

Reference

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THURSDAY, JANUARY 8, 1970

NOTICE OF RULE MAKING ACTIVITIES OF STATE AGENCIES

The following digests, notices, and texts of rules, regulations and codes filed by Administrative Agencies during the preceding month have been prepared by the Office of the Director of the Division of Administrative Procedure, Department of State, pursuant to Section 4 (a) (1) and Section 7 (b) of Chapter 410 of the Laws of 1968.

COMMUNITY AFFAIRS DIVISION OF HOUSING AND URBAN RENEWAL

Proposed Changes in the Regulations of the Demonstration Rent Supplement Program

Notice is hereby given that the Commissioner of Community Affairs, pursuant to authority delegated at N.J.S.A. 52:27D-67, proposes to repeal Part III of the Regulations for a Demonstration Rent Supplement Program under Demonstration Grant Law of 1967, and to adopt a new Part III describing a Downpayment Assistance Program to provide home ownership assistance pursuant to the Demonstration Rent Supplement Program, as follows:

Chapter 14. Demonstration Rent Supplement Program Part III. Downpayment Assistance Program

WORD

Department of Community Affairs has been authorized to conduct demonstration programs "for the prevention and elimination of slums and blight in urban and non-farm rural areas." N.J.S.A. 52:27D-66. Pursuant to this responsibility the Department established a Demonstration Rent Supplement Program in 1968. The Regulations for this program, filed with the Secretary of State on November 19, 1968, invited innovative proposals for special programs in which supplement payments would be used to pay part of the carrying charges on a mortgage, or in which supplement payments would be made in a lump sum, as a down payment on a home or on a membership in a cooperative apartment. ("Regulations for Demonstration Rent Supplement Program under Demonstration Grant Law of 1967," Part I, p. 4, and Part III, p. 11). Based upon the experience gained since the Demonstration Rent Supplement Program was established, the original outline of the Special Ownership Program has been revised and expanded.

Subchapter 1. GENERAL PROVISIONS AND DEFINITIONS.

1.1 OBJECTIVE OF PROGRAM

The Demonstration Rent Supplement Program is designed to test innovative approaches to the problem of providing adequate alternative housing for individuals and families displaced by government action. Two alternative methods are being tested. Part II of this Chapter describes a program of rental assistance payments to help relocatees who desire alternative rental housing. This Part describes a program of home ownership assistance payments to help relocatees who desire to purchase alternative dwelling units. This component of the Demonstration Rent Supplement Program is known as the Downpayment Assistance Program.

1.2 DEFINITIONS

As used in this Part, the following terms shall have the following meanings, except where the context clearly indicates otherwise:

- (a) "Commissioner" shall mean the Commissioner of Community Affairs.
- (b) "Department" shall mean the Department of Community Affairs.
- (c) "Director" shall mean the Director of the Division of Housing and Urban Renewal.
- (d) "Displaced by governmental action" shall mean any required movement from real property as a result of the acquisition of such property for an improvement constructed or developed by or with funds provided, in whole or in part, by the State or local units of government or pursuant to a governmental program of building code enforcement or voluntary rehabilitation.
- (e) "Division" shall mean the Division of Housing and Urban Renewal within the Department of Community Affairs.
- (f) "Family" shall mean two or more persons who are living together and who represent themselves as a family unit.
- (g) "Program" shall mean any undertaking whether by the Department or some other sponsor, as approved, to provide assistance to persons and families in accordance with these Regulations.
- (h) "Purchaser" shall mean any person or family who receives funds from the Department through the sponsor, which are used to assist in the purchase of homes, condominiums, or cooperatives.
- (i) "Sponsor" shall mean any individual, corporation, or association approved by the Commissioner to sponsor a Downpayment Assistance Program. It also includes any agency or authority established by State law to provide housing for the people of this State, or for residents of any county, region, or municipality of this State.
- (j) "Section 235 of the National Housing Act" shall mean that program described in HUD Handbook FHA 4441.1.
- (k) "Farmers Home Administration, 502 Subsidized" shall mean that program described in Farmers Home Administration Booklet PA-705.

1.3 CORRESPONDENCE

The Demonstration Rent Supplement Program is administered by the Division of Housing and Urban Renewal. All correspondence and inquiries should be addressed to the Director of the Division of Housing and Urban Renewal, Department of Community Affairs, Post Office Box 2768, Trenton, New Jersey 08625.

Subchapter 2. OPERATION OF PROGRAM

2.1 SCOPE

Benefits under the Downpayment Assistance Program may be used to assist applicants to purchase homes under Section 235 of the National Housing Act, or under the Farmers Home Administration. In addition, assistance will be provided when purchasing cooperatives mortgaged by the New Jersey Housing Finance Agency, or when purchasing homes with federally insured or conventional mortgages. An essential element of any program authorized hereunder shall be to provide assistance to persons or families displaced by governmental action.

2.2 MAXIMUM STATE CONTRIBUTION

Assistance contributed by the State toward any purchase may not exceed \$1,500. This payment shall be applied against a purchase price as approved by the Federal Housing Administration, the Farmers Home Administration, or such other assessed evaluation of the building as may be acceptable to the Director. The monies advanced may also be used to defray prepayment expenses such as tax reserve and mortgage insurance premiums and for purchase price adjustments such as adjustments to fuel, insurance, water bills, and taxes. In addition, up to \$500 may be available to defray legal expenses; however, legal expenses shall not exceed those permitted by the Federal Housing Administration for purchases made under Section 235 of the National Housing Act.

2.3 MINIMUM PURCHASER CONTRIBUTION

Each purchaser shall contribute a minimum of \$50 toward the required down payment. This requirement may be waived or reduced by the Director for purchasers supported by Welfare Assistance Payments.

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2.4 DETERMINATION OF CONTRIBUTION

The purchasers' contribution to down payment is based on formula. The State's contribution is equal to the difference between the purchasers' contribution, as determined by the formula and minimum cash requirements, and the total down payment.

The formula is as follows:

$$X = \text{Purchaser's Contribution}$$

$$A = \text{Total Down Payment}$$

$$B = \text{Purchaser's Assets}$$

$$C = \text{Asset Limitation (3.7)}$$

$$X = A \times (B/C)$$

2.5 AREAS OF ASSISTANCE

The following areas will be assisted by the Downpayment Assistance Program:

- (a) Section 235 of the National Housing Act: Applicants approved for interest subsidy under the 235 Program will receive additional aid from the State in the form of reduction of monthly mortgage payments. The State will assist by reducing the monthly mortgage payment, for a two year period, to an amount equal to 20% of the applicant's certified monthly income. A portion of the down payment may also be provided but no legal closing costs shall be provided. Actual down payment may not exceed the minimum required by the Federal Housing Administration and actual prepaid expenses and purchase price adjustments.
- (b) Farmers Home Administration (502 Subsidized): The contribution by the State under this program will be the same as under the 235 Program administered by HUD.
- (c) Housing Finance Agency: Approved applicants for all types of construction mortgaged by the Housing Finance Agency are eligible for down payment assistance under this program. Eligibility will be based on the requirements as described in these Regulations. No reduction in monthly payments shall be made.
- (d) Non-Subsidized Mortgages: Contribution toward the down payment under conventional or federally insured mortgage programs will be arrived at by using the formula and asset and income limitations as described in these Regulations. No reduction in monthly payments shall be made under these mortgages.

2.6 PRIORITY TO RELOCATEES

Priority in selection of purchasers shall be given to individuals and families displaced by governmental action, however, each recipient of assistance pursuant to the provisions of Section 2.5 (d) shall be an individual or family displaced by governmental action.

Subchapter 3. REQUIREMENTS OF PROGRAM.

3.1 ELIGIBLE FAMILIES

Families which come within the income and asset limitations as described in these Regulations shall be eligible for down payment assistance for an amount equal to the difference between the total down payment and the payment required by the applicant as determined by the formula described herein. To be eligible the potential homeowner shall be either the prospective owner of the mortgaged dwelling or a member of a cooperative association operating a housing project. A family may be totally supported by Welfare and still qualify.

Community Affairs—Rent Supplement—continued**3.2 ELIGIBLE HOUSING**

Housing to be eligible for assistance shall be one of the following types:

- (a) New or substantially rehabilitated single family dwelling units.
- (b) A one family unit in a condominium or cooperative project.
- (c) An existing one or two family unit which complies with the requirements of the federal insuring agency or local housing codes.

Dwellings purchased with State assistance shall be of modest but adequate design and construction quality. Assistance payments shall not be made for the purchase of housing which is extravagant in design, appointments, or equipment. Housing shall not be located in areas designated as blighted by the New Jersey Act to determine Blighted Areas.

Housing should provide decent, safe, and sanitary conditions, as judged on the basis of F.H.A. standards or local housing codes.

3.3 MAXIMUM PURCHASE PRICE

The maximum purchase price for a dwelling assisted under the program shall not exceed those maximums established under Section 235 of the National Housing Act. Those maximums are determined by geographic area and generally are \$15,000 in the southern half of the State and \$17,500 in the northern half of the state. In addition, where a family of five or more persons requires a minimum four bedroom house the purchase price may be increased by an additional \$2,500.

3.4 SELF-HELP OPPORTUNITIES

An applicant for assistance may contribute the value of his labor as equity in his property.

3.5 INCOME LIMITS

To be eligible for assistance payments a family must have an adjusted family income which does not exceed the following limits:

Number in family	Income Limit
1	\$ 6,480
2	\$ 7,450
3 & 4	\$ 8,800
5 & 6	\$10,100
7 or more	\$11,450

3.6 "ADJUSTED FAMILY INCOME" - Defined

As used in Section 3.5, "adjusted family income" shall include income during the last 12 months before taxes or withholding of all members of the family which propose to live in the units, excluding unusual or temporary income, except that \$300 shall be deducted for each minor person (under 21 years of age excluding the mortgagor or his spouse) who is related by blood, marriage or operation of law; and who is living in the household. Unusual or temporary income may include 5% of total family income before deductions for social security, withholding, and similar deductions; or a part of overtime pay which will be discontinued, departure of a secondary wage earner, unemployment compensation which does not occur regularly, or other income which will be discontinued.

