

NEW JERSEY REGISTER



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(a)

AGRICULTURE

DIVISION OF ANIMAL HEALTH

Proposed Revisions to Rules On Livestock and Poultry Importations

Phillip Alampi, Secretary of Agriculture, pursuant to authority of N.J.S.A. 4:5-54 to 4:5-75, proposes to revise, subject to approval by the State Board of Agriculture, rules concerning the importation of livestock and poultry into the State or through markets to be identified and increasing the quarantine period from 30 to 60 days.

Full text of the proposed revisions follows (additions indicated in boldface thus; deletions indicated in brackets [thus]):

2:3-2.8 Health certificate to indicate swine free from brucellosis

The official interstate health certificate shall indicate that swine for breeding purposes are members of a brucellosis-free herd or [and] are negative to a blood test for brucellosis within 30 days of entry.

2:3-2.9 Imported breeding swine to conform to Federal Regulations

(a) All breeding swine imported into New Jersey must meet the requirements of Part 76, Title 9, Code of Federal Regulations.

(b) All breeding swine imported into New Jersey must be individually identified by ear tag, tattoo, or other approved individual identification.

2:3-2.11 Quarantine of imported breeding swine

All breeding swine imported must be held in quarantine on farm of destination for [thirty (30) days] sixty (60) days until released by the Department of Agriculture.

Interested persons may present statements or arguments in writing, orally in person or by telephone relevant to the proposed action on or before June 28, 1972 to:

Director, Division of Animal Health
Department of Agriculture
P.O. Box 1888
Trenton, New Jersey 08625
Telephone: (609) 292-3965

The Department of Agriculture, upon its own motion or at the instance of any interested party, may thereafter

adopt these revisions substantially as proposed without further notice.

Phillip Alampi
Secretary of Agriculture
Secretary, State Board of Agriculture

(b)

AGRICULTURE

DIVISION OF ANIMAL HEALTH

Proposed Revisions On Swine Consigned to Livestock Markets

Phillip Alampi, Secretary of Agriculture, pursuant to authority of N.J.S.A. 4:5-1 et seq. and 4:5-106.1 to 4:5-106.20, proposes to revise, subject to approval by the State Board of Agriculture, N.J.A.C. 2:2-4.35 and 2:2-4.36 concerning the importation of swine into the State or through markets to be identified and increasing the quarantine period from 30 to 60 days.

Full text of these proposed, revised sections follows:

2:2-4.35 Swine consigned to livestock markets

(a) Swine offered for sale at livestock markets for other than immediate slaughter shall be individually identified by ear tag, tattoo, or other approved individual identification, and so recorded on the market records as to farm of origin.

(b) Swine for immediate slaughter must also be recorded in the market records as to the farm of origin.

2:2-4.36 Quarantine of swine after treatment

The swine shall be held in quarantine on the farm of the buyer for 60 days.

Interested persons may present statements or arguments in writing, relevant to the proposed action on or before June 28, 1972, to:

Director, Division of Animal Health
Department of Agriculture
P.O. Box 1888
Trenton, New Jersey 08625
Telephone: (609) 292-3965

The Department of Agriculture, upon its own motion or at the instance of any interested party, may thereafter adopt these revisions substantially as proposed without further notice.

Phillip Alampi
Secretary of Agriculture
Secretary, State Board of Agriculture

NEW JERSEY REGISTER

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

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(a)

AGRICULTURE

DIVISION OF ANIMAL HEALTH

Proposed Revisions on Importation Of Horses, Mules and Asses

Phillip Alampi, Secretary of Agriculture, pursuant to authority of N.J.S.A. 4:5-54 to 4:5-75, proposes to revise, subject to approval by the State Board of Agriculture, rules concerning horses, mules and asses and all equidae entering New Jersey from states where Venezuelan Equine Encephalomyelitis has been diagnosed. This revision is recommended by the Equine Advisory Board.

Full text of the proposed revisions follows (additions indicated in boldface thus; deletions indicated in brackets [thus]):

2:3-2.5 Horses, mules and asses

[The only regulations applicable are in Subchapter 1 (General Requirements) of this Chapter]

All equidae entering New Jersey must meet the requirements of Chapter 3, Subchapter A, and in addition all equidae from states where Venezuelan Equine Encephalomyelitis has been diagnosed must have been vaccinated for Venezuelan Equine Encephalomyelitis at least fourteen (14) days prior to shipment and the date of vaccination entered on the official interstate health certificate.

Interested persons may present statements or arguments in writing, orally in person, or by telephone, relevant to the proposed action, on or before June 28, 1972, to:

Director, Division of Animal Health
Department of Agriculture
P.O. Box 1888
Trenton, New Jersey 08625
Telephone: (609) 292-3965

The Department of Agriculture, upon its own motion or at the instance of any interested party, may thereafter adopt these revisions substantially as proposed without further notice.

Phillip Alampi
Secretary of Agriculture
Secretary, State Board of Agriculture

(b)

AGRICULTURE

DIVISION OF ANIMAL HEALTH

Proposed Changes in Rules Concerning Feeder Stock

Phillip Alampi, Secretary of Agriculture, pursuant to authority of N.J.S.A. 4:5-54 to 4:5-75, proposes to change, subject to approval by the State Board of Agriculture, rules concerning feeder stock imported into the State to be identified and increasing the quarantine period from 30 to 60 days.

Full text of the proposed changes follows (additions indicated in boldface thus; deletions indicated in brackets [thus]):

2:3-3.4 Imported feeder swine to conform to Federal Regulations; hog cholera vaccination

(a) All feeder swine imported into New Jersey must meet the requirements of Part 76, Title 9, Code of Federal Regulations.

(b) All feeder swine imported into New Jersey must be individually identified by ear tag, tattoo, or other approved individual identification.

2:3-3.6 Quarantine of imported feeder swine

All feeder swine imported into New Jersey must be held in quarantine on farm of destination for [30 days] sixty (60) days until released by the Department of Agriculture.

Interested persons may present statements or arguments in writing, orally in person, or by telephone, relevant to the proposed action, on or before June 28, 1972, to:

Director, Division of Animal Health
Department of Agriculture
P.O. Box 1888
Trenton, New Jersey 08625
Telephone: (609) 292-3965

The Department of Agriculture, upon its own motion or at the instance of any interested party, may thereafter adopt these changes substantially as proposed without further notice.

Phillip Alampi
Secretary of Agriculture
Secretary, State Board of Agriculture

(c)

AGRICULTURE

DIVISION OF ANIMAL HEALTH

Hog Cholera Quarantine in Townships Of Evesham, Medford and Voorhees

On May 24, 1972, the State Board of Agriculture pursuant to authority of N.J.S.A. 4:1-2.5 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted a notice of quarantine concerning hog cholera in the townships of Evesham, Medford and Voorhees.

Full text of this emergency rule follows:

2:5-1.5 Notice of quarantine in Evesham, Medford and Voorhees Townships

(a) By order of the State Board of Agriculture and pursuant to R.S. 4:1-21.5 of the agricultural laws of New Jersey and in order to control the spread of hog cholera, an infectious and contagious disease of swine, the Townships of Evesham and Medford in Burlington County and Voorhees Township in Camden County, are hereby quarantined.

(b) No feeder or breeder swine may be moved from said quarantined area. Slaughter hogs may be moved directly to a Federal- or State-licensed slaughter establishment, but must be accompanied by an official health certificate authorizing such swine movement from the quarantined area.

(c) This quarantine is effective May 24, 1972, and until further notice.

An order adopting this notice of quarantine was filed May 26, 1972, as R.1972 d.104 (Exempt, Emergency Rule).

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(a)

AGRICULTURE

DIVISION OF ANIMAL HEALTH

Termination of Hog Cholera Quarantine

On May 16, 1972, the State Board of Agriculture, pursuant to authority of N.J.S.A. 4:1-21.5 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, terminated the hog cholera quarantine in Lakewood, issued April 14, 1972.

Full text of the termination order follows:

2:5-1.4 Termination of quarantine in Lakewood, New Jersey

(a) By order of the State Board of Agriculture and pursuant to R.S. 4:1-21.5 of the agricultural laws of New Jersey, Lakewood Township, Ocean County, is hereby released from the hog cholera quarantine issued April 14, 1972.

(b) This release from quarantine is effective May 16, 1972.

An order adopting this termination order was filed May 22, 1972, as R.1972 d.96 (Exempt, Emergency Rule).

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(b)

AGRICULTURE

DIVISION OF DAIRY INDUSTRY

Rules On Purchase of Milk From New Jersey Dairy Farmers For Filling School Contracts

On May 25, 1972, Phillip Alampi, Secretary of Agriculture, and Secretary of the State Board of Agriculture, pursuant to authority of N.J.S.A. 18A:18-5.1 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules concerning purchase of milk from New Jersey farmers for use in filling school milk contracts, as proposed in the Notice published May 4, 1972, at 4 N.J.R. 86(b).

Such rules may be cited as N.J.A.C. 2:55-1.1 et seq.

