	15 N.J.R. 694(b)
16:54	Licensing of aeronautical facilities	12 N.J.R. 289(a)	R.1981 d.141	13 N.J.R. 374(c)
16:54-1.3	"Commercial purposes" and balloon operations	14 N.J.R. 326(a)	R.1982 d.175	14 N.J.R. 580(e)
16:55-1	Licensing of aeronautical activities	15 N.J.R. 1453(a)	R.1983 d.476	15 N.J.R. 1870(b)
16:56	Repealed (See 16:55-1)	15 N.J.R. 1453(a)	R.1983 d.476	15 N.J.R. 1870(b)
16:56-3	Repeal aircraft registry logs	13 N.J.R. 457(b)	R.1981 d.341	13 N.J.R. 616(b)
16:58-2	Repealed: Sport parachuting license rules	14 N.J.R. 1289(b)	R.1983 d.8	15 N.J.R. 162(c)
16:60-1.3	Issuance of summons; peace officers; aircraft accidents	15 N.J.R. 1456(a)	R.1983 d.477	15 N.J.R. 1870(c)
16:61-1.1, 2.1, 2.2, 2.4	Issuance of summons; peace officers; aircraft accidents	15 N.J.R. 1456(a)	R.1983 d.477	15 N.J.R. 1870(c)
16:62	Repealed (See 16:55-1)	15 N.J.R. 1453(a)	R.1983 d.476	15 N.J.R. 1870(b)
16:65	Readopted: Contract Administration rules	15 N.J.R. 1080(b)	R.1983 d.409	15 N.J.R. 1668(b)
16:65	Contract Administration rules recodified as 16:44			15 N.J.R. 1772(a)
16:65-9	Corporate reorganization of contractors	13 N.J.R. 524(a)	R.1981 d.399	13 N.J.R. 779(c)
16:72	N.J. Transit procurement policies and procedures	13 N.J.R. 158(a)	R.1981 d.176	13 N.J.R. 374(d)
16:73	Reduced Fare Transportation Program	13 N.J.R. 881(a)	R.1982 d.40	14 N.J.R. 209(a)
16:75	NJ TRANSIT: bus allocation rules	15 N.J.R. 881(a)	R.1983 d.371	15 N.J.R. 1484(a)

(Title 16, Transmittal 15 dated March 19, 1981)