3.7 ASSET LIMITATIONS

Total assets cannot exceed \$2,000 if the prospective mortgagor or cooperative member is under 62 years of age; or \$5,000 if the applicant is 62 years of age or older. In addition to either amount, \$500 may be added for each dependent, plus an amount equal to the applicant's share of the mortgage payment for one year. Those assets which are to be included in the computation of total assets are cash on hand, checking and savings accounts, bonds and stocks, and the equitable value of any real estate holdings.

3.8 CERTIFICATION OF INCOME

Income shall be certified on forms supplied by the Division. Where income has been previously certified to the Federal Housing Administration, the Farmers Home Administration, or the State Housing Finance Agency, a copy of such certification may be supplied in lieu of a Division form. Income certification shall be attached to the Assistance Application.

3.9 SPONSORS

Subject to the approval of the Commissioner, the Director may select a sponsor to administer a program authorized under these Regulations. In order to be selected as a sponsor, the applicant shall submit to the Director an application containing the following information:

- (a) the name and address of the applicant,
- (b) the principal officers of the applicant, if the applicant is not an individual,
- (c) a narrative description of the proposed program, its location, the methods by which the program will be publicized, the number of families which will be assisted, and the activities in the area which are causing displacement of individuals or families in need of assistance,
- (d) administrative costs, if any, and
- (e) such other information as the Director may require.

3.10 ADMINISTRATIVE COSTS

In order to qualify as a sponsor, the applicant must be established and functioning in a related field of housing. Each applicant will be expected to provide all required administrative services from its own resources. Where necessary, the Director may allow the use of not more than 5% of the total grant amount to pay for administrative services required by the program. This limit may be waived by the Director to avoid hardship, but in no event shall more than 10% of the total grant amount be used to pay for administrative services. If an applicant requests funds for administrative services, it must indicate

in its application the amount to be paid by the Department and the amount to be contributed by the applicant. These amounts shall be shown by line items indicating salaries, office equipment and supplies, travel, and other expenses directly related to the administration of the program. Unless explicit need is shown no full time staff will be paid for entirely with funds supplied by the Department. The following positions, when justified, may be paid for in part by the Department.

(a) Program Coordinator

The program coordinator shall be responsible for implementing the program, establishing the filing system, soliciting recipients for assistance, and performing other duties necessary to insure the smooth operation of the program.

(b) Real Estate Advisor

It shall be the duty of the real estate advisor to act as consultant to recipients of the grant to insure that such recipients are not exposed to sharp practices. He shall provide other consultation services as required. Under no circumstances shall he represent the seller or receive any other compensation from any other source with respect to any property transaction undertaken or consummated under this program.

(c) Field Representative

It shall be the duty of the field representative to inform and counsel recipients of assistance in the methods and procedures required for obtaining assistance. He shall solicit lists of available dwellings from real estate agents, and he shall perform such other duties as may arise.

(d) Secretary

It shall be the responsibility of the secretary to maintain filing systems, type out forms for recipients of assistance, and perform other related tasks.

3.11 RESPONSIBILITIES OF SPONSORS

In consideration of the grant provided for by contract, the sponsor shall:

(a) Submit to the Division a monthly report as prescribed by the Division regarding activities of the sponsor.

(b) Maintain accounts, records, and documents as prescribed by the Department, which shall be subject to inspection or audit at all reasonable times by the Department.

(c) Publicize throughout the area to real estate brokers his interest in one and two family dwellings priced within the maximums established by these Regulations and invite submission by brokers of any such listings. Publication may be in a manner most suitable for this purpose, however, the sponsor shall submit to the State a narrative statement of what steps it has or will take to publicize as well as disclose a list of brokers who have been contacted or have provided listings to the sponsor.

(d) Locate and advise clients as to State and Federal programs.

(e) Inform purchasers that any funds advanced by the sponsor for homeownership assistance are to be returned to the sponsor if the property purchased with such assistance is conveyed by the purchaser to a third party within three years of said date of purchase. In that event, the funds advanced shall be returned to the Department based on the following schedule.

First Year	75%
Second Year	50%
Third Year	25%

If the purchaser conveys the property thereafter (i.e., after three years) the funds advanced need not be returned to the Department.

(f) Provide assurance, by establishing a second mortgage position or other method acceptable to the Department, that funds provided by the Department shall be returned where a purchaser of such funds conveys his interest within three years of purchase.

(g) Transfer the down payment assistance at the time of closing.

(h) Maintain separate accounts for all administrative expenses and separate accounts for all homeownership assistance funds. The names of the accounts shall be such that the source and purpose of the funds contained therein are clear. Under no circumstances shall a sponsor commingle funds supplied by the Department with its own.

3.12 ASSISTANCE APPLICATIONS

The assistance application shall contain the following information: The name of the husband and wife as well as the composition of their household. The annual family income during the last 12 months shall be itemized and shall include income from such sources as wages, retirement funds, welfare benefits, or other income. The cost of the dwelling to be purchased with the assistance shall be noted on the application as well as the amount of mortgage, down payment required, the term of the mortgage, the interest on the mortgage, and the monthly payments. The type of mortgage, such as 235, VA, FHA, or Farmers Home Administration will be noted on the form. The assets of all family members are to be recorded on the form and shall include cash on hand, cash in a checking or savings account, bonds and stocks, and the equitable interest in real estate. Assets such as automobiles and furniture and other personal items are not to be considered in determining the assistance. The purchaser's contribution will be calculated on the form and will be determined by the formula indicated in Subchapter 2. The State down payment assistance will be equal to the down payment minus the purchaser's contribution and shall be limited to \$1,500. The application shall also contain a section for computing the monthly assistance provided for 235 pur-

chases. The amount of legal closing costs provided shall be noted on the application by the Department. The application shall be signed and certified by the applicant and shall indicate the name of the person who prepared the application. The application must also indicate whether the potential recipient has been displaced by any State or local action, and the type of program which caused such displacement. Each application shall be approved by the Director before financial assistance is made available to the applicant.

Notice is also given that any interested person may present statements or arguments in writing relevant to the proposed action at the Division of Housing and Urban Renewal, 28 West State Street, Trenton, New Jersey 08618, on or before January 30, 1970.

The Commissioner of Community Affairs, upon his own motion or at the instance of any interested party, may thereafter adopt the above rule substantially as set forth without further notice.

Paul N. Ylvisaker, Commissioner
Department of Community Affairs

COMMUNITY AFFAIRS**THE COMMISSIONER****Rules Governing Contract Approval****ORDER TO CHANGE A RULE**

Pursuant to the authority delegated at N.J.S.A. 52:27D-3, and in accordance with applicable provisions of the Administrative Procedure Act of 1968, a rule of the Department of Community Affairs, the title and text of which follows, was adopted and filed with the Division of Administrative Procedure as R. 1969 d. 30, effective December 17, 1969.

A rule of the Department of Community Affairs, repealing its present regulation governing the approval of contracts and other commitments of funds.

1. The rule adopted by the Commissioner of the Department of Community Affairs effective August 11, 1969, and filed with the Secretary of State on August 9, 1969, governing the approval of contracts and other commitments of funds, is hereby repealed.
2. This rule shall take effect December 17, 1969.

Ordered at Trenton,
this 12th day of December,
1969.

Paul N. Ylvisaker, Commissioner
Department of Community Affairs

ORDER TO ADOPT A RULE

Pursuant to the authority delegated at N.J.S.A. 52:27D-3, and in accordance with applicable provisions of the Administrative Procedure Act of 1968, a rule of the Department of Community Affairs, the title and text of which follows is hereby adopted, effective December 17, 1969.

A rule of the Department of Community Affairs, governing the processing of applications and contracts for State Aid grants and other financial assistance programs administered by the Department.

NEW JERSEY ADMINISTRATIVE CODE

TITLE 5. Department of Community Affairs
Subtitle A. Administration and General Provisions
Chapter 4. Rules of Administration
Subchapter 1. Contract Approval

5:4-1.1 Scope.

The rules contained in this Subchapter shall govern the issuance of all commitments and contracts for grants, loans, and personal services using funds available from State Aid appropriations or from Federal or private grants to the Department of Community Affairs, or to any agency thereof.

5:4-1.2 Authorized signature required.

No contract or other commitment of funds is final until it has been approved in writing by an officer of this Department authorized by law or by regulation to take such action.

5:4-1.3 Persons authorized.

The following officers are authorized to approve contracts or other commitments of funds:

- a. The Commissioner of Community Affairs.
- b. The Deputy Commissioner designated by the Commissioner pursuant to Section 5 of c.293, L. 1966 (N.J.S.A. 52:27D-5).
- c. The director of the agency responsible for the administration of the assistance program, provided that the proposed contract has been authorized by the Commissioner in accordance with the provisions of this Subchapter.
- d. The Director of the Division of Housing and Urban Renewal, for contracts and commitments of funds directly related to the State-Local Cooperative Housing Inspection program, using the State appropriation to the Department for "Code enforcement and housing inspection."
- e. The Director of Administration, for contracts for personal services in amounts of less than \$500.

5:4-1.4 Exception.

Nothing contained in this Subchapter shall be deemed to apply to the "Urbanaid" program administered by the Division of Local Finance pursuant to c.75, L. 1969.

5:4-1.5 Contract Authorization Request.

Prior to entering into a contract with any applicant, the director of the agency responsible for the administration of the assistance program shall submit a Contract Authorization Request to the Program Evaluation Section for transmission to the Commissioner. Such a request

Community Affairs—Contracts—continued

shall be on a form determined by the Program Evaluation Section, and it shall be accompanied by a detailed work program and a line item budget.

5:4-1.6 Circulation of Contract Authorization Request:

The Program Evaluation Section shall send a copy of each Contract Authorization Request to each agency director for his information.

5:4-1.7 Contract review.

The Program Evaluation Section shall review and transmit the Contract Authorization Request to the Commissioner with its comments. The scope of such review may include the following considerations:

- a. Consistency with the objectives of the assistance program,
- b. Compliance with the terms of the State appropriation, and
- c. Economical use of public funds.