An order adopting these rules was filed May 26, 1972, as R.1972 d.103 to become effective June 1, 1972.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(c)

COMMUNITY AFFAIRS

DIVISION OF HOUSING AND URBAN RENEWAL

Proposed Revisions to Relocation Assistance Regulations

Lawrence F. Kramer, Commissioner of Community Affairs, pursuant to authority of N.J.S.A. 20:4-1 et seq. and 52:31B-1 et seq., proposes to revise the regulations con-

cerning the Workable Relocation Assistance Program which must be submitted by governmental agencies, relocation assistance payments due businesses, farm operations and individuals displaced by governmental action or programs, relocation assistance, advice and services required, grants-in-aid when and where available, eligibility for payments and assistance, State Relocation Policy and grievance procedures, as required by the Relocation Assistance Act of 1971 (N.J.S.A. 20:4-1 et seq.).

Such rules will be included in Chapter 11 of Title 5 of the New Jersey Administrative Code.

Copies of the full text of the proposed revisions can be obtained by writing to:

George Shaeffer
Department of Community Affairs
363 West State Street
Trenton, New Jersey 08625

Interested persons may present statements or arguments relevant to the proposed action on or before June 28, 1972 to the Department of Community Affairs at the above address.

A public hearing regarding the proposed action will be held on Thursday, June 29, 1972, at 10:00 A.M. at the Department of Community Affairs at the above address. Interested persons may also present statements or comments relevant to the proposed action at the hearing.

The Department of Community Affairs, upon its own motion or at the instance of any interested party, may thereafter adopt these revisions substantially as proposed without further notice.

Lawrence F. Kramer
Commissioner
Department of Community Affairs

(d)

COMMUNITY AFFAIRS

DIVISION OF HOUSING AND URBAN RENEWAL

Notice Of Supplemental Public Hearings On Rules For Safety Glazing Materials

The Department of Community Affairs, pursuant to authority of N.J.S.A. 51:12-1 et seq. will conduct a supplementary public hearing to discuss its safety glazing regulations (adopted March 29, 1972, as R.1972 d.63; notice of adoption published May 4, 1972 at 4 N.J.R. 93(a)), to be held at 10:00 A.M. Monday, June 26, 1972, in the large conference room at the Department of Community Affairs, 363 West State Street, Trenton, New Jersey 08625.

Interested persons may present statements and arguments pertaining to the availability of tempered glass at this hearing. Interested persons may also present statements or arguments relevant to the above subject by mail on or before June 28, 1972, to:

Division of Housing and Urban Renewal
Bureau of Housing
P.O. Box 2768
Trenton, New Jersey 08625

The Department of Community Affairs, upon its own motion or at the instance of any interested party, may thereafter amend its safety glazing materials regulations as previously adopted without further notice.

Lawrence F. Kramer
Commissioner
Department of Community Affairs

(a)

EDUCATION

STATE BOARD OF EDUCATION

Proposed Rules On Pupil Transportation Inspections

Carl L. Marburger, Commissioner of Education and Secretary of the State Board of Education, pursuant to authority of N.J.S.A. 18A:39-21, proposes to adopt new rules concerning pupil transportation inspections.

Such rules are tentatively scheduled to be included in a new Subchapter 18 in Chapter 21 of Title 6 in the New Jersey Administrative Code.

Full text of the proposed rules follows:

CHAPTER 21. PUPIL TRANSPORTATION SUBCHAPTER 18. INSPECTIONS

6:21-18.1 Powers of Bureau of Pupil Transportation

The Bureau of Pupil Transportation shall be empowered to request the Division of Motor Vehicles or the Public Utilities Commission, as the case may be, to enter the terminal garage facilities of any school district or private bus operator under contract to a Board of Education, for the purpose of ascertaining the operational safety, maintenance and driver records of vehicles transporting school children.

6:21-18.2 Systematic inspections and maintenance

Each Board of Education or contractor, employed by the Board of Education, shall systematically inspect and maintain, or cause to be systematically inspected and maintained, all school vehicles transporting pupils to insure that such school vehicles and accessories are in a safe and proper operating condition.

6:21-18.3 Systematic inspection maintenance record

(a) A systematic inspection maintenance record shall be maintained for each vehicle.

(b) Such record shall include but not be limited to the following:

1. An identification of the vehicle including New Jersey registration number, make, model, serial number, and number of tires, their size, and number of ply;
2. A record of inspection and repairs indicating their date and nature;
3. A lubrication record;
4. A systematic means for indicating for each school bus the nature and due date of various inspection and maintenance operations to be performed;
5. If leased or otherwise contracted for, such records shall also include an identification of the lessor or contractor furnishing the school bus;
6. The daily vehicle condition report by the driver.

(c) Such records shall be kept for the life of the vehicle and be available to inspection by the Division of Motor Vehicles and the Public Utilities Commission for vehicles under their respective jurisdiction.

(d) All of the above records shall be available for inspection by the State Department of Education, Bureau of Pupil Transportation.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before June 28, 1972, to:

Clyde E. Leib
Office of the Commissioner
State Department of Education
225 West State Street
Trenton, New Jersey 08625

The State Board of Education, upon its own motion or at the instance of any interested party, may thereafter adopt these rules substantially as proposed without further notice.

Carl L. Marburger
Commissioner of Education
Secretary, State Board of Education

(b)

EDUCATION

STATE BOARD OF EDUCATION

Revisions In Common Requirements For All Teacher Education Programs

On May 4, 1972, Victor J. Podesta, Acting Commissioner of Education, pursuant to authority of N.J.S.A. 18A:6-34 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to the State Board of Education's rule concerning the common requirements for all teacher education programs, as proposed in the Notice published April 6, 1972, at 4 N.J.R. 63(c).

These revisions will be contained in N.J.A.C. 6:11-8.2.

An order adopting these revisions was filed and effective May 8, 1972, as R.1972 d.86.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(c)

EDUCATION

STATE BOARD OF EDUCATION

Revisions In Health, Safety And Physical Education Procedures

On May 4, 1972, Victor J. Podesta, Acting Commissioner of Education, pursuant to authority of N.J.S.A. 18A:4-15 and 18A:6-38 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to the State Board of Education's rule concerning health, safety and physical education procedures, as proposed in the Notice published April 6, 1972, at 4 N.J.R. 65(a).

Such revisions will be contained in N.J.A.C. 6:29-6.4(d) and 6:29-6.4(e).

An order adopting these revisions was filed and effective May 8, 1972, as R.1972 d.87.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(d)

EDUCATION

STATE BOARD OF EDUCATION

Revisions to Approval of Standards Of Teacher Education Programs

On May 4, 1972, Victor J. Podesta, Acting Commissioner of Education, pursuant to authority of N.J.S.A. 18A:6-34

et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to the State Board of Education's rules concerning approval of standards of teacher education programs, as proposed in the Notice published April 6, 1972, at 4 N.J.R. 65(c).

Such revisions concern the procedures for accreditation or approval (N.J.A.C. 6:11-7.2), organization and administration of teacher education (N.J.A.C. 6:11-7.3), basic programs concerning curriculum principles and standards (N.J.A.C. 6:11-7.4) and advanced programs concerning curriculum principles and standards (N.J.A.C. 6:11-7.5).

An order adopting these revisions was filed and effective May 8, 1972, as R.1972 d.89.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(a)

EDUCATION

STATE BOARD OF EDUCATION

Amendments to Rules for Health, Safety and Physical Education Personnel

On May 4, 1972, Victor J. Podesta, Acting Commissioner of Education, pursuant to authority of N.J.S.A. 18A:4-15 and 18A:6-38 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted amendments to the State Board of Education's rules concerning health, safety and physical education personnel, as proposed in the Notice published April 6, 1972, at 4 N.J.R. 65(b).

Such amendments may be cited as N.J.A.C. 6:29-6.3(c).

An order adopting these amendments was filed and effective May 8, 1972, as R.1972 d.88.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(b)

ENVIRONMENTAL PROTECTION

DIVISION OF MARINE RESOURCES

Proposed Rules On Ocean Disposal Control

Richard J. Sullivan, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 58:10-23.25 et seq., proposes to adopt rules concerning New Jersey ocean disposal control.

Full text of the proposed rules follows:

OCEAN DISPOSAL CONTROL REGULATION

Section 1 — Definitions

For the purposes of this regulation, unless the context clearly indicates otherwise, the following terms shall have the following meanings:

1.1 "Chemical wastes" mean liquid industrial wastewaters or solid waste resulting from industrial manufacturing processes, trade, or business.

1.2 "Department" means the State Department of Environmental Protection.

1.3 "Dredge spoil" means any silt, mud, clay, sand, gravel or other earth materials removed from subaqueous lands by any mechanical means.

1.4 "Intermedaite transporter" means any person who transports materials to be disposed of at sea from the point of origin of the material to the place of loading on a vessel.

1.5 "Mercury or mercury compounds" means liquid or solid substances which contain mercury, either in the elemental or compound forms, including inorganic or metallo-organic mercury but not including dredge spoil or sewage sludge.

1.6 "Person" includes corporations, companies, associations, societies, firms, partnerships and joint stock companies as well as individuals, and shall also include all political subdivisions of this State, and any other state, or any agencies or instrumentalities thereof.