**TREASURY-GENERAL--TITLE 17**

17:1	Readopted: General Administration pension rules	15 N.J.R. 523(a)	R.1983 d.174	15 N.J.R. 930(b)
17:1-1.3	Alternate Benefit Program: monthly report due date	15 N.J.R. 1457(a)	R.1983 d.546	15 N.J.R. 1957(b)
17:1-1.3, 1.8, 1.18, 1.19	Transfer between retirement systems; hearings	14 N.J.R. 1290(a)	R.1982 d.491	15 N.J.R. 95(b)
17:1-1.5	Pensions: Monthly transmittals and interest charges	15 N.J.R. 80(b)	R.1983 d.77	15 N.J.R. 448(b)
17:1-1.10	Pensions: Audit differences and minimum adjustments	14 N.J.R. 1200(a)	R.1982 d.470	15 N.J.R. 36(b)
17:1-1.14	Annual reports of salary changes	14 N.J.R. 200(a)	R.1982 d.358	14 N.J.R. 1163(c)
17:1-1.24	Pensioners' Group Health Insurance	14 N.J.R. 328(a)	R.1982 d.346	14 N.J.R. 1163(d)
17:1-2.3	Alternate Benefit Program: Salary agreements and deductions	14 N.J.R. 1149(a)	R.1982 d.438	14 N.J.R. 1464(a)
17:1-2.22, 2.23	Alternate Benefit Program: Life and disability insurance	14 N.J.R. 1200(b)	R.1982 d.483	15 N.J.R. 95(c)
17:1-2.36	Alternate Benefit Program: Transfers and interest	14 N.J.R. 1201(a)	R.1982 d.480	15 N.J.R. 96(a)
17:1-4.6, 4.25	Transfers and hearings	14 N.J.R. 1290(a)	R.1982 d.491	15 N.J.R. 95(b)
17:1-4.11	Pension purchases and final payments	14 N.J.R. 328(b)	R.1982 d.347	14 N.J.R. 1163(e)
17:1-4.11	Teachers' Pension: Credit for prior military service	15 N.J.R. 1238(a)	R.1983 d.416	15 N.J.R. 1668(c)
17:1-4.13, 4.34	Pensions: Service credit; purchases	14 N.J.R. 1201(b)	R.1982 d.469	15 N.J.R. 36(c)
17:1-5.-7	Hearing request; Adjustment Program	14 N.J.R. 1290(a)	R.1982 d.491	15 N.J.R. 95(b)
17:1-8.12	Social Security: Employer penalties for late filings	14 N.J.R. 1202(a)	R.1982 d.471	15 N.J.R. 37(a)
17:1-8.12	Social Security: Late filing penalties	15 N.J.R. 319(b)	R.1983 d.132	15 N.J.R. 696(a)
17:1-8.14	Social Security late transmittal fee	15 N.J.R. 687(a)	R.1983 d.265	15 N.J.R. 1104(a)
17:1-12.1	Division of Pensions administrative priorities	14 N.J.R. 329(a)	R.1982 d.350	14 N.J.R. 1164(a)
17:1-12.2	Loan information	14 N.J.R. 1201(b)	R.1982 d.469	15 N.J.R. 36(c)
17:1-12.3	Retirement system loans	14 N.J.R. 1447(b)	R.1983 d.39	15 N.J.R. 245(a)
17:1-12.4	Interfund transfers: court attendants appointed sheriff's officers	15 N.J.R. 525(a)	R.1983 d.216	15 N.J.R. 1037(d)
17:1-12.5	Interfund transfers and accumulated interest	15 N.J.R. 526(a)	R.1983 d.217	15 N.J.R. 1037(e)
17:1-12.6	Pension credit for extended maternity leave	15 N.J.R. 1012(b)	R.1983 d.334	15 N.J.R. 1383(b)
17:2-2.3, 3.3 7.1, 7.2	PERS: Ineligibility; contributory insurance rates; interfund transfers	14 N.J.R. 1150(a)	R.1983 d.7	15 N.J.R. 162(d)
17:2-3.3	PERS: Contributory insurance rate	14 N.J.R. 200(b)	R.1982 d.343	14 N.J.R. 1164(b)
17:2-3.9	Repealed: PERS insurance liability for unenrolled members	15 N.J.R. 16(a)	R.1983 d.76	15 N.J.R. 449(a)
17:2-3.12, -5	PERS: Beneficiary designation; purchases	14 N.J.R. 1151(a)	R.1983 d.6	15 N.J.R. 163(a)
17:3	Readopted: Teachers' Pension and Annuity Fund rules	15 N.J.R. 526(b)	R.1983 d.175	15 N.J.R. 930(c)
17:3-1.1	Teachers' Pension: Board meetings	14 N.J.R. 201(a)	R.1982 d.344	14 N.J.R. 1164(c)
17:3-1.4	Teachers' Pension: delegates to annual convention	15 N.J.R. 1360(a)	R.1983 d.483	15 N.J.R. 1870(d)
17:3-1.11, 3.12	Teachers' Pension and Annuity Fund	14 N.J.R. 1202(b)	R.1983 d.78	15 N.J.R. 449(b)
17:3-2.1	Teachers' Pension: eligible positions	15 N.J.R. 1360(b)	R.1983 d.483	15 N.J.R. 1871(a)
17:3-2.8	Teachers' Pension: repealed insurance liability for unenrolled members	15 N.J.R. 1177(a)	R.1983 d.439	15 N.J.R. 1773(a)
17:3-5.5, 6.2	Teachers' Pension	14 N.J.R. 1202(b)	R.1983 d.78	15 N.J.R. 449(b)
17:3-7.1, 7.2	Teachers' Pension	14 N.J.R. 1202(b)	R.1983 d.78	15 N.J.R. 449(b)
17:4-1.12	Police and Firemen's Retirement: Proof of age	14 N.J.R. 1204(a)	R.1983 d.4	15 N.J.R. 163(b)
17:4-2.5	Pensions: age requirements for police and firemen	15 N.J.R. 883(a)	R.1983 d.481	15 N.J.R. 1871(b)
17:4-3.6	Police and Firemen's Retirement: Insurance liability	14 N.J.R. 1291(a)	R.1983 d.47	15 N.J.R. 342(c)
17:4-5.1	Insurance purchases and retirement	13 N.J.R. 310(b)	R.1982 d.292	13 N.J.R. 525(c)
17:4-4.1	Police and Firemen's Retirement: "creditable salary"	15 N.J.R. 1238(b)	R.1983 d.482	15 N.J.R. 1871(c)
17:4-5.1	Insurance purchases and retirement	13 N.J.R. 310(b)	R.1982 d.292	13 N.J.R. 525(c)
17:4-5.3, 5.6	Police and Firemen's Retirement System changes	14 N.J.R. 1204(b)	R.1983 d.3	15 N.J.R. 163(c)
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