5:4-1.8 Approval by the Commissioner.

The Commissioner or his Deputy shall signify his approval of the proposed contract by signing the Contract Authorization Request. After the proposed contract has been approved, the Program Evaluation Section shall return a copy of the approved Contract Authorization Request to the originating agency.

5:4-1.9 File copies.

The Program Evaluation Section shall file a copy of each approved Contract Authorization Request with the Division of Administration, the Office of Public Information, and the Deputy Attorney General assigned to the Department.

5:4-1.10 Effect of Commissioner's approval.

An approved Contract Authorization Request shall authorize the director of the agency to execute a contract with the applicant, subject to the following limitations:

- a. The contract work program and line item budget shall be substantially the same as the authorized work program and line item budget.
- b. The total contract amount shall be not less than 75% nor more than 105% of the authorized amount.
- c. The contract must be fully executed within 90 days of the date of authorization.

The Director of Administration shall be responsible for the enforcement of the provisions of this section.

5:4-1.11 Letter of approval.

At the option of the originating agency, a letter of approval from the Commissioner to the applicant may accompany the Contract Authorization Request. The letter of approval shall be signed by the Commissioner or his Deputy upon approval of the Contract Authorization Request. A letter of approval shall signify a firm commitment by the Department to enter into a contract with the applicant. A letter of approval shall not authorize the applicant to expend funds or borrow money unless such authorization is clearly stated in the letter.

5:4-1.12 Amendments.

Amendments to contracts shall follow the procedure which governs the issuance of contracts; however, the director of an agency responsible for the administration of an assistance program may amend any contract regarding such program without the prior approval of the Commissioner, subject to the following limitations:

- a. The contract as amended shall terminate not more than 9 months after the original termination date.
- b. The contract amount as amended shall be not less than 75% nor more than 105% of the authorized amount.
- c. The contract work program and line item budget as amended, shall be substantially the same as the authorized work program and line item budget.

The agency shall file a copy of each amendment with the Division of Administration and with the Deputy Attorney General assigned to the Department. The Director of Administration shall be responsible for the enforcement of the provisions of this section.

5:4-1.13 Interpretation of contracts.

Letters to applicants explaining the terms of contracts must be signed by the appropriate agency director. A copy of all such letters must be filed with the Division of Administration and with the Deputy Attorney General assigned to the Department.

Ordered at Trenton,
this 12th day of December,
1969.

Paul N. Ylvisaker, Commissioner
Department of Community Affairs

LABOR AND INDUSTRY

BUREAU OF ENGINEERING AND SAFETY

Electrical Installations

In accordance with the provisions of N.J.S.A. 34:6A-9, the Worker Health and Safety Act, this chapter was submitted to the Industrial Safety Committee as Proposed Safety Regulation No. 90, on March 25, 1969. Comments were received from the Committee on June 18, 1969. All of these recommendations were incorporated in the document which was submitted to public hearing.

After public hearing, the chapter was submitted to the Industrial Safety Board on September 12, 1969. The Board met on October 22, 1969 and after discussion elected not to exercise its right of veto.

FOREWORD

The potential dangers to life and property which might result from the misuse of electricity have been recognized by those involved with safety by the promulgation of the National Electrical Code, which has been published and revised periodically since 1897.

The need for enforcing good electrical practice is amply demonstrated by:

1. The fact that defective wiring and improperly installed electrical equipment is the second leading cause of fire in the United States.

2. Data from authoritative sources indicate that, in general, an alternating current of 0.1 ampere at commercial frequency (60 cycles) may be fatal if passed through the vital organs.

3. Estimations that a current value of 0.02 ampere is the limit at which an individual can still release himself from an object held by the hand. Such a current flow may readily be obtained in contact with low voltage sources of the ordinary lighting or power circuit.

Therefore, it is appropriate that there be an up to date Chapter of the New Jersey Administrative Code to safeguard the worker with regard to electrical hazards in his place of employment.

The Chapter is promulgated by the Commissioner of Labor and Industry of the State of New Jersey under authority vested in him by Section 9 of the Worker Health and Safety Act, P.L. 1965, C. 154, N.J.S.A. 34:6A as follows:

The Commissioner shall make and promulgate rules and regulations reasonably necessary to implement the purposes of this Act. Such rules and regulations shall have the force and effect of law and shall be enforced in the manner provided in this Act. . . .

The same statute provides authority for the Commissioner to grant exceptions from the requirements of this Chapter in accordance with Section 23 as follows:

The Commissioner shall have the power and authority to grant exceptions from the literal requirements of rules and regulations promulgated under this Act. Such exceptions shall be granted in any particular case only where it is clearly evident that it is necessary to prevent undue hardship or where existing conditions prevent compliance. In no case shall any exception be granted unless in the opinion of the Commissioner reasonable protection of the health and safety of workers and the public will be maintained hereby. An application for an exception shall be filed in writing with the Commissioner, setting forth specifically the requirements of the rules and regulations from which an exception is desired and the reason why enforcement of the applicable provisions of the rules and regulations is unreasonable. The Commissioner shall grant or deny the exception within 30 days from the date of receipt by him of the application. The Commissioner shall maintain a record of all exceptions granted and shall make such record reasonably available for public examination and shall mail a copy of all rulings granting exceptions to the members of the board.

Prior to promulgation this Chapter was submitted to the New Jersey State Industrial Safety Committee, Public Hearing, and the New Jersey State Industrial Safety Board in accordance with requirements of the Act cited above.

All standards and publications, other than the Chapters of Title 12, N.J.A.C., referenced in this Chapter are available for inspection or purchase in accordance with Appendix A.

SECTION 1

GENERAL PROVISIONS

1.1 TITLE AND CITATION

1.1.1 For the purposes of the Department of Labor and Industry this Regulation shall be known as Chapter 162, Electrical Installations and may be cited as Chapter 162 of Title 12, N.J.A.C. or as N.J.A.C. 12:162-1 et seq.

1.2 PURPOSE

1.2.1 The purpose of this Chapter is the practical safeguarding of persons, buildings, structures, and their contents, from the hazards arising from the use of electricity for light, heat, power, radio, signaling and other purposes.

1.3 SCOPE

1.3.1 This Chapter applies to all electrical wiring and equipment used in places of employment subject to the Worker Health and Safety Act, P.L. 1965, Chapter 154, N.J.S.A. 34:6A, except as provided in 1.3.2.

1.3.2 This Chapter shall not apply to electrical wiring and equipment subject to the High Voltage Proximity Act, P.L. 1948, Chapter 154, and P.L. 1966, Chapter 261.

1.4 VALIDITY

1.4.1 Nothing in this Chapter shall be construed to prevent the enforcement of other Chapters of Title 12, N.J.A.C. which prescribe more restrictive requirements.

1.4.2 Should any section, paragraph, sentence, or word of this Chapter be declared invalid, such decision shall not affect the remaining portions of this Chapter.

1.5 EXISTING FACILITIES

1.5.1 Electrical wiring and equipment in use before the effective date of this Chapter may be continued in service unless the continued operation of such facilities constitutes a serious and substantial threat to the health and safety of employees.

1.5.2 Maintenance of existing electrical wiring and equipment shall be in conformance with this Chapter.

1.6 PLAN FILING

1.6.1 Plan filings for electrical wiring and equipment shall be in accordance with Chapter 110, Plan Filing of Title 12, N.J.A.C.

1.7.1 The effective date of this Chapter shall be May 1, 1970.

SECTION 2 — DEFINITIONS

APPROVED

Acceptable to the Commissioner. Devices having been tested and accepted for a specific purpose by a nationally recognized testing agency may be deemed acceptable.

BUILDING

A structure enclosed within exterior walls or fire walls, built, erected and framed of component structural parts, designed for the housing, shelter, enclosure and support of individuals, animals or property of any kind.

BUREAU

Bureau of Engineering and Safety, Division of Labor, Department of Labor and Industry, State of New Jersey.

COMMISSIONER

Commissioner of the Department of Labor and Industry or his authorized representative.

DEPARTMENT

Department of Labor and Industry.

ELECTRICAL EQUIPMENT

Materials, fittings, devices, appliances, fixtures, apparatus and the like used as a part of, or in connection with, an electrical installation.

EMPLOYEE

Any person engaged in service to an employer for wages, salary or other compensation.

EMPLOYER

Any person or corporation, partnership, individual proprietorship, joint venture, firm, company or legal entity who engages the services of an employee and who pays his wages, salary, or other compensation; and any person exercising supervision of employees on an employer's behalf.

LABELED

Equipment or materials to which has been attached a label of a nationally recognized testing laboratory that maintains periodic inspection of production of labeled equipment or materials and by whose labeling is indicated compliance with nationally recognized standards on the conduct of tests to determine suitable usage in a specified manner.

LISTED

Equipment or materials included in a list published by a nationally recognized testing agency that maintains periodic inspection of production of listed equipment or materials and whose listing states either that the equipment or material meets nationally recognized standards or has been tested and found suitable for use in a specified manner.

NATIONALLY RECOGNIZED TESTING AGENCY

A laboratory such as the Underwriter's Laboratories, Inc., U.S. Bureau of Mines, Factory Mutual Laboratories or the American Gas Association Laboratories that lists, labels, or both lists and labels equipment or materials.

NFPA

National Fire Protection Association, 60 Batterymarch Street, Boston, Mass. 02110.

N.J.A.C.

New Jersey Administrative Code.

OWNER

Person possessing equitable title which is that person, corporation, partnership, individual proprietorship, joint venture, firm, company or other legal entity that has actual control over the premises used in whole or in part as a place of employment.

PLACE OF EMPLOYMENT

Any building or other premises occupied by an employer in or about which an employee is suffered or permitted to work.

PLAN FILING

Delivery in person or by mail; of applications, project data forms and when required, drawings, fees and related data to the offices of the Bureau of Engineering and Safety for approval and deposit in its records.

SHALL

Indicates a mandatory requirement.