1.7 "Pesticide" means any substance or mixture of substances labeled, designed, intended for or capable of use in preventing, destroying, repelling, sterilizing or mitigating any insects, rodents, nematodes, predatory animals, fungi, weeds and other forms of plant or animal life or viruses, except viruses on or in living man or other animals. The term "pesticide" shall also include any substance or mixture of substances labeled, designed or intended for use as a defoliant, desiccant or plant regulator.

1.8 "Petroleum products" means oil or petroleum of any kind and in any form including, but not limited to, oil, petroleum, fuel oil, sludge, oil refuse, oil mixed with other wastes and crude oils and all other liquid hydrocarbons, regardless of specific gravity but not including dredge spoil or sewage sludge.

1.9 "Radioactive materials" means any natural or artificially produced substance (solid, liquid, or gas) which spontaneously emits alpha rays, beta rays, gamma rays, neutrons, high speed protons, or other atomic particles.

1.10 "Sewage sludge" means the suspended material in sewage which has been removed to form a semi-liquid substance, excluding digested sludge produced from the treatment exclusively of domestic wastes.

1.11 "Vessel" includes every description of watercraft or any other artificial contrivance used, or capable of being used, as a means of transportation on or into water.

Section 2 — Prohibitions

2.1 No person shall handle or load or cause to be handled or loaded petroleum products or waste byproducts of petroleum refining on vessels for disposal at sea.

2.2 No person shall handle or load or cause to be handled or loaded any pesticide or waste byproducts from the manufacture of pesticides on vessels for disposal at sea.

2.3 No person shall handle or load or cause to be handled or loaded any radioactive materials on vessels for disposal at sea.

2.4 No person shall handle or load or cause to be handled or loaded any mercury or mercury compounds on vessels for disposal at sea.

Section 3 — Restrictions

3.1 One year from the effective date of this regulation, except as otherwise provided herein, no person shall handle or load or cause to be handled or loaded any chemicals, chemical wastes or sewage sludge on vessels for disposal at sea unless such disposal takes place eastward of or seaward of the 2000 meter depth line as shown on the U.S. Naval Oceanographic Office, North Atlantic Ocean, Southeast Coast of North America—Chart Int. 108, N.O. 131.

3.2 One year from the effective date of this regulation, no person shall handle or load or cause to be handled or loaded any dredge spoil removed from the following waterways on vessels for disposal at sea unless such disposal takes place eastward of or seaward of the 2000 meter depth line as shown on the U.S. Naval Oceanographic Office, North Atlantic Ocean, Southeast Coast of North America—

Chart Int. 108, N.O. 131. The waterways affected are:

Delaware River south of Camden, New Jersey
Raritan Bay
Raritan River
Newark Bay
Arthur Kill
Hackensack River
Passaic River
Hudson River
Kill VanKull

3.3 No person shall handle or load or cause to be handled or loaded on vessels for disposal at sea any digested sludge produced from the treatment exclusively of domestic wastes unless such disposal takes place eastward or seaward of the 30 meter depth line as shown on the U.S. Naval Oceanographic Office, North Atlantic Ocean, Southeast Coast of North America—Chart Int. 108, N.O. 131.

Section 4 — Permits and fees

4.1 Operations for which a permit is required

4.1.1 The handling of any materials which will be disposed of at sea, including loading of such materials on intermediate transporters, handling of materials by intermediate transporters, storage of such materials, or any similar operation are operations for which a permit is required.

4.1.2 The loading of any vessel of any type with any materials whatsoever for disposal at sea requires a permit.

4.2 Permit required

4.2.1 No person, including the generator of the materials, shall handle or cause to be handled prior to loading or load or cause to be loaded any materials of any composition whatsoever on a vessel for the ultimate purpose of disposing of that material at sea without first having obtained a "Permit to Handle or Load Materials for Ocean Disposal" from the Department.

4.2.2 As to transfers, no "Permit to Handle or Load Materials for Ocean Disposal" shall be transferrable from one person to another.

4.3 Application procedure

4.3.1 Applications for a "Permit to Handle or Load Materials for Ocean Disposal" shall be made to the Department on such forms as the Department may provide. The permit shall be valid for one year from the date of issuance. Applications shall be made within 30 days of the adoption of these regulations or prior to the commencement of any activity for which a permit is required, whichever occurs later.

4.3.2 The Department may require such information and details concerning the materials to be handled for loading or loaded as it considers necessary to determine the effect of the disposal on the public health, safety and welfare; and the marine ecology and the environment of the State.

4.4 Application review and conditions

The Department may issue a permit and impose such conditions as are necessary in the opinion of the Department to prevent adverse effects in the waters of the State.

4.5 Permit fees

The Department shall charge a fee of \$500 for the issuance and annual renewal of a "Permit to Handle or Load Materials for Ocean Disposal."

4.6 Permit Revocation

A "Permit to Handle or Load Materials for Ocean Disposal" may be revoked for the violation of any provision of this regulation.

Section 5 — Reporting

5.1 Every person issued a "Permit to Handle or Load Materials for Ocean Disposal" shall, on or before the tenth working day of each month, provide the Department a report describing his activities covered by this regulation during the preceding month.

5.1.1 Generators of waste materials loaded or handled within the State for disposal at sea shall furnish the following information to the Department on such forms as may be provided by the Department:

5.1.1.1 Amount of materials disposed of at sea which were generated during the preceding month.

5.1.1.2 Description of the contents of the materials, including amounts and concentrations of acids, chemicals, heavy metals, and BOD. Heavy metals and pesticide concentration should be reported in parts per million or parts per billion.

5.1.1.3 Estimate of the amounts of materials for ocean disposal to be generated during the month the report is made.

5.1.1.4 Estimate of the contents of the material to be generated during the month the report is made.

5.1.1.5 Name or names and permit number or numbers of the intermediate transporter or transporters and/or final disposer or disposers to whom the generator transferred the materials during the preceding month.

5.1.1.6 Exact location or locations where the material was disposed of by the final disposer.

5.1.2 Intermediate transporter of materials loaded or handled within the State for disposal at sea shall furnish the following information to the Department on such forms as may be provided by the Department:

5.1.2.1 Amount of materials transported during the preceding month.

5.1.2.2 The source or sources of the materials carried together with the permit number or numbers of the source or sources and the amount collected from each source.

5.1.2.3 The name and address or names and addresses together with the permit number or numbers of the final disposer or disposers to whom the materials were delivered, as well as the amount and source of materials delivered to each final disposer.

5.1.3 Final disposers of materials loaded or handled within the State for disposal at sea shall furnish the following information to the Department on such forms as may be provided by the Department:

5.1.3.1 Amount of material loaded or handled within the State disposed of at sea during the preceding month.

5.1.3.2 The source or sources of the materials carried together with the permit number or numbers of the generator of the materials and/or the intermediate transporter or transporters and their permit number and numbers who delivered the materials to the final disposer, together with the amount and type of material collected from each source.

5.1.3.3 The exact location where the materials were disposed of, the date of disposal, and the name and registration number of the vessel which transported the wastes to the disposal site.

5.1.3.4 The pattern of vessel movement during discharge.

Section 6 — Exceptions
6.1 These regulations shall not apply to the handling or loading for the purpose of ocean disposal or placement on the ocean floor of instruments for scientific research or of materials designated exclusively for the construction of fish habitat or the construction of artificial reefs for the purposes of providing fishing habitat.

Interested persons may present statements or arguments

in writing relevant to the proposed action on or before July 14, 1972, to:

Richard D. Goodenough, Director
Division of Marine Resources
Department of Environmental Protection
Room 704, Labor and Industry Building
Trenton, New Jersey 08625

A public hearing regarding the proposed action will be held on July 14, 1972, at 10:00 A.M. at the Edison Theatre, Number 1, Monmouth College, Route 71, West Long Branch, New Jersey, at which time persons may present written or oral statements regarding the proposed action. Further written comments may be presented at the public hearing or within 30 days thereafter.

The Department of Environmental Protection, upon its own motion or at the instance of any interested party, may thereafter adopt these rules substantially as proposed without further notice.

Richard J. Sullivan
Commissioner
Department of Environmental Protection

(a)

ENVIRONMENTAL PROTECTION

COMMISSION ON RADIATION PROTECTION

X-RAY TECHNICIAN BOARD OF EXAMINERS

Rules on Prohibition of Excessive Exposure to Ionization Radiation

On May 25, 1972, Richard J. Sullivan, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 45:25-5 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules concerning prohibition of excessive exposure to ionization radiation, substantially as proposed in the Notice published January 1972, at 4 N.J.R. 4(c), but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of Environmental Protection.

Full text of the revised rules reads as follows (changes from the proposed rules indicated in boldface thus):

CHAPTER 41. RADIATION PROTECTION SUBCHAPTER 24. EXCESSIVE EXPOSURE TO IONIZING RADIATION

7:41-24.1 Purpose and responsibility

(a) The purpose of these rules and regulations is to prohibit and/or prevent harmful effects of excessive and improper exposure to ionizing radiation as set forth in N.J.S.A. 45:25-1 (et seq.).

(b) Any person owning, using or handling sources of x-ray radiation, directly or indirectly, shall be responsible for compliance with provisions of these rules and regulations.

7:41-24.2 Definitions

The following terms as used in these rules and regulations shall mean and include:

Section 2, "Definitions," cited in Radiation Protection Code that are applicable to these rules and regulations.

Course of study in X-ray technology, course of study in Chest X-ray technology, course of study in radiation therapy technology, or course of study in dental X-ray technology means such courses cited in 45:25-6 or by these rules and regulations.

"Student" means any person who is enrolled for any course coming under Title 45:25-1 (et seq.) or these rules and regulations.

"X-ray technology" means the use of x-rays or x-ray producing equipment on human beings for diagnostic or therapeutic purposes under the supervision of a licensed practitioner.

"X-ray Technician" means a person, other than a licensed practitioner, who uses x rays on human beings and whose application of radiation on human beings is not limited.

"X-ray Therapy Technician" means a person, other than a licensed practitioner, who uses x rays on human beings as an x-ray technician and whose application of radiation on human beings is limited to therapeutic purposes.

"Chest X-ray Technician" means a person, other than a licensed practitioner, who practices x-ray technology and whose application of x rays on human beings is limited to the Thoracic area for routine diagnostic purposes. For the purposes of this definition "routine" means PA, AP, Oblique and Lateral views of the chest and shall exclude Bronchograms, Angiograms, Cardiac Catheterization procedures, Tomography and the like.

"Dental X-ray Technician" means a person, other than a licensed practitioner, who practices x-ray technology and whose application of x rays on human beings is limited to intraoral radiography for diagnostic purposes.

"Direct supervision" for the purposes of these rules and regulations when applied to students during their first 12 months of training means persons qualified by Section 3.1 shall be in the Department or any other area where x-ray examinations or X-ray Therapy are being provided. In the second 12 months of training, the degree of direct supervision shall conform to the curriculum guidelines and criteria established by the Board under its inspection policies.

7:41-24.3 Unethical conduct

(a) Unethical conduct shall include, but not be limited to:

1. engaging in the practice of x-ray technology while in an intoxicated condition or under the influence of narcotic or any drugs which impair consciousness, judgment or behavior.

2. immoral conduct while engaged in the practice of x-ray technology or immoral behavior indicating an unfitness to practice x-ray technology.

3. willful falsification of records, or destruction or theft of property or records relating to the practice of x-ray technology.

4. failure to exercise due regard for the safety of life or health of the patient.

5. unauthorized disclosure of information relating to a patient or his records.

6. discrimination in the practice of x-ray technology against any person on account of race, religion, creed, color or national origin.

7:41-24.4 Use of X-ray by students

(a) Students enrolled in and attending a school or college of medicine, osteopathy, dentistry, podiatry, chiropractic, x-ray technology or courses sponsored by those named and approved by the New Jersey X-Ray Technician Board of Examiners may apply radiation to a human being, while under the direct supervision of a licensed physician, osteopath, dentist, podiatrist, chiropractor, or certified x-ray technician, provided the school or college has been approved by the Board as maintaining a satisfactory standard.

(b) Students may apply radiation to a human being, for necessary diagnostic purposes only, and only at the

clinical facilities of such school or college for the purpose of clinical experience in the use of x-ray equipment. They shall not be assigned to excessive night or weekend experience, nor otherwise be required to apply radiation, except under adequate supervision and then only when they derive sufficient educational benefit from such service.

(c) Students shall not be assigned, unassisted, to night or weekend experience during their first 12 months of training. Students assigned, after 12 months of their training course, to night or weekend experience shall be under adequate supervision in accordance with the curriculum guidelines and criteria of the Board's inspection policy and shall be given compensatory time off not in conflict with scheduled class sessions.

(d) Students enrolled in an approved school of x-ray technology in New Jersey shall not be required to be in attendance at the school for more than 40 hours per week during the first 12 months including night or weekend experience. In the second 12 months of training any combination of classroom work and/or clinical experience including night and/or weekend duty shall not total more than 48 hours per week averaged over any two-week period.

7:41-24.5 Practice of X-ray technology and X-ray therapy technology

(a) The practice of x-ray technology shall include, but not be limited to, measuring and positioning patients, selecting and setting up exposure factors on x-ray equipment and making x-ray exposures. It shall not be only the developing of x-ray film, preparing developing solutions, assisting patients into proper attire or onto the x-ray table or similar duties usually performed by a darkroom technician, attendant or aide.

(b) The practice of x-ray therapy technology shall include setting up the treatment position, delivering the required daily dose prescribed by the physician, certifying the record of the technical details of the treatment, selecting the required filter and treatment distance, making beam directional shells and moulds, using diagnostic x-ray equipment for tumor localization, assisting the physicist in calibration procedure, and assisting in treatment planning procedures. It shall not include taking x-ray films for diagnostic purposes. X-ray therapy shall be defined to include cobalt teletherapy and other forms of Gamma, Beta, or high energy teletherapy, as well as x-ray therapy.

7:41-24.6 Supervision by a licensed practitioner

(a) Supervision of a certified x-ray technician by a licensed practitioner shall require that such licensed practitioner, acting within the limits specified in the laws under which the practitioner is licensed, shall determine that an x-ray exposure of a patient should be made and the part or parts of that patient's body which should be exposed, before a certified x-ray technician may apply x rays to a human being. Such supervision shall also require that only a licensed practitioner shall receive exposed and processed x-ray film for the purpose of diagnostic interpretation.

(b) Supervision by a licensed practitioner shall not require that a licensed practitioner oversee the certified x-ray technician in the scheduling of radiographic examinations, in the measuring and positioning of patients, in the operation of x-ray equipment, or in the production and processing of radiographs.

(c) Nothing in this Section shall be construed to apply to students whose use of x rays is governed under a previous Section of this part.

7:41-24.7 Students

(a) Candidates for admission shall satisfy the following minimum requirements:

1. be of good moral character; and
2. have successfully completed a four-year course of study in a secondary school approved by the State Board of Education or passed an approved equivalency test.

(b) All candidates for admission shall be required to submit a formal application. Candidates' high school and other credentials shall be obtained prior to selection. For accepted students these shall be kept on file at the sponsoring institution.

(c) A sponsoring institution shall report in writing to the Department the name and address of each new student enrolled within 30 days and each student who has successfully completed the course of study within 30 days.

(d) A sponsoring institution shall so limit the number of students enrolled that the ratio of students to full time certified x-ray technicians, certified x-ray therapy technicians, or certified chest x-ray technicians engaged in clinical instruction, to diagnostic or therapeutic units and to workload at the clinical facilities shall be suitable.

(e) All students shall be provided with a personal radiation monitoring service, such as dosimeter or badge, during their period of attendance. Student exposure to radiation shall be within the occupational limits prescribed by Section 7 of the New Jersey Radiation Protection Code. Students shall routinely be informed of their most recent exposure readings and an attempt shall be made to find the cause and prevent recurrence of exposure which is deemed to be unnecessary. Students shall not be permitted to be in the primary beam to hold patients during exposure, remain unnecessarily or unprotected in the x-ray room outside the control booth during exposure, or engage in any other practices likely to result in a continuous and/or excessive exposure to radiation.

(f) A sponsoring institution shall issue to each student who satisfactorily completes the course of study a formal certificate.

(g) A sponsoring institution shall issue to each candidate prior to admission a course catalog, bulletin, or other written statement which shall be dated, describe the curriculum as a whole and the detailed course offered, list the faculty members with information regarding their qualifications, and inform each candidate of the amount and terms for payment of any tuition or other fees or expenses to be incurred. The policies relating to refund of fees, hours of attendance, vacation, holidays, absence, probation, uniforms, laundry, meals, stipends, rooms, transportation, and all requirements for satisfactory completion of the course of study shall be set forth clearly.

(h) All students shall have on them at all times while undergoing classroom or clinical training readily identifiable uniform marking or coloration or identification name plates indicative that they are students and not certified x-ray technicians. Inasmuch as schools differ, a variety of identification of students as same will be allowed, provided, however, that each school adopt and use a standard method of student identification approved by the Board of Examiners and registered with the Board.

7:41-24.8 Curriculum and instruction

(a) The content of the curriculum shall provide for the acquisition of knowledge, skills, and attitudes as are required to qualify in the licensing examination and to assure competency for employment as an x-ray technician, chest x-ray technician, or dental x-ray technician and therapy x-ray technician.

(b) The Department shall issue and make available to

all interested persons sets of "Curriculum Standards" for courses of study in x-ray technology, x-ray therapy technology, dental x-ray technology, and chest x-ray technology, to be used as guides in registration.

(c) The "Curriculum Standards" shall include:

1. the minimum number of theory clock-hours of classroom work which shall be devoted to each of the subjects required;

2. a description of major subject divisions, with recommended clock-hours of classroom work for each; and

3. a listing of elective subjects which may be made available to students.