STRUCTURE

An assembly of materials forming a construction for occupancy or use including among others, buildings, stadiums, gospel and circus tents, reviewing stands, platforms, stagings, observation towers, radio towers, storage tanks, trestles, piers, wharves, open sheds, coal bins, shelters, fences, and display signs.

SECTION 3 — BASIC REQUIREMENTS

3.1 APPROVAL

3.1.1; All electrical wiring and equipment shall be approved.

3.2 COMPLIANCE WITH NATIONAL ELECTRICAL CODE

3.2.1 All electrical wiring and equipment shall comply with National Electrical Code, NFPA No. 70-1968, except as provided in 3.2.2 and 3.3.

3.2.2 Article 514 and 515 of National Electrical Code, NFPA No. 70-1968, shall not apply.

3.3 COMPLIANCE WITH OTHER CHAPTERS

3.3.1 Electrical wiring and equipment within the scope of other Chapters of Title 12, N.J.A.C. shall comply with the applicable Chapters of Title 12, N.J.A.C.

APPENDIX A

AVAILABILITY OF REFERENCED STANDARDS AND PUBLICATIONS

A.1 AVAILABILITY FOR INSPECTION

A copy of each of the standards and publications referenced in this Chapter is on file and may be inspected at the following office of the Bureau of Engineering and Safety between the hours of 9:00 A.M. and 4:00 P.M. on normal working days:

Bureau of Engineering and Safety
Department of Labor and Industry
John Fitch Plaza, Rm. 1103
Trenton, New Jersey

A.2 AVAILABILITY BY PURCHASE

Copies of the referenced standard or publication may be purchased from the organization listed below. The abbreviation preceding this standard or publication has the following meaning and is the organization issuing the standard or publication listed.

NFPA—National Fire Protection Association
60 Batterymarch Street
Boston, Mass. 02102

No. and Edition	Title	Price/Copy
NFPA No. 70-1968	National Electrical Code	\$2.00

LABOR AND INDUSTRY

BUREAU OF ENGINEERING AND SAFETY

Smoking in Manufacturing Establishments

In accordance with the provisions of N.J.S.A. 34:6A-9, the Worker Health and Safety Act, this chapter was submitted to the Industrial Safety Committee as Proposed Safety Regulation No. 1, on February 14, 1969. Comments were received from the Committee on June 18, 1969. All of these recommendations were incorporated in the document which was submitted to public hearing.

After public hearing, the chapter was submitted to the Industrial Safety Board on September 12, 1969. The Board met on October 22, 1969 and after discussion elected not to exercise its right of veto.

FOREWORD

This Chapter of the New Jersey Administrative Code supersedes Bureau Safety Regulation No. 1 governing Smoking in Manufacturing Establishments, effective August 15, 1958.

This Chapter is promulgated by the Commissioner of Labor and Industry of the State of New Jersey under authority vested in him by Section 9 of the Worker Health and Safety Act, P.L. 1965, c. 154, N.J.S.A. 34:6A as follows:

The commissioner shall make and promulgate rules and regulations reasonably necessary to implement the purposes of this act. Such rules and regulations shall have the force and effect of law and shall be enforced in the manner provided in this act . . .

The same statute provides authority for the commissioner to grant exceptions from the requirements of this Chapter in accordance with Section 23 as follows:

The commissioner shall have the power and authority to grant exceptions from the literal requirements of rules and regulations promulgated under this act. Such exception shall be granted in any particular case only where it is clearly evident that it is necessary to prevent undue hardship or where existing conditions prevent compliance. In no case shall any exception be granted unless in the opinion of the commissioner reasonable protection of the health and safety of workers and the public will be maintained hereby. An application for an exception shall be filed in writing with the commissioner, setting forth specifically the requirements of the rules and regulations from which an exception is desired and the reason why enforcement of the applicable provisions of the rules and regulations is unreasonable. The commissioner shall grant or deny the exception within 30 days from the date of receipt by him of the application. The commissioner shall maintain a record of all exceptions granted and shall make such record reasonably available for public examination and shall mail a copy of all rulings granting exceptions to the members of the board.

The Worker Health and Safety Act contains a penalty clause for violations of the Act in accordance with Section 19, which in part is as follows:

Any person violating any of the provisions of this act shall be liable to a penalty of not less than \$25.00 nor more than \$500.00 to be collected in a civil action by a summary proceeding under the Penalty Enforcement Law, N.J.S.A. 2A:58-1. Any violation of the act by an officer, agent or employee shall also be a violation of the act by his employer if such employer had knowledge of and actual control over the cause of such violation. Where the violation is of a continuing nature each day during which it continues, after the date given by which the violation must be eliminated in the order by the commissioner, shall constitute an additional, separate and distinct offense, except during the time an appeal from said order may be taken or is pending.

Prior to promulgation this Chapter was submitted to the New Jersey State Industrial Safety Committee, Public Hearing, and the New Jersey State Industrial Safety Board in accordance with requirements of the Act cited above.

All standards and publications, other than the Chapters of Title 12, N.J.A.C., referenced in this Chapter are available for inspection or purchase in accordance with Appendix D.

**SECTION 1
GENERAL PROVISIONS**

1.1 TITLE AND CITATION

1.1.1 For the purpose of the Department of Labor and Industry this Regulation shall be known as Chapter 161, Smoking and may be cited as Chapter 161 of Title 12, N.J.A.C. or as N.J.A.C. 12:162-1 et seq.

1.2 PURPOSE

1.2.1 The purpose of this Chapter is to control smoking in places of employment for the protection of life and property from fire and explosion by prescribing areas where smoking is prohibited and by establishing conditions under which smoking is permitted in certain areas.

1.3 SCOPE

1.3.1 This Chapter shall apply to every place of employment subject to the Worker Health and Safety Act, P.L. 1965, Chapter 154, N.J.S.A. 34:6A.

1.4 VALIDITY

1.4.1 Nothing in this Chapter shall be construed to prevent the enforcement of other Chapters of Title 12, N.J.A.C. which prescribe more restrictive requirements.

1.4.2 Should any section, paragraph, sentence, or word of this Chapter be declared for any reason to be invalid such decision shall not affect the remaining portions of this Chapter.

1.5 EFFECTIVE DATE

1.5.1 The effective date of this Chapter shall be May 1, 1970.

1.6 REPEAL OF PRIOR CHAPTER

1.6.1 N.J.A.C. 12:161-1 et seq., Smoking (Safety Regulation No. 1) effective August 15, 1958 is hereby repealed as a Chapter of the N.J.A.C.

SECTION 2 -- DEFINITIONS

BUILDING

A structure enclosed within exterior walls or fire walls, built, erected and framed of component structural parts, designed for the housing, shelter, enclosure and support of individuals, animals or property of any kind. See definition of STRUCTURE.

BUREAU

The Bureau of Engineering and Safety, Division of Labor, Department of Labor and Industry, State of New Jersey.

COMMISSIONER

Commissioner of the Department of Labor and Industry or his authorized representative.

EMPLOYEE

Any person engaged in service to an employer for wages, salary or other compensation.

EMPLOYER

Any person or corporation, partnership, individual proprietorship, joint venture, firm, company or legal entity who engages the services of an employee and who pays his wages, salary, or other compensation; and any person exercising supervision of employees on an employer's behalf.

EXTINGUISHER RATING (1A, 2A, 3A or 4A)

The classification and rating system used to designate a particular size of portable fire extinguisher for a Class A fire in accordance with Portable Fire Extinguishers, NFPA No. 10 — 1968. See Appendix C.

HAZARD

The potential degree of health, flammability or reactivity severity existing in the use and occupancy of a building or structure for the storage, sale, manufacture or processing of materials as classified below by Identification of the Fire Hazards of Materials, NFPA No. 704M — 1969. Specific materials are classified by Hazardous Chemicals Data, NFPA No. 49 — 1969 and Flammable Liquids, Gases and Volatile Solids, NFPA No. 325M — 1969.

EXTREME HIGH HAZARD

All uses primarily involving the storage, sale, manufacturing or processing of materials having a reactivity number of 4. See Appendix A.

HIGH HAZARD

All uses primarily involving the storage, sale, manufacturing or processing of materials having a health number of 4, 3, or 2; a flammability number of 4 or 3; or a reactivity number of 3 or 2. See Appendix A.

MODERATE HAZARD

All uses primarily involving the storage of materials having a health number of 1; a flammability number of 2 or 1; or a reactivity number of 1. See Appendix A.

LOW HAZARD

All uses primarily involving the storage of materials having a health number of 0; a flammability number of 0; or a reactivity number of 0. See Appendix A.

NFPA

National Fire Protection Association, 60 Battery March Street, Boston, Mass. 02110.

N.J.A.C.

New Jersey Administrative Code.

OWNER

Person possessing equitable title shall mean that person, corporation, partnership, individual proprietorship, joint venture, firm, company or other legal entity that has actual control over the premises used in whole or in part as a place of employment.

PLACE OF EMPLOYMENT

Any building or other premises occupied by an employer in or about which an employee customarily is suffered or permitted to work.

SHALL

Indicates a mandatory requirement.

SMOKING

The carrying of lighted smoking material.

STRUCTURE

An assembly of materials forming a construction for occupancy or use including among others, buildings, stadiums, gospel and circus tents, reviewing stands, platforms, stagings, observation towers, radio towers, storage tanks, trestles, piers, wharves, open sheds, coal bins, shelters, fences, and display signs.

SECTION 3 — CONTROL OF SMOKING

3.1 BASIC RULES

3.1.1 Smoking shall be prohibited in places of employment within the limits established by 3.2 of this Chapter.

3.1.2 Smoking shall be prohibited in any areas of places of employment where the Bureau upon investigation finds that smoking presents a serious and substantial threat to the health and safety of employees. Such areas shall be designated in writing by the Bureau.

3.1.3 The employer shall not permit an employee to smoke in areas prohibited by this Chapter.

3.1.4 The employee shall not smoke in any area prohibited by this Chapter and designated by his employer.

3.1.5 The employer shall notify the employee by posting on bulletin boards or by other acceptable means, of the specific areas of each building and structure where smoking is prohibited.

3.2 PROHIBITED AREAS

3.2.1 Except as provided in 3.2.2, smoking shall be prohibited within buildings, structures, or sections thereof, or in areas outside of buildings or structures under the following conditions.

(a) Within 100 feet of any occupancy classified as extreme high hazard.

(b) Within 50 feet of any occupancy classified as high hazard.

(c) Within 20 feet of any occupancy classified as moderate hazard.

(d) Within the hazardous areas as covered by Articles 511, 513, 514, 515, and 516 of N.J.A.C. 12:162-1 et seq., Electrical Installations, except as otherwise provided by 3.2.1(e).

(e) Within the areas described as hazardous locations by other Chapters of Title 12, N.J.A.C.

(f) Within the areas where ignition sources are prohibited by other Chapters of Title 12, N.J.A.C.

(g) In other areas designated by the employer or owner for fire prevention purposes.

3.2.2 Prohibited areas need not extend beyond unperforated vapor barriers, walls, roofs or other solid partitions. Such vapor barriers, walls, roofs or other solid partitions shall furnish the required travel distance.

3.3 ACCEPTABLE SMOKING AREA INSIDE OF BUILDINGS

3.3.1 Areas designated as acceptable smoking areas shall comply with 3.3.2 through 3.3.7.

3.3.2 Acceptable smoking areas shall be indicated by markings, signs, or otherwise visibly indicated.

3.3.3 Warning signs indicating "NO SMOKING BEYOND THIS POINT" or equivalent shall be posted at all exits from the acceptable smoking area into the prohibited area.

3.3.4 An adequate supply of ash trays, receptacles or approved cans for cigarettes, cigars, pipe dottle and matches shall be provided.

3.3.5 Where necessary, metal cans equipped with self-closing lids shall be provided for the disposal of paper and rubbish. Such cans shall be marked "RUBBISH DISPOSAL ONLY".

3.3.6 All signs required by 3.3 shall be posted in a conspicuous and appropriate location, be legible and in contrasting colors.

3.3.7 Portable fire extinguishers shall be available in the smoking area in accordance with Table 3.3.7.

TABLE 3.3.7

Minimum Extinguisher Rating — 1A	Maximum Travel Distance from Extinguisher to Smoking Area — 75 feet: Smoking Area to be Protected per Extinguisher — Less than 3,000 square feet.
Minimum Extinguisher Rating — 2A	Maximum Travel Distance from Extinguisher to Smoking Area — 75 feet: Smoking Area to be Protected per Extinguisher — 3,000 to 6,000 square feet.
Minimum Extinguisher Rating — 3A	Maximum Travel Distance from Extinguisher to Smoking Area — 75 feet: Smoking Area to be Protected per Extinguisher — 6,000 to 9,000 square feet.
Minimum Extinguisher Rating — 4A	Maximum Travel Distance from Extinguisher to Smoking Area — 75 feet: Smoking Area to be Protected per Extinguisher — 9,000 to 11,250 square feet.

3.4 SUPERVISION OF SMOKING

3.4.1 The employer shall be in responsible charge of the smoking program and shall exercise supervision over the items covered by 3.4.2 through 3.4.3.

3.4.2 Rules covering smoking privileges shall be published by the employer and posted.

3.4.3 All plant areas shall be inspected monthly by employer for compliance with this Chapter.

APPENDIX A

EXAMPLES OF DEGREE OF HAZARD

The following are examples of occupancies that could be classified under the various use groups defined under the definition of HAZARD:

EXTREME HIGH HAZARD (R-4)

- Acetylene charging plants
- Explosives manufacturing plants
- Fireworks manufacturing plants
- Methylethyl ketone peroxide storage
- Pyrotechnics manufacturing

HIGH HAZARD (H-4, 3, or 2) (F-4 or 3) (R-3 or 2)

- Gas processes utilizing hydrogen, natural gas, ammonia, chlorine, phosgene, hydrogen sulfide, or methylene oxide.
- Cereal, feed, flour and grist or pulverizing mills.
- Cryogenic storage of methane.
- Distilleries.
- Dusts creating severe explosion or toxic hazard.
- Finishing operations with liquids with flash points below 100°F.

- Gasoline bulk plants.
- Grain elevators.
- Hydrogenation processes.
- Liquid petroleum gas charging and storage facilities.
- Organic coating manufacturing operations.
- Refineries and petro-chemical processes.
- Waste paper shredding or sorting.
- Whiskey warehouses.

MODERATE HAZARD (H-1) (F-2 or 1) (R-1)

- Lumber yards.
- Paper warehouses.
- Public garages.
- Tire warehouses.
- Warehouses for storage of liquids with flash points over 100°F.

LOW HAZARDS (H-0) (F-0) (R-0)

- Asbestos.
- Food products.
- Glass.
- Metals except magnesium.
- Porcelain and pottery.
- Talc and soapstones.

Labor and Industry—Smoking—continued

APPENDIX B

EXPLANATORY MATERIAL ON NFPA 704M SYSTEM

The information contained within Appendix B is derived from explanatory material on the NFPA 704M system. The following paragraphs summarize the meanings of the numbers in each hazard category and explain what a number should tell personnel about protecting themselves where the hazard exists.

HEALTH

In general, health hazard is that of a single exposure which may vary from a few seconds up to an hour. The physical exertion demanded in fire fighting or other emergency conditions may be expected to intensify the effects of any exposure. Only hazards arising out of an inherent property of the material are considered. The following explanation is based upon protective equipment normally used by fire fighters.

4. Materials too dangerous to health to expose fire fighters. A few whiffs of the vapor could cause death or the vapor or liquid could be fatal on penetrating the fire fighter's normal full protective clothing. The normal full protective clothing and breathing apparatus available to the average fire department will not provide adequate protection against inhalation or skin contact with these materials.

3. Materials extremely hazardous to health but areas may be entered with extreme care. Full protective clothing, including self-contained breathing apparatus, coat, pants, gloves, boots, and bands around legs, arms and waist should be provided. No skin surface should be exposed.

2. Materials hazardous to health but areas may be entered freely with self-contained breathing apparatus.

1. Materials only slightly hazardous to health. It may be desirable to wear self-contained breathing apparatus.

0. Materials which on exposure under fire conditions would offer no hazard beyond that of ordinary combustible material.

FLAMMABILITY

Susceptibility to burning is the basis for assigning degrees within this category. The method of attacking the fire is influenced by this susceptibility factor.

4. Very flammable gases or very volatile flammable liquids. Shut off flow and keep cooling water streams on exposed tanks or containers.

3. Materials which can be ignited under almost all normal temperature conditions. Water may be ineffective because of the low flash point.

2. Materials which must be moderately heated before ignition will occur. Water spray may be used to extinguish the fire because the material can be cooled below its flash point.

1. Materials that must be preheated before ignition can occur. Water may cause frothing if it gets below the surface of the liquid and turns to steam. However, water fog gently applied to the surface will cause a frothing which will extinguish the fire.

0. Materials that will not burn.

REACTIVITY (Stability)

The assignment of degrees in the reactivity category is based upon the susceptibility of materials to release energy either by themselves or in combination with water. Fire exposure was one of the factors considered along with conditions of shock and pressure.

3. Materials which (in themselves) are readily capable of detonation or of explosive decomposition or explosive reaction at normal temperatures and pressures. Includes materials which are sensitive to mechanical or localized thermal shock. If a chemical with this hazard rating is in an advanced or massive fire, the area should be evacuated.

2. Materials which (in themselves) are capable of detonation or of explosive decomposition or of explosive reaction but which require a strong initiating source or which must be heated under confinement before initiation. Includes materials which are sensitive to the thermal or mechanical shock at elevated temperatures and pressures or which react explosively with water without requiring heat or confinement. Fire fighting should be done from an explosive resistant location.

1. Materials which (in themselves) are normally unstable and readily undergo violent chemical change but do not detonate. Includes materials which can undergo chemical change with rapid release of energy at normal temperatures and pressures or which can undergo violent chemical change at elevated temperatures and pressures. Also includes those materials which may react violently with water or which may form potentially explosive mixtures with water. In advanced or massive fires, fire fighting should be done from a safe distance or from a protected location.

0. Materials which (in themselves) are normally stable but which may become unstable at elevated temperatures and pressures or which may react with water with some release of energy but not violently. Caution must be used in approaching the fire and applying water.

0. Materials which (in themselves) are normally stable even under fire exposure conditions and which are not reactive with water. Normal fire fighting procedures may be used.

APPENDIX C

EXPLANATORY MATERIAL ON CLASS A PORTABLE FIRE EXTINGUISHER RATINGS

The basic type of fire considered in this chapter as the one most likely to be involved with is the Class A fire. A Class A fire is a fire in ordinary combustible material such as wood, cloth, paper, rubber and many plastics.

Portable fire extinguishers are classified for use on certain classes of fires and rated for relative extinguishing effectiveness at a temperature of plus 70 degrees

Fahrenheit by nationally recognized testing laboratories. This is based upon the classification of the fire and the fire extinguishing potentials as determined by fire tests.

The classification consists of a LETTER which indicates the class of fire on which an extinguisher has been found to be effective preceded by a rating NUMERAL which indicates the relative extinguishing effectiveness.

The classification and rating is found on the label of Underwriters' Laboratories, Inc., which is affixed to the extinguisher.

For example an extinguisher rated and classified as 4-A indicates that it is suitable for a Class A fire and that it would extinguish approximately twice as much Class A fire as a 2-A (2 1/2 gallon water) extinguisher.

Extinguishers classified as B, C, or D and with even higher ratings than as required by this chapter will not comply. The reason for this is that the Class B extinguisher is for fires in flammable liquids, gases, greases; the Class C extinguisher is for fires which involve energized electrical equipment where the electrical nonconductivity of the extinguishing medium is of importance; and Class D extinguishers for fires in combustible metals, such as magnesium, titanium, zirconium, sodium, and potassium. It is not these types of fires that we expect in a smoking area.