(d) The sponsoring institution shall prepare in satisfactory written form and make use of a detailed curriculum, a course outline for each required subject, and adequate lesson plans for classroom instruction. These materials shall be on file at the sponsoring institution and shall be accessible to any authorized officer, employee or representative of the Department.

(e) The sponsoring institution shall schedule classroom sessions in advance and give students sufficient notice thereof.

An order adopting these rules was filed May 25, 1972, as R.1972 d.102 to become effective July 17, 1972.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(a)

ENVIRONMENTAL PROTECTION

DIVISION OF WATER RESOURCES

WATER POLICY AND SUPPLY COUNCIL

Repeal of Public Hearing Procedures For Flood Plain Delineation

On May 8, 1972, Richard J. Sullivan, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 58:16A-52 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, repealed in its entirety N.J.A.C. 7:32-19.1 which concerns the public hearing procedures for flood plain delineation.

An order repealing N.J.A.C. 7:32-19.1 was filed and effective May 9, 1972, as R.1972 d.90 (Exempt, Procedure Rule).

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(b)

HEALTH

DIVISION OF ADMINISTRATION

BUREAU OF VITAL STATISTICS

Proposed Revision In Administrative Policy Regarding Birth Certificates

James R. Cowan, Commissioner of Health, pursuant to authority of N.J.S.A. 26:3-38, proposes to adopt a revised administrative policy regarding birth certificates.

Such policy is scheduled to be included in Subchapter 1 of Chapter 3 in Title 8 of the New Jersey Administrative Code.

Full text of the revised policy follows:

SUBCHAPTER 1. ADMINISTRATIVE POLICY REGARDING BIRTH CERTIFICATES

8:3-1.1 Administrative policy regarding birth certificates

(a) Following receipt and review of advice from the Office of the Attorney General, the State Department of Health has revised and amended its administrative policy with respect to recording and/or correcting the birth certificate of a child born out of wedlock.

(b) The new policy relates to the surname of such a child born to a mother, whether she be single, married, divorced or widowed at the time of the birth, provided she and the natural father jointly agree and state in writing that they wish the child's surname on its birth certificate to be that of the natural father.

(c) If the agreement is reached and made known to the medical attendant or hospital administrator before the child's birth certificate is prepared, signed and filed with the local registrar of vital statistics, the child's surname shall be recorded as that of its father and the statement by the parents shall be entered on the reverse side of the original birth certificate which is subsequently filed with the State Registrar.

(d) In any instance where the agreement and signed statement are not made before the birth certificate is prepared, signed and filed, the child's surname shall be the legal surname (not necessarily her maiden name) of the mother. If at any future time the father and mother wish to correct the child's surname to that of its father and have not at that time married each other, the State Registrar shall devise and furnish a form to be signed by both parents. That form shall become an integral part of the birth certificate and shall be filed with it as a permanent record. This procedure shall be retroactive, thus giving the out-of-wedlock child and its parents the same rights as if the birth had occurred after the promulgation of the Department's new policy.

(e) The policy shall also apply to initial filing of a delayed report of birth or to the correction of a previously filed delayed report of birth, such report being or having been filed as provided for by N.J.S.A. 26:8-38.

(f) However, in any instance where the natural parents of an out-of-wedlock child have not married each other, the legitimacy item in the confidential section of the birth certificate shall be marked as "NO".

Interested persons may present statements or arguments in writing relevant to the proposed action on or before June 28, 1972, to:

F. Merton Saybolt
State Registrar
Bureau of Vital Statistics
P.O. Box 1540
Trenton, N. J. 08625

The Department of Health, upon its own motion or at the instance of any interested party, may thereafter adopt the revised policy substantially as proposed without further notice.

James R. Cowan
Commissioner
Department of Health

(a)

HEALTH

DIVISION OF HEALTH FACILITIES

HEALTH CARE ADMINISTRATION BOARD

Proposed Policy on Shelled Beds

The Health Care Administration Board in the Department of Health, pursuant to authority of N.J.S.A. 26:2H-1 et seq., proposes to adopt a policy on shelled beds in health care facilities. Such policy statement is tentatively scheduled to be cited as N.J.A.C. 8:31-3.1 et seq.

Full text of the proposed policy statement follows:

SUBCHAPTER 3. SHELL CONSTRUCTION OF HEALTH CARE FACILITIES

8:31-3.1 Certificate of Need procedures

All areas in health care facilities presently existing, under construction or approved either by planning, licensing or "Certificate of Need" procedures which are capable of being converted into licensed beds, shall be subject to "Certificate of Need" procedures prior to their completion.

8:31-3.2 Criteria

(a) The following criteria shall be established for future shelled space and for construction of reinforced foundations or ancillary services for future growth:

1. There is an indicated need for beds or services in the area with no specific plan by State, areawide or area planning body to satisfy the potential need in any other health care facility.

2. That the plan is functionally and architecturally feasible and desirable from a cost and efficiency standpoint.

3. That the plan is financially feasible.

4. That the shelled area normally be limited to one floor unless the long-range plan for the area recommended by the area council and accepted by the State clearly dictates an additional need, or the health care facility has a clear cut need to plan for replacement of existing beds in a non-conforming facility.

5. That an additional Certificate of Need is required for completion of the shelled space.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before June 28, 1972, to:

Vincent J. Martucci
Chief, Program Control
Division of Health Facilities
Department of Health
Post Office Box 1540
Trenton, New Jersey 08625

The Department of Health, upon its own motion or at the instance of any interested party, may thereafter adopt the policy statement substantially as proposed without further notice.

James R. Cowan
Commissioner
Department of Health

(b)

HEALTH

DIVISION OF NARCOTIC AND DRUG ABUSE CONTROL

Proposed Rules On Driving Privileges While Under Methadone Maintenance

James R. Cowan, Commissioner of Health, pursuant to authority of N.J.S.A. 26:2G-25, and the Acting Director of the Division of Narcotic and Drug Abuse Control in the New Jersey State Department of Health, pursuant to authority of N.J.S.A. 26:2G-5, as well as Raphael J. Marini, Director of the Division of Motor Vehicles in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 39:5-30, jointly propose to adopt new rules concerning driving privileges of persons enrolled in methadone maintenance programs.

Such rules are scheduled to be included in a new Chapter 64 of Title 8 in the New Jersey Administrative Code.

Full text of the proposed rules follows:

CHAPTER 64. METHADONE MAINTENANCE SUBCHAPTER 1. DRIVING PRIVILEGES

8:64-1.1 Written statement required

Every methadone maintenance clinic, operating in the State of New Jersey and approved by the Commissioner of the State Department of Health pursuant to N.J.S.A. 26:2G-21 et seq., shall obtain a written statement signed by each applicant acknowledging that he understands his enrollment in the methadone maintenance program is subject to the following conditions.

8:64-1.2 Prohibitions; induction period

(a) During the induction period, a patient shall refrain from all driving of any motor vehicle.

(b) Each patient shall physically surrender his driver's license to the clinic administrator or the attending physician for the duration of this period and shall in addition sign a written pledge that he will not drive.

(c) Every clinic administrator shall be responsible for making sure that each patient is informed that he may not drive, for collection and custody of each patient's driver's license, and for obtaining the signed pledge from each patient.

8:64-1.3 Return of patient's driver's license

(a) Once the attending physician authorized to administer methadone has certified in writing to the clinic administrator that a patient is not physically incapable of operating a motor vehicle safely, the clinic administrator may return the driver's license to a patient.

(b) The Division of Motor Vehicles need not be notified that a driver is enrolled in the program.

(c) However, the attending physician must notify the Division of Motor Vehicles immediately in either of the following events:

1. If in the physician's medical opinion, the patient is unable to safely operate a motor vehicle.

2. If the patient has left the methadone maintenance program against medical advice during any phase of the program, and in the physician's medical opinion the patient is unable to safely operate a motor vehicle.

8:64-1.4 Additional examination; records

(a) Upon notification by the attending physician as provided above, the Division of Motor Vehicles may require the driver to submit to examination by a physician or physicians of the Division's own choosing and such addi-

tional tests as may be necessary to determine the licensee's capability to safely operate a motor vehicle.

(b) All medical records kept by the methadone maintenance clinic pertaining to such driver shall be made available to the physician or physicians chosen by the Division of Motor Vehicles.

(c) At any time prior to actual suspension of driving privileges, a licensee may voluntarily surrender his driver's license without any adverse information becoming part of the public records maintained by the Division of Motor Vehicles.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before June 28, 1972, to:

Richard J. Russo
Deputy Director
Division of Narcotic and Drug Abuse Control
Post Office Box 1540
Trenton, New Jersey 08625

The Department of Health and the Division of Motor Vehicles in the Department of Law and Public Safety, upon their own motion or at the instance of any interested party, may thereafter adopt these rules substantially as proposed without further notice.

James R. Cowan
Commissioner
Department of Health
Raphael J. Marini
Director
Division of Motor Vehicles
Department of Law and Public Safety

(a)

HEALTH

THE COMMISSIONER

Approved Considerations, Procedures And Policies in Application for Certificate of Need

On May 8, 1972, James R. Cowan, Commissioner of Health, pursuant to authority of N.J.S.A. 26:2H-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted approved considerations, procedures and policies concerning the guidelines and criteria for submission of applications for Certificate of Needs approved by the Health Care Administration Board, substantially as proposed in the Notice published February 10, 1972, at 4 N.J.R. 25(a), but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of Health.

Such rules may be cited as N.J.A.C. 8:33-1.1 et seq.

A summary of the substantive changes in the finally adopted rules follows:

1. Page 2 of Definition of Terms

Delete entire paragraph which starts with the underlined words "Modernization projects" and replace with the following:

Modernization projects include construction projects associated with the installation of fixed equipment, modification of the internal dimensions of existing rooms, alteration and/or refurbishment of rooms, or other expenditures which have the effect of increasing capacity, efficiency, span of life, or economy of operation of the existing facility or part of the facility. Some examples of modernization or refurbishment projects are: renovation of an operating room, centralizing dishwashing, shock proofing and ex-

plosion proofing X-ray areas and equipment, recarpeting, and installation of an air conditioning system.

2. Page 1 of the Criteria (Category IV. A. 1.)

Delete entire paragraph and replace with the following:

1. "Purchase, lease, or acquisition by donation of additional equipment for new or existing services whose purchase price exceeds \$20,000 per unit in the case of hospitals, or \$5,000 per unit for all other health care facilities requires a Certificate of Need. A Certificate of Need is also required for acquisition of a group of similar equipment units or an equipment system for which cumulative expenditures exceed \$40,000 in the case of hospitals, within a period of twelve months, or exceed \$10,000 for all other health care facilities within a period of twelve months."

3. Page 2 of the Criteria (Category IV. B. 1.)

Delete entire paragraph and replace with the following:

1. A Certificate of Need is required for the addition of fixed equipment to, or modernization of, a health care facility for which total project costs exceed:

\$20,000 for 1 to 99 bed hospitals
\$30,000 for 100 — 199 bed hospitals
\$40,000 for 200 — 299 bed hospitals
\$50,000 for 300 — 399 bed hospitals
\$60,000 for 400 — or more bed hospitals
\$20,000 for Nursing Homes
\$10,000 for all other health care facilities.

4. Page 2 of the Criteria (Category IV. B. 3.)

Delete the entire paragraph and replace with the following:

3. Mandatory replacement of existing fixed equipment does not require a Certificate of Need. However, equipment replacements exceeding the above stated cost guidelines shall require a written notification of the Department of Health within 30 days of the replacement action.

5. The following changes should be made in the section on "Examples":

Example No. 16: The "Reason" column should now state, "... more than \$20,000 requires ..."

Example No. 23: The "Description of Situation" column should read, "... purchase price is \$22,000." The "Reason" column should read, "... greater than \$20,000 requires ..."

Example No. 19: The "Reason" column should read, "... costing less than \$40,000 within ..."

Example No. 21: The "Description of Situation" column should read, "... Replacement of a \$30,000 piece ..." The "Reason" column should read, "... costing more than \$20,000, for economic ..."

Example No. 23: The "Description of Situation" column should read, "... at a cost of \$23,000 for a 90 bed ..." The "Reason" column should read, "... costing more than \$20,000 for a 90 bed ..."

Example No. 24: The "Description of Situation" column should read, "... at a cost of \$45,000 for 250 bed ..." The "Reason" column should read, "... cost of more than \$40,000 for a 250 bed ..."

Example No. 25: In the "Description of Situation" column the third line item should be changed from \$3,000 to \$7,000 and the Total project cost should be changed from \$30,000 to \$33,000. Also, add the words "(150 bed hospital)" immediately below the Total project cost line item. The "Reason" column should be changed to read as follows:

Modernization projects for which total project cost equals or exceeds \$30,000 for a 100-199 bed hospital requires a Certificate of Need.

Example No. 26: The "Reason" column should read, "... costing less than \$40,000 for hospitals ..."

Example No. 27: Add the words "(430 bed hospital)" to the existing statement in the "Description of Situation" column.

The "Reason" column should be changed to read: Optional replacement to improve operating efficiency requires a Certificate of Need for fixed equipment costing more than \$60,000 for a hospital with 400 or more beds.

6. The entire content of Exhibit 2 should be deleted and replaced by a new Exhibit 2 (Part 1 and Part 2).

An order adopting these rules was filed and effective May 11, 1972, as R.1972 d.93.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(a)

HEALTH

DIVISION OF CONSUMER HEALTH SERVICES

Rules On Licensing of Food and Cosmetic Manufacturing and Wholesale Establishments

On April 28, 1972, James R. Cowan, Commissioner of Health, pursuant to authority of N.J.S.A. 24:15-13 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules concerning the licensing of food and cosmetic manufacturing and wholesale establishments, substantially as proposed in the Notice published February 10, 1972, at 4 N.J.R. 24(d).

The adopted rules reflect changes from the proposed rules made in Regulations 4 and 6. In Regulation 4 concerning license requirements, the application date now reads, prior to May 1 rather than April 1 as originally proposed. In Regulation 6 the expiration date now reads, April 30 rather than March 31 as originally proposed.

These rules will be included in Subchapter 9 of Chapter 21 in Title 8 of the New Jersey Administrative Code.

An order adopting these rules was filed and effective May 1, 1972, as R.1972 d.81.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(b)

INSTITUTIONS AND AGENCIES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Proposed Revisions to Pharmaceutical Services, Dental Services, Podiatry Services and Physicians' Services Manuals

Robert L. Clifford, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq., proposes to revise portions of several manuals of the Division of Medical Assistance and Health Services.

Such revisions include the deletion of the note in N.J.A.C. 10:51-1.6(c) as well as the deletions of two references to certain pharmaceutical services not eligible for payment in the Pharmaceutical Services Manual (N.J.A.C. 10:51-1.7(a)), the Dental Services Manual (N.J.A.C. 10:56-1.8(c)), Podiatry Services Manual (N.J.A.C. 10:57-1.13(b)) and Physicians' Services Manual (N.J.A.C. 10:54-1.10(g)).

Full text of the proposed revisions follows (additions indicated in boldface thus; deletions indicated in brackets [thus]):

10:51-1.6(c) [NOTE: Parenteral solutions as defined and partially listed in 206.13 (Pharmaceutical Services Not Eligible for Payment) are not reimbursable in a long-term-care facility.]

10:51-1.7(a); 10:54-1.10(g); 10:56-1.8(c); 10:57-1.13(b)
Pharmaceutical Services Not Eligible for Payment

[13. Injectables used either as diluents or directly as parenteral solutions in which the major ingredient is water, electrolytes or nutritive material (such as, but not limited to, dextrose and the like in water, lactated ringers' solution, normal saline solution, water for injection,) for patients in long-term medical-care facilities.

14. All irrigating solutions, (i.e., for use in irrigating or bathing body tissues, organs, wounds or indwelling catheters or tubes) for patients in long-term medical-care facilities, such as but not limited to, sodium chloride solution, suby's solution and water for irrigation).

13.[15.] Drugs for which final orders have been published by the Food and Drug Administration, withdrawing the approval of their New Drug Application (NDA).

Interested persons may present statements or arguments in writing relevant to the proposed action on or before June 28, 1972, to:

Division of Medical Assistance and Health Services
Post Office Box 2486
Trenton, New Jersey 08625

The Department of Institutions and Agencies, upon its own motion or at the instance of any interested party, may thereafter adopt these revisions substantially as proposed without further notice.

Robert L. Clifford
Commissioner
Department of Institutions and Agencies

(c)

INSTITUTIONS AND AGENCIES

DIVISION OF PUBLIC WELFARE

Proposed Revisions To State Plan For Service Programs for Families

Robert L. Clifford, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:7-6 and 44:10-3, proposes to revise the rules concerning the State Plan for Service Programs for Families and Children.

Such revisions concern the relationship to and use of other agencies, range of optional services and coverage of optional groups for services.

Copies of the full text of the proposed revisions may be obtained from:

Division of Public Welfare
129 East Hanover Street
Trenton, New Jersey 08625

Interested persons may present statements or arguments in writing relevant to the proposed action on or before June 28, 1972, to the Division of Public Welfare at the above address.

The Department of Institutions and Agencies, upon its own motion or at the instance of any interested party, may thereafter adopt these revisions substantially as proposed without further notice.

Robert L. Clifford
Commissioner
Department of Institutions and Agencies

(a)

INSTITUTIONS AND AGENCIES

DIVISION OF PUBLIC WELFARE

Proposed Rules On State Plan for Service Programs for Aged, Blind or Disabled Persons

Robert L. Clifford, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:7-6 and 44:10-3, proposes to adopt rules concerning the State Plan for Aged, Blind or Disabled Persons. Such rules will be included in Subtitle L of Title 10 of the New Jersey Administrative Code.

Such proposed rules concern mandatory provisions for all service programs, additional mandatory provisions for Federal financial participation at 75 per cent, optional provisions and services, as well as various outlines describing in detail the proposed State Plan for Aged, Blind or Disabled Persons.