APPENDIX D

AVAILABILITY OF REFERENCED STANDARDS AND PUBLICATIONS

D.1 AVAILABILITY FOR INSPECTION

A copy of each of the standards and publications referenced in this Chapter is on file and may be inspected at the following office of the Bureau of Engineering and Safety between the hours of 9:00 A.M. and 4:00 P.M. on normal working days.

Bureau of Engineering and Safety
Department of Labor and Industry
John Fitch Plaza, Rm 1103
Trenton, New Jersey

D.2 AVAILABILITY BY PURCHASE

Copies of the referenced standards and publications may be purchased from the organizations listed below. The abbreviations preceding these standards and publications have the following meaning and are the organizations issuing the standards and publications listed.

NFPA—National Fire Protection Association
60 Batterymarch Street
Boston, Mass. 02110

No. and Edition	Title	Price/Copy
NFPA No. 10-1968	Portable Fire Extinguishers—\$1.00	
NFPA No. 325M-1969	Flammable Liquids, Gases and Volatile Solids—\$3.25	
NFPA No. 49-1969	Hazardous Chemicals Data—\$2.50	
NFPA No. 704M-1969	Identification of Fire Hazards of Materials—\$0.75	

LAW AND PUBLIC SAFETY

POLICE TRAINING COMMISSION

Rules of the Commission

Notice is hereby given that on December 12, 1969, Leo A. Cullio, Executive Secretary of the Police Training Commission, pursuant to authority of N.J.S.A. 52:17B-71 (h) and 17B-71.7 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, N.J.S.A. 52:14B-1 et seq., adopted as Chapter 1 of Title 13 of the New Jersey Administrative Code the following rules of the Police Training Commission.

CHAPTER 1—RULES OF THE POLICE TRAINING COMMISSION

SUBCHAPTER 1—DEFINITIONS

13:1-1.1 DEFINITIONS

As used in this chapter:

"Applicant" means an individual selected by a governmental agency to attend a course of study at an approved school.

"Approved school" means a school approved and authorized by the Police Training Commission to give a police training course.

"Certification" means a written statement testifying to the qualification of an approved school or instructor.

"Commission" means the Police Training Commission or officers or employees thereof acting on its behalf.

"County training committee" means those individuals serving on a committee concerned with the administration and operation of an approved school within their county.

"Curricula" includes the subjects required by the Commission as well as the total learning experience.

"Departmental director" means the individual designated as the administrator of a law enforcement unit.

"Instructor" means an individual certificated by the Police Training Commission to teach at an approved school.

"Law enforcement unit" means any police force or organization in a municipality or county which has by statute or ordinance, the responsibility of detecting crime and enforcing the general criminal laws of this State.

"Police officer" means any employee of a law enforcement unit other than civilian heads thereof, assistant prosecutors and legal assistants, special investigators in the office of the county prosecutor as defined by statute, persons appointed pursuant to the provisions of N.J.S.A. 40:47-19 and persons whose duties do not include any police functions.

"Scholarship recipient" means the individual selected by the Police Training Commission to receive a specific gift

of money to pursue part-time study in an institution of collegiate grade which offers a college curriculum leading to or creditable toward an undergraduate baccalaureate or associate degree.

"School director" means the individual selected by a County Training Committee or departmental director to administer the operation of an approved school.

"Subject" means a specific course of instructions within the curriculum required by the Commission.

"Trainee" means an individual undergoing training at an approved school.

"Training coordinator" means an individual selected to coordinate training activities in his respective county.

SUBCHAPTER 2—CERTIFICATION FOR APPROVED SCHOOLS

13:1-2.1 TYPES OF CERTIFICATION

There shall be two types of certification:

(a) Continuing certification shall be made of approved schools offering police training on a regular basis. A continuing certificate shall be in effect until surrendered or revoked.

(b) Temporary certification shall be made of training programs offering specialized courses on a one-time basis. A temporary certification shall be issued for the period of the proposed training course or courses but shall not exceed one year from the date of certification at which time certification must be renewed.

13:1-2.2 APPLICATIONS FOR APPROVAL

Any recognized law enforcement unit, or combination of law enforcement units or state law enforcement unit desiring to establish an approved school offering curricula by the Commission shall make written application to the Commission indicating the specific need for such training, the type of certification desired and a statement providing that the agency will adhere to the standards for training established by the Commission.

13:1-2.3 PUBLIC NOTICE OF APPLICATION; FORM

The unit filing the application with the Commission shall give public notice to all law enforcement units in the county wherein the school will be located in the following form:

REQUEST FOR APPROVED SCHOOL CERTIFICATION

Date:.....
Take notice that has applied
(Name of Agency)
to the Police Training Commission for a
(type of certificate)
certificate for the conducting of police training and to
maintain a police training academy at.....
(Site of School)

Objections, if any, should be made within 15 days of this notice in writing to the Executive Secretary, Police Training Commission, 1100 Raymond Boulevard, Newark, N. J. 07102.

.....
(Name of Law Enforcement Unit)
.....
(Address of Law Enforcement Unit)

13:1-2.4 HEARING ON APPLICATION; EXCEPTION

The Executive Secretary, upon receipt of a written objection duly signed by the departmental director of a law enforcement unit shall afford a hearing to all interested parties and forthwith notify the requesting unit and the objector of the date, hour and place thereof, except that a hearing need not be held on the application if no objection has been lodged by a departmental director of a law enforcement unit within the county.

13:1-2.5 INSPECTION AND CERTIFICATION

Certification of training school will be made by the Commission acting on information supplied by the Executive Secretary based upon on-site inspections conducted by Commission staff members. Such inspections will be conducted according to the guidelines established in Commission Form PTC-13 "Inspection for Certification of Police Training School" (N.J.A.C. 13:1-10.1) which covers the following major areas:

- (a) Training Administration
- (b) Instructors staff
- (c) Adherence to approved curriculum and training program
- (d) Facilities
 - 1. classrooms
 - 2. firing range
 - 3. physical drill
 - 4. office and storage
 - 5. library
- (e) Audio-Visual and other training aids
- (f) College affiliation

13:1-2.6 REVOCATION OF CERTIFICATION; APPEAL

Certification may be revoked by the Commission whenever a school is deemed inadequate. In such event, the sponsoring agency of said school and the head of each department whose trainees attend the school shall be notified of the proposed revocation by the Commission. The school may be recertified by the Commission when it deems the deficiencies have been corrected.

13:1-2.7 APPEALS

Prior to denying certification or revoking any certification, the Commission shall give written notice of its proposed action to the applicant or certificate holder, as the case may be. Appeal may be made to the Commission upon filing a written notice of appeal with the Executive Secretary within 5 days of the receipt of such notice. Upon receipt of a notice of appeal, the Executive Secretary shall schedule a hearing on such appeal and shall give the appellant at least 5 days' written notice of the date, hour and place thereof. Appeals shall be conducted in the manner prescribed by Subchapter 9 hereof.

Law and Public Safety—continued

SUBCHAPTER 3—INSTRUCTOR CERTIFICATION

13:1-3.1 TYPES OF CERTIFICATION

For the purposes of certification, all approved police training subjects will be designated as either professional or general in nature. Professional subjects include subjects clearly of a police nature, i.e., firearms, patrol, investigation, etc. General subjects include emergency treatment of sick and injured, civil defense, etc.

13:1-3.2 REQUIREMENTS

No certification shall be issued to any instructor who does not possess the following minimal qualifications as to training and experience:

- (a) Certification to teach professional subjects
 1. Law Enforcement Experience:
A minimum of 5 years of law enforcement experience.
 2. Education:
A minimum of high school graduation or the equivalent.
 3. Completion of an Instructor's Training Course approved by the Commission.
- (b) Certification to teach general subjects
 1. At least 3 years of experience in the subject area.
 2. Recommendation of the school director.

13:1-3.3 WAIVER OF REQUIREMENTS

Waiver of instructor training requirements will be authorized by the Commission only under unusual circumstances and upon written application by a school director.

13:1-3.4 APPLICATION FOR CERTIFICATION

Application for instructional certification and for renewal of certification shall be made to the Commission and shall be accompanied by the endorsement of a Law Enforcement Unit Director and the School Director.

13:1-3.5 RENEWAL

Instructional certification will be issued for a period of 18 months. At the end of this period certificates may be renewed if the instructor has participated in an approved training school program during the period of the certificate.

SUBCHAPTER 4—POLICE OFFICER CERTIFICATION—BASIC TRAINING

13:1-4.1 REQUIREMENTS

No certificate shall be issued to any trainee unless the following requirements have been complied with:

- (a) The trainee must be a full-time officer in a law enforcement unit located within the State.
- (b) The trainee must complete the training program within the one-year statutory requirement.
- (c) The trainee must have undergone a fingerprint check and a background investigation check.
- (d) The trainee must, in addition to successfully completing the curricula established by the Commission, also complete any additional subjects required by the training school.
- (e) The trainee must achieve a minimum averaged score of 70% in all written examinations.
- (f) The trainee must achieve a minimum qualifying score in the revolver firing test.
- (g) The trainee must comply with all rules and regulations of the approved school.
- (h) The trainee must participate in no less than 90% of the basic training program.

SUBCHAPTER 5

POLICE OFFICER CERTIFICATION—IN-SERVICE TRAINING

13:1-5.1 REQUIREMENTS

No certificate shall be issued to any in-service trainee unless that officer has complied with the following requirements:

- (a) The officer must be a full-time officer in a law enforcement unit located within the State.
- (b) The officer must successfully complete the required course of study.
- (c) The officer must participate in no less than 90% of the training course.

SUBCHAPTER 6

BASIC COURSE

13:1-6.1 COMMISSION TO SPECIFY MINIMUM COURSE
Each Commission approved school will offer a minimum course of basic instructions as specified by the Commission.

13:1-6.2 NOTICE OF INTENT TO OFFER BASIC TRAINING COURSE

Notification of intent to offer a basic training course and the proposed basic training curricula must be submitted to the Commission for approval at least 4 weeks prior to the start of the course.

13:1-6.3 RETENTION OF RECORDS

All required records shall be maintained and retained at the school and available to the Commission for inspection.

13:1-6.4 ATTENDANCE REQUIRED OF PROBATIONARY APPOINTEES; EXCEPTIONS

Every municipality shall authorize attendance at an approved school by persons holding a probationary appointment as a police officer, and every municipality shall require that no person shall hereafter be given or accept a permanent appointment as a police officer unless such person has successfully completed a police training course at an approved school; provided, however, that the Commission may, in its discretion, except from the requirements of this section any person who demonstrated to the Commission's satisfaction that he has successfully completed a police training course conducted by any federal, state or other public or private agency, the requirements of which are substantially equivalent to the requirements of this act.

13:1-6.5 REQUESTS FOR WAIVER

Requests for waiver of basic training requirements shall be made by the law enforcement unit director to the Commission. All such requests shall be determined by the Commission on an individual basis.

13:1-6.6 FINGERPRINTING AND INVESTIGATION OF APPLICANTS

Prior to acceptance at a State approved school, every applicant shall be fingerprinted and copies of such fingerprints shall be forwarded to the New Jersey State Police Bureau of Identification and the Federal Bureau of Investigation, Washington, D.C. for clearance. An investigation will also be made into the applicant's background to ascertain his qualification to become a police officer.

13:1-6.7 NOTIFICATION TO COMMISSION OF APPOINTMENTS OF POLICE OFFICERS

Notification of appointment as a police officer in a law enforcement unit in this State shall be made directly to the Commission by the clerk of any municipality or county that falls within the jurisdiction of the Police Training Act within 30 days of such appointment.

13:1-6.8 STATE QUALIFYING CERTIFICATE

Upon successful completion of the training course, the trainee shall receive a State qualifying certificate.

13:1-6.9 INSTRUCTORS REQUIRED TO BE CERTIFIED

No person shall act in the capacity of instructor unless certification for instruction has been granted by the Commission.

**SUBCHAPTER 7
SCHOOL DIRECTORS**

13:1-7.1 DUTIES

(a) The school director shall be responsible for the overall administration of the school subject to the direction of a county training committee or departmental director.

(b) The school director shall be responsible for the preparation of a training schedule in conjunction with a county training committee or departmental director.

(c) The school director shall be responsible for the promulgation of such rules and regulations governing the operation of the school and the conduct of trainees that are consistent with Commission regulations. (Note: A copy of said rules and regulations shall be supplied to the Commission and the Commission shall be promptly advised of any revisions.)

(d) The school director shall be responsible for the examination of the credentials of all applicants for basic training to verify that they meet Commission standards and requirements.

(e) The school director shall be responsible for the maintenance and subsequent submission to the Commission of all forms within the required time periods.

(f) The school director shall be responsible for the maintenance of discipline and good order at the school and for immediate notification to the Commission and the departmental director of any breach of conduct on the part of a trainee.

(g) The school director shall be responsible for examination of the credentials of all instructors. He shall verify, prior to the commencement of classes, that all police instructors have been certified by the Commission.

(h) The school director shall report immediately the unauthorized absence of a trainee to the trainee's departmental director.

(i) The school director shall submit to the Commission a copy of each examination given at the school.

(j) The school director shall immediately advise the Commission on the prescribed forms when a trainee has failed or resigned from the program stating therein the reasons for such action.

(k) The school director shall be responsible for the administration of the school in order that all directives and regulations promulgated by the Commission are adhered to by the school and trainees.

SUBCHAPTER 8

POLICE SCHOLARSHIPS

13:1-8.1 GRANTING AND APPROVAL

Scholarships shall be awarded by the Commission on the basis of a state-wide competitive examination conducted by the Commission.

The granting of undergraduate scholarships to policemen shall be subject to the review and approval of the governing body of the municipality or county, consistent with State law. However, no scholarship shall be granted under any such program to any person who is not a full-time policeman, nor shall a leave of absence be granted to any scholarship recipient for educational purposes. A scholarship recipient may be given consideration by the governing body of the municipality or county as to work assignments and hours, but no other preferential treatment shall be given to him.

13:1-8.2 AMOUNT AND SCOPE

Each undergraduate scholarship granted pursuant to the program shall entitle the recipient thereof to an amount which will be determined by the Commission. The undergraduate scholarship may be used for part-time study in any institution of collegiate grade which offers a college curriculum leading to or creditable toward an undergraduate baccalaureate or associated degree and which is accredited by the State Board of Higher Education.

13:1-8.3 LENGTH OF SCHOLARSHIPS

Each undergraduate scholarship shall be for a period of no more than 4 academic years. However, scholarships may be awarded on a partial basis for the prorated cost per credit hour, but a recipient must complete his course of studies within 8 calendar years.

13:1-8.4 ONLY PERMANENT FULL-TIME POLICE OFFICERS ELIGIBLE

No person shall be eligible for a Commission scholarship unless he is a permanent full-time police officer in a municipal or county police organization.

13:1-8.5 MINIMUM SERVICE REQUIREMENTS

Applicants for scholarship awards must have a minimum of one year and nine months of police service at the time the scholarship examination is conducted.

13:1-8.6 MAXIMUM AGE

Applicants for scholarship awards must not have attained the age of 50 years at the time the scholarship examination is conducted.

13:1-8.7 APPROVAL BY GOVERNING BODY

Applicants for scholarship awards must submit written evidence of the approval of such awards by their governing bodies.

13:1-8.8 ACCEPTANCE BY COLLEGE

Applicants for scholarship awards must present written evidence of their acceptance at a college which is accredited by the State Board of Higher Education.

13:1-8.9 CONTINUED ELIGIBILITY—ACADEMIC AVERAGE

Continual eligibility for scholarship support will be based on the applicant's maintenance of an overall academic average of "C" in his program. Applicants must submit evidence of this academic average once a year as prescribed by the Commission.

13:1-8.10 TERMINATION UPON LEAVING POLICE SERVICE IN NEW JERSEY

A scholarship shall be terminated by the Commission upon its receipt of notice that the recipient is no longer engaged as a police officer in this State.

SUBCHAPTER 9

APPEALS

13:1-9.1 NOTICE OF APPEAL

All appeals to the Commission shall be by a notice of appeal to the Executive Secretary setting forth the subject matter of the appeal, the relief sought and the grounds therefor.

13:1-9.2 SERVICE OF NOTICE

The appellant shall first serve a copy of the notice of appeal upon the respondent authority. The notice of appeal, together with an acknowledgment or affidavit of service, shall be filed with the Executive Secretary forthwith.

13:1-9.3 TIME FOR APPEAL

Appeals from the action of a school authority must be taken within 30 days from the date of the action appealed from.

13:1-9.4 ANSWER

Within 10 days after service of the notice and petition of appeal, each respondent shall file an answer with the Executive Secretary and serve a copy thereof on each of the parties to the appeal. The answer filed by the respondent issuing authority shall include a statement of the grounds for its action.

13:1-9.5 NOTICE OF HEARING

Upon the filing of the notice and petition of appeal at least 5 days' notice of the time and place fixed by the Executive Secretary for the hearing of the appeal shall be given to the appellant and the respondent issuing authority.

13:1-9.6 APPEALS DE NOVO; BURDEN OF PROOF

All appeals shall be heard de novo, except as otherwise provided in section 13:1-9.8 hereof, and the parties may introduce oral testimony and documentary evidence, but the burden of establishing that the action of the respondent issuing authority was erroneous and should be reversed shall rest with the appellant.

13:1-9.7 APPEALS OPEN TO PUBLIC; EXCEPTION

All appeals shall be heard at the Police Training Commission and shall be open to the public, unless otherwise directed by the Executive Secretary.

13:1-9.8 APPEAL ON AGREED STATEMENT OF FACTS

Where none of the material facts is disputed, the appeal may be presented, subject to the approval of the Commission, upon an agreed statement of facts. Where there is available a stenographic transcript of the proceedings before the issuing authority, either party may, if at least 3 days notice of intention to do so has been given to opposing parties, or counsel therefor, offer the transcript of testimony of any witness or witnesses named in a said notice in lieu of producing said witness or witnesses at the hearing of the appeal. In such event, any opposing party may subpoena such witness or witnesses to appear personally and any party may produce any additional evidence, oral or documentary, at the hearing of the appeal. Subject to the approval of the Commission, the parties may agree to present the appeal solely upon such stenographic transcript.

13:1-9.9 SUBPOENAS

Subpoenas and subpoenas duces tecum, signed by the Executive Secretary for the attendance of witnesses, the production of books, records and other documents at the hearing on the appeal, may be obtained by the party upon request to the Executive Secretary.

13:1-9.10 FAILURE

The failure of the appellant to appear at the time and place designated for the hearing of an appeal shall be cause for the dismissal of the appeal, and upon failure of the respondent to appear at such time and place, the Commission may permit the appellant to proceed ex parte.

13:1-9.11 CONDUCT OF HEARING

Hearings shall be conducted by the Executive Secretary or a duly designated hearer. Each party may be represented by an attorney admitted to practice in the courts of this State and shall have the right to present his case by oral and documentary evidence and to conduct such cross-examination as may be required for a full and true disclosure of the facts. Testimony shall be taken stenographically and transcribed in each case. Each party shall be afforded the opportunity to present argument, either orally before the hearer immediately upon the close of

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the evidence, or by written brief. Oral argument shall be limited to 15 minutes for each party, unless the hearer shall otherwise order. Briefs, if any, shall be submitted within the time fixed by the hearer. In cases where a hearer's report is not to be prepared, such fact shall be announced by the hearer at the close of the evidence. In other cases, the hearer shall, upon receipt of the transcribed record and briefs, if any, prepare a report containing recommended conclusions and order and file the original with the Commission and forthwith transmit a copy, either personally or by mail to the parties or their attorneys. Within 10 days of the receipt of the report each party may file written exceptions and argument with the Commission together with proof of service of a copy thereof upon the other parties or their attorneys. Within 5 days after such service, answering argument may be filed with the Commission together with proof of service of a copy thereof upon the other parties or their attorneys. With respect to objectors appearing without an attorney, the provisions relating to the hearer's report shall apply only to one or more of such objectors as shall be designated by the hearer for such purpose. Except as otherwise provided herein, no oral argument may be had before the Commission unless, on their own motion, the Commission decides to hear oral argument and notifies the parties or their attorneys of the date and place fixed therefor.