Copies of the full text of the proposed rules may be obtained from:

Division of Public Welfare
129 East Hanover Street
Trenton, New Jersey 08625

Interested persons may present statements or arguments in writing relevant to the proposed action on or before June 28, 1972, to the Division of Public Welfare at the above address.

The Department of Institutions and Agencies, upon its own motion or at the instance of any interested party, may thereafter adopt these rules substantially as proposed without further notice.

Robert L. Clifford
Commissioner
Department of Institutions and Agencies

(b)

INSTITUTIONS AND AGENCIES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Proposed Revisions In Eligible Dispensers for Hearing Aids

Robert L. Clifford, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq., proposes to revise the rules concerning eligible dispensers for hearing aids by deleting a portion of N.J.A.C. 10:64-1.2 (Eligible dispensers).

Full text of the proposed revisions follows (deletions indicated in brackets [thus]):

10:64-1.2 Eligible dispensers

Reimbursement for hearing aids shall be made only to providers who are eligible to participate in the New Jersey Health Services Program, in accordance with the criteria that the provider, a hearing aid dispenser, must have an established place of business [in the State of New Jersey,] open to the public and having regular business hours.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before June 28, 1972, to:

Administrative Analyst
Division of Medical Assistance and Health Services
Post Office Box 2486
Trenton, New Jersey 08625

The Department of Institutions and Agencies, upon its own motion or at the instance of any interested party, may thereafter adopt these revisions substantially as proposed without further notice.

Robert L. Clifford
Commissioner
Department of Institutions and Agencies

(c)

INSTITUTIONS AND AGENCIES

DIVISION OF YOUTH AND FAMILY SERVICES

Statement On Creation of a New Division of Youth and Family Services

On May 9, 1972, Robert L. Clifford, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:1-9 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, issued a statement concerning the creation of a new Division of Youth and Family Services.

The primary function of this new Division will be to meet the needs of neglected, abandoned, abused and problem children and their parents or guardians.

The rules of the new Division are tentatively scheduled to be included in Chapter 115 of Title 10 of the New Jersey Administrative Code.

Full text of the Commissioner's statement follows:

CREATION OF DIVISION OF YOUTH AND FAMILY SERVICES IN THE DEPARTMENT OF INSTITUTIONS AND AGENCIES

Institutions and Agencies Commissioner Robert L. Clifford announces the creation of a new Division of Youth and Family Services, designed to meet the needs of abused, neglected, abandoned and problem children and their parents or guardians.

The new Division is headed by Frederick A. Schenck of Trenton, a career civil servant who has served since March 1, 1967 as director of administration in the Department of Community Affairs. Schenck, 43, also has held executive-level positions with the State Office of Economic Opportunity, the Department of Labor and Industry, the New Jersey Rehabilitation Commission and in the career development program now operated by the Department of Civil Service.

Commissioner Clifford said the Division's creation and Schenck's appointment were effective as of May 1, 1972, but that the agency will not be formally constituted or become operational for at least two months to allow time to formulate its precise goals and functions and to devise an organizational structure.

As proposed, the Division of Youth and Family Services will be responsible for developing and implementing the State's first comprehensive policy in the field of child welfare and family services. At present, social services for children and their families are provided by several different State agencies, including the Departments of Institutions and Agencies, Education and Community Affairs.

The new Division is designed to eliminate the current scattering and fragmentation of child and family care policies and programs. It will concentrate under one roof and under a single authority all existing State agencies—or functions of such agencies—that provide and deliver

services to homeless, abandoned, abused neglected and delinquent children.

A primary aim will be to determine and alleviate the underlying causes of disruptive and unstable family environments in order to preserve and strengthen the basic family unit. Also, it will seek to devise new, improved and innovative ways to meet the overall physical and human needs of such children and families.

Among the child and family care services and functions which the new Division is expected to operate are the following: adoption services; foster and group family care; day care and child development services; institutional placement of children; services for hard-to-place children; protective services for abused and neglected children; homemaker, family economics and social services for children and families; certification of adoption agencies; services to children on behalf of out-of-state agencies; parole supervision of certain children; workmen's compensation settlements for children without guardians; visitation and inspection of children's institutions; and other related functions and services.

In addition, the Division will include a centralized research and development component responsible for devising new and innovative policies, programs and approaches for rendering child and family welfare services. It will gather, store and analyze data as the basis for developing new or improved programs and procedures aimed at overcoming the State's pressing child welfare problems.

The Division will establish and maintain clear channels of communication and information within the Division itself and between the Division and the public at large and with Federal, State and local agencies, both public and private, that deal with child or family welfare. It will maintain close liaison with such agencies to promote and insure maximum utilization by the State of Federal and private social welfare resources—financial, physical and human.

This statement was filed May 22, 1972, as R.1972 d.97 (Exempt, Procedure Rule).

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(a)

INSTITUTIONS AND AGENCIES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Provider Claim Time Limitation

On May 1, 1972, Robert L. Clifford, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted the rule concerning provider claim time limitation, as proposed in the Notice published April 6, 1972, at 4 N.J.R. 68(b).

This rule is tentatively scheduled to be included in Subchapter 1 of Chapter 49 in Title 10 of the New Jersey Administrative Code.

An order adopting this rule was filed and effective May 5, 1972, as R.1972 d.85.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(b)

INSTITUTIONS AND AGENCIES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Changes in References in Transportation Manual

On May 5, 1972, Robert L. Clifford, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted a change in the reference cited in N.J.A.C. 10:50-1.2(e) of the Transportation Manual.

Full text of the revised subsection follows (additions indicated in boldface thus; deletions indicated in brackets [thus]):

10:50-1.2(e) Services not reimbursable by the Health Services Program include transportation by taxi, train, bus and other public conveyances. Inquiry should be made to the County Welfare Board for reimbursement in accordance with the following excerpt from the Public Welfare [Categorical Assistance Budget Manual, Chapter 300, page 9:

"A client, because of a medically verified illness, infirmity or physical handicap may need expenses of transportation.

- A. To clinic or hospital or doctor;
- B. To public or private medical institution."

Financial Assistance Manual, Part IV, Section 413, page 5. (Travel Costs for Health Care)

"Provisions of transportation necessary for eligible persons to secure and use health services and resources, when payment for such transportation is not available under Medicaid, shall be recognized as a service. Such service, if not provided by the agency as an in-house service or by volunteer arrangements, may be purchased by the agency, or purchased by the client with prior authorization by the agency, at the most reasonable rate obtainable. Payment for such service shall be made from the administrative/service account."

An order adopting this change was filed and effective May 10, 1972, as R.1972 d.91 (Exempt, Procedure Rule).

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(c)

INSTITUTIONS AND AGENCIES

DIVISION OF PUBLIC WELFARE

Revision to Manual of Administration For Federal Programs of Retirement

On April 27, 1972, Robert L. Clifford, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:7-6 and 44:10-3 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to the Division of Public Welfare's Manual of Administration for federal programs of retirement, as proposed in the Notice published April 6, 1972, at 4 N.J.R. 68(a).

The revisions will be included in Subtitle L of Title 10 of the New Jersey Administrative Code.

An order adopting these revisions was filed and effective April 27, 1972, as R.1972 d.80.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(a)

INSTITUTIONS AND AGENCIES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Revisions in Physician Services Manual

On May 4, 1972, Robert L. Clifford, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to the Physician Services Manual concerning prior authorization for certain services rendered by physicians, as proposed in the Notice published April 6, 1972, at 4 N.J.R. 67(c).

Such revisions will be included in N.J.A.C. 10:54-1.5.

An order adopting these revisions was filed and effective May 10, 1972, as R.1972 d.92.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(b)

INSURANCE

THE COMMISSIONER

Proposed Rule On Cancellation For Non Payment of Premium

Richard C. McDonough, Commissioner of Insurance, pursuant to authority of N.J.S.A. 17:1-8.1 and 17:1C-6(e), proposes to adopt a rule concerning cancellation for nonpayment of premium where the producer of record has advanced premium.

Such a rule is scheduled to be included in a new Subchapter 3 of Chapter 1 of Title 11 of the New Jersey Administrative Code.

Full text of the proposed rule follows:

CHAPTER 1. ADMINISTRATION

SUBCHAPTER 3. CANCELLATIONS

11:1-3.1 Cancellation for nonpayment of premium where producer of record has advanced premium

Cancellation for nonpayment of premium where producer of record has advanced premium will be permitted, at the request of the producer who has advanced such funds, if an affidavit to that effect setting forth the amount of money advanced and all other necessary details is filed by the producer and forwarded to the insurer.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before June 28, 1972, to:

W. Morgan Shumake
Deputy Commissioner
Department of Insurance
201 East State Street
Trenton, New Jersey 08625

The Department of Insurance, upon its own motion or at the instance of any interested party, may thereafter adopt this rule substantially as proposed without further notice.

Richard C. McDonough
Commissioner
Department of Insurance

(c)

INSURANCE

THE COMMISSIONER

Proposed Rule On Service Fees

Richard C. McDonough, Commissioner of Insurance, pursuant to authority of N.J.S.A. 17:1-8.1 and 17:1C-6(e), proposes to adopt a rule concerning the charge of service fees. The present prohibition against service fees would be withdrawn and such fees charged upon meeting the criteria set forth below.