The hearer's report shall not be binding upon the Commission and the Commission's decision may, in whole or in part, adopt, modify or reject the report, provided, however, that no material change in the result recommended by the hearer shall be made by the Commission without first affording the parties or their attorneys an opportunity to present oral argument before the Commission. The decision of the Commission shall be in the form of a written opinion setting forth the conclusions together with supporting reasons therefor, and their order, if any. A copy of the opinion shall be mailed forthwith to the parties or their attorneys.

Any of the provisions of this rule relating to the presentation of his case or argument, or to the procedure in connection with the hearer's report, may be waived by any party or his attorney.

13:1-9.12 RELAXATION OF RULES

The Rules herein contained shall be considered as general rules governing the conduct of appeals and, since they are designed to facilitate the hearing of appeals and advance justice, they may be relaxed or dispensed with by the Commission in any case where a strict adherence to them will result in injustice.

SUBCHAPTER 10
FORMS

13:1-10.1 INSPECTION FOR CERTIFICATION OF
POLICE TRAINING SCHOOL (PTC-13)

POLICE TRAINING COMMISSION PTC-13
INSPECTION FOR CERTIFICATION
OF
POLICE TRAINING SCHOOL

Name of School _____ Phone _____
Address _____

I. TRAINING ADMINISTRATION

- A. Name and rank of the School Director
 1. Qualification
- B. Comments on staff
- C. What is the chain of command?
- D. Is Police Training a full-time assignment for the School Director?
- E. List collateral duties and percentage of time devoted to each duty.
- F. Is school open to all departments?
 1. Will accept a maximum of _____ outside trainees per class.
 2. Class fee if any \$ _____
- G. What agencies have trainees regularly participating in school's Basic Course?

II. INSTRUCTOR STAFF

- A. Selection of instructors
 1. Are qualifications recorded in writing?
 2. Is selection based upon formal recommendations of School Director or training advisory committee?
 3. Who actually selects the instructor?
- B. Qualifications for instructors
 1. Are general law enforcement subjects and procedures taught by certified instructors?
 2. Are all instructors certified by the Commission or eligible for such certification?
 3. What formal teacher training is required of the instructors? Practice?
 4. Methods used to determine each instructor's teaching effectiveness:
 - a) Are periodic evaluations of instructor's teaching ability made by the Director and/or other qualified instructors?
 - b) Are student-instructor evaluation sheets used?
 5. Total number of certified instructors available
 - a) Number of full-time police officers
 - b) Others (Number, agency, and comments)

III. CURRICULUM

- A. Do attached course descriptions meet Commission requirements?

IV. SCHOOL HOURS AND CAPACITY

- A. How many trainees can be trained per year?
- B. How many times per year will the full Basic Course be taught?
- C. What is maximum size of each class?
- D. What are the school hours?

- E. Do school hours plus law enforcement assignment exceed eight hours per day?
If yes, explain _____
- F. What other approved training will be offered? _____

V. FACILITIES

- A. Type of buildings
 1. General description _____
 2. Age of buildings _____
 3. Does building permit operation under all weather conditions?
 - a) Proper heating?
 - b) Proper ventilation?
 - c) Air conditioning?

VI. CLASSROOMS

- A. Number of classrooms available.
- B. Are classrooms and training areas adequately lighted?
- C. Measurement of classrooms and maximum seating.
- D. Type of classroom furniture
 1. Student desk chairs _____
 2. Chairs & tables _____
 3. Benches & tables _____
 4. Other (describe) _____
 5. Is classroom furniture adequate? _____
- E. Are acoustics Excellent Good Fair....
Poor Inadequate
Results of tests of sound equipment:
 1. Is sound system available?
 2. Is it used properly?
 3. Describe any classroom distractions
- F. Are restrooms adequate?
- G. It is required that buildings and classrooms be inspected for compliance with local and State fire and safety regulations.
 1. Date of last fire marshall's inspection and inspector's name: _____
(date) (name)
- H. Does classroom have any other assets or liabilities affecting its use for instructional purposes?
Assets: _____
Liabilities: _____

VII. FIREARMS

- A. Location of range
 1. Distance from classroom _____
 2. Travel time _____
 3. Who provides transportation?
Comment _____
- B. Range permits following shooting courses:
 1. Bullseye Target: yard yard yard
a) Maximum number of positions _____
 2. Silhouette: yard yard yard
 3. Is regulation P.P.C. used?
a) Maximum number of lanes _____
 4. Describe any other practical shooting courses and capacity _____
 5. Describe continuous program _____
- C. Range Safety
 1. Are range rules posted and enforced?
 2. Is a qualified range master present at all times?
Comment _____
 3. Are safety precautions established and adhered to in the storage of ammunition?
 4. Will backstop contain bullet and prevent ricochets?
 5. Safety record last 10 years _____

VIII. DEFENSIVE TACTICS AND PHYSICAL DRILL*

- A. Location _____
- B. Distance from classroom _____
- C. Is space and equipment adequate for the course?
- D. Travel time _____
- E. Who provides transportation?
- F. Are showers and dressing rooms provided?
*Note if there are also provisions for safe driving training, field investigations techniques, underwater rescue training, etc.

IX. OFFICE AND STORAGE SPACE

- A. Does training staff have adequate office for counseling and administrative duties?
- B. Is clerical assistance adequate?
- C. Is proper space provided for storage of administrative training supplies and equipment?
- D. Is bulletin board provided for school administrative announcements?

X. LIBRARY

- A. Does school maintain a library for the use of trainee?
- B. Does library contain adequate copies of standard reference material?

XI. TRAINING AIDS

- A. Training aids available
 1. Projector and screen
 - a) 35 MM slides _____
 - b) 16 MM movie _____
 2. Over head projector _____
 3. Is chalk board adequate?
 4. Are flip boards used?
 5. Is flock or magnetic board used?
 6. Are easels or other stands available to properly display visual aids?
 7. Is opaque projector used?
 8. Are tape recorders available?
 9. Are charts, enlarged photographs, scale models and other aids used?
 10. For how many courses are student outlines or study guides distributed?
 11. Comments _____

XII. COLLEGE AFFILIATION

- A. With what college, if any, is this school affiliated?

SUBCHAPTER 11

ADMINISTRATIVE MANAGEMENT SERVICES
13:1-11.1 COUNSELING SERVICES

(a) Upon the written request of a municipality, the Commission shall provide a counseling service to such municipality for the purpose of improving the administration, management or operations of the municipal police department and may assist such municipality in implementing improved practices and techniques.

(b) The request for such assistance shall be signed by the mayor of the municipality and its chief of police, except that where the municipality does not have an organized police department, the signature of the mayor will suffice.

(c) Requests for surveys of consolidation and pooling of police services shall require the signatures of the mayor and chief of police of each municipality making the request.

An order adopting these rules was filed and became effective December 12, 1969 as R. 1969 d. 26.

Leon S. Wilson
Director of Administrative Procedure
Department of State

(a)

TREASURY

DIVISION OF PENSIONS

Pension Increase Program

Notice is hereby given that on December 5, 1969 William J. Joseph, Director of the Division of Pensions of the Department of Treasury, pursuant to authority of Chapter 169, of the Laws of 1969, and in accordance with applicable provisions of the Administrative Procedure Act of 1968, N.J.S.A. 52:14B-1 et seq., adopted changes in the rules relating to the Pension Increase Program (N.J.A.C. 17:1-61 through 17:1-95) as set forth in the Notice of Proposed Changes in the Rules of the New Jersey Division of Pensions, Department of the Treasury, published October 30, 1969 at 1 N.J.R. 10 (a).

An order adopting these changes was filed and became effective December 19, 1969 as R. 1969 d. 34.

Leon S. Wilson
Director of Administrative Procedure
Department of State

(b)

TREASURY

DIVISION OF TAXATION

Sales Tax Bureau

Linen Rentals

Pursuant to authority of N.J.S.A. 54:32B-24 and N.J.A.C. 18:24-97.8 and in accordance with the applicable provisions of the Administrative Procedure Act of 1968, an amendment to a rule of the Sales Tax Bureau, Division of Taxation, was adopted, effective December 23, 1969.

Title
An Order Extending a Rule Relating to Taxability of Certain Linen Rentals (N.J.A.C. 18:24-97.8)

N.J.A.C. 18:24-97.8 is amended as follows (additions indicated in bold face thus; deletions in brackets [thus]):
6. This ruling is effective for the six-month period ending [December 31, 1969] **June 30, 1970.**

Ordered at Trenton, New Jersey this 23rd day of December, 1969.

Sidney Glaser, Acting Director
Division of Taxation
R. J. Costigan, State Supervisor
Sales Tax Bureau

Note: The above order was filed and became effective December 23, 1969, as R. 1969 d. 36 (Exempt, Practice Rules).

(c)

TREASURY

DIVISION OF TAXATION

Sales Tax Bureau

Vending Machine Sales

Pursuant to authority of N.J.S.A. 54:32B-24 and N.J.A.C. 18:24-97.6 and in accordance with the applicable provisions of the Administrative Procedure Act of 1968, an amendment to a rule of the Sales Tax Bureau, Division of Taxation, the title and text of which follows was adopted, effective December 22, 1969.

Title
An Order Extending a Rule Relating to Coin-operated Vending Machine Sales at Ten Cents (10¢) or Less (N.J.A.C. 18:24-97.6)

N.J.A.C. 18:24-97.6 is amended as follows (additions indicated in bold face thus; deletions in brackets [thus]):
5. This ruling expires [December 31, 1969] **June 30, 1970** unless further extended.

Ordered at Trenton, New Jersey this 22nd day of December, 1969.

Sidney Glaser, Acting Director
Division of Taxation
R. J. Costigan, State Supervisor
Sales Tax Bureau

Note: The above order was filed and became effective December 22, 1969, as R. 1969 d. 35 (Exempt, Practice Rules).