Such rule will be included in a new Subchapter 2 in Chapter 1 of Title 11 of the New Jersey Administrative Code.

Full text of the proposed rule follows:

CHAPTER 1. ADMINISTRATION

SUBCHAPTER 2. SERVICE FEES

11:1-2.1 Service fees

(a) Service fees must be:

1. Agreed to in writing before the charge is made;
2. Related to service and not unfairly discriminatory; and
3. Reasonable, to be determined by the Department of Insurance on a complaint basis.

(b) In addition, the form used for the written agreement shall include, in large type, a statement to the effect that, where applicable, the coverage being written is available through the New Jersey Insurance Underwriting Association and may be obtained without a service fee.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before June 28, 1972, to:

W. Morgan Shumake
Deputy Commissioner
Department of Insurance
201 East State Street
Trenton, New Jersey 08625

The Department of Insurance, upon its own motion or at the instance of any interested party, may thereafter adopt this rule substantially as proposed without further notice.

Richard C. McDonough
Commissioner
Department of Insurance

(d)

INSURANCE

INSURANCE GROUP

Rules Governing Health Insurance Advertising

On May 15, 1972, Richard C. McDonough, Commissioner of Insurance, pursuant to authority of N.J.S.A. 17:1-8.1 and 17:1C-6(e) and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules governing health insurance advertising, as proposed in the

Notice published April 6, 1972, at 4 N.J.R. 69(b).

Such rules may be cited as N.J.A.C. 11:2-11.1 et seq.

An order adopting these rules was filed and effective May 16, 1972, as R.1972 d.95.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(a)

LAW AND PUBLIC SAFETY

STATE BOARD OF ARCHITECTS

DIVISION OF CONSUMER AFFAIRS

Proposed Amendment On Certification of Persons Holding Certificates from Other States

Dante J. D'Anastasio, President of the State Board of Architects in the Division of Consumer Affairs of the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 45:3-3, proposes to amend N.J.A.C. 13:27-3.4 concerning the certification of persons holding certificates from another state by qualification of original registration.

Full text of the proposed amended regulation follows (additions indicated in boldface thus; deletions indicated in brackets [thus]):

13:27-3.4 Certification of person holding certificate from another state

[A person certified to practice architecture in another state, or territory, or possession of the United States, and applying for registration to practice in this State may be granted a certificate under the following conditions:]

(a) Any person certified to practice architecture in another state, territory or possession of the United States and applying for registration to practice architecture in this State may be granted a certificate under the following conditions:

[(a)] 1. That the applicant is not under an investigation as a result of an alleged violation of law; or having been found guilty of violation has satisfied the penalty imposed.

[(b) That the qualifications upon which the applicant was granted his original or first certification were substantially equal to those required by law or regulation in New Jersey at that time, or as required under current law and regulation, whichever most benefits the applicant.

(c) In lieu of the preregistration period of experience required, the Board may, in its discretion, accept evidence of reputable, legal, private practice of architecture as a principal for a minimum period of ten (10) years.]

2. That the qualifications upon which the applicant was granted his original or first certification were substantially equal to those required in this State either at the time of such certification or as required under current law and regulation, whichever more benefits the applicant.

3. In those cases in which the applicant shall have been granted certification in such other state, territory or possession following a period of preregistration experience less than that required for registration in this State, the Board in its discretion may accept in lieu of such deficiency equal periods of experience gained by the applicant in his own office or in the offices of registered and practicing architects while the applicant held a current, valid certificate of license as an architect in such other state, territory or possession.

4. That the applicant shall reside in the state in which he is registered, unless he resides in New Jersey while

holding a valid certificate in good standing issued by another state.

5. That the applicant has provided satisfactory evidence of competency as the Board in its discretion may require.

i. Such evidence may consist of (but is not limited to) exhibits of three major projects illustrated in plans and specifications, and photographs; and may include oral examinations.

ii. The Board may assign the applicant to such examination as it deems necessary.

6. In this section, the word "state" is defined as meaning a state, territory or possession of the United States of America and does not mean another country.

Interested persons may present statements or comments in writing or by telephone relevant to the proposed action on or before June 30, 1972, to:

State Board of Architects
Division of Consumer Affairs
1100 Raymond Boulevard
Newark, New Jersey 07102
Telephone: (201) 648-2378

The State Board of Architects, upon its own motion or at the instance of any interested party, may thereafter adopt the proposed amendment without further notice.

Dante J. D'Anastasio
State Board of Architects
Division of Consumer Affairs
Department of Law and Public Safety

(b)

LAW AND PUBLIC SAFETY

DIVISION OF CONSUMER AFFAIRS

STATE BOARD OF MORTUARY SCIENCE

Proposed Amendment On Fees and Charges

Maurice W. McQuade, Secretary of the State Board of Mortuary Science in the Division of Consumer Affairs of the Department of Law and Public Safety, pursuant to the authority of N.J.S.A. 45:7-38 proposes to amend the rule relating to fees and charges.

Full text of the amended rules follows (additions indicated in boldface thus):

13:36-1.6 Fees and charges

(a) There shall be paid to the State Board of Mortuary Science the following fees:

1. Certification fee — \$1.00
2. Practitioner examination fee — \$50.00
3. Practitioner re-examination fee — \$25.00
4. Embalmer examination fee — \$25.00
5. Funeral director examination fee — \$25.00
6. Training registration fee — \$50.00
7. License renewal fees:
 - a. Practitioner — \$15.00
 - b. Embalmer — \$15.00
 - c. Funeral director — \$15.00
8. License revival fee — \$75.00
9. Certificate of registration — \$25.00
10. Rules and regulations — \$1.00

(b) Whenever a fee, charge or penalty is submitted to the Board in the amount of \$5.00 or more, a certified check or money order shall be required.

Interested persons may present statements or arguments in writing, orally in person or by telephone relevant to the

proposed action on or before June 30, 1972, to:

Maurice W. McQuade, Executive Secretary
State Board of Mortuary Science
1100 Raymond Boulevard, Room 331
Newark, New Jersey
Telephone: (201) 648-2532

The New Jersey State Board of Mortuary Science, upon its own motion or at the instance of any interested party, may thereafter adopt the above rule substantially as proposed without further notice.

Maurice W. McQuade, Executive Secretary
State Board of Mortuary Science

(a)

LAW AND PUBLIC SAFETY

DIVISION OF CONSUMER AFFAIRS

STATE BOARD OF MORTUARY SCIENCE

Proposed Revisions to General Rules of Practice

Maurice W. McQuade, Executive Secretary of the State Board of Mortuary Science in the Division of Consumer Affairs of the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 45:7-38, proposes to revise the rules concerning the general rules of practice.

Full text of the proposed revisions follows (additions indicated in boldface thus; deletions indicated in brackets [thus]):

13:36-8.6 Pre-need funeral arrangements

[All pre-need funeral arrangements involving a cash or negotiable instrument transaction shall be made pursuant to N.J.S.A. 2A:102-13 et seq.]

(a) Upon receipt of pre-need funds or any valuable consideration for a pre-need funeral, every licensed person responsible for the arrangements made shall:

1. Immediately execute an agreement between the funeral home and the person with whom the arrangements are made. Said agreement shall show the client's name, address, date of agreement and the total amount of charges involved.

2. Include any arrangements made regarding the accrual of interest on the account.

3. Place the funds received in a special interest-bearing trust account within 30 days after receipt thereof in a banking institution as defined in the Banking Act of 1948. Said funds shall be so held on deposit, together with any interest thereon. The bank shall be made trustee of the funds. Two bank books are to be issued; the original is to go to the person who made the arrangements or a representative, and the duplicate is to be retained by the establishment.

4. Provide in the agreement a clause that the money can be withdrawn any time only by the person in whose name the account is established. Except after the demise of the client and the delivery of personal property and the rendering of personal services, the funds may be released to a funeral establishment by the bank upon presentation of a certified copy of death.

(b) Whenever ownership of a mortuary is being transferred or dissolved, each client shall be notified in writing of the transfer, and that the trust funds may be withdrawn if so desired.

(c) The estimated account of funeral service expenses along with copies of any communications written pursuant to this regulation shall be retained on record for a period of not less than six years after the demise of the purchaser.

(d) Any funeral home accepting pre-need funeral funds from a welfare recipient shall not accept funds over and above that amount allowed pursuant to N.J.S.A. 45:7-13. Violation of any Section of this regulation may constitute unethical and unprofessional conduct, fraud and the performance of a fraudulent act in the conduct of practice.

Interested persons may present statements or arguments in writing orally in person or by telephone relevant to the proposed action on or before June 30, 1972, to:

Maurice W. McQuade
Executive Secretary
State Board of Mortuary Science
1100 Raymond Blvd., Room 331
Newark, New Jersey 07102
Telephone: (201) 648-2532

The State Board of Mortuary Science, upon its own motion or at the instance of any interested party, may thereafter adopt these revisions substantially as proposed without further notice.

Maurice W. McQuade
Executive Secretary
State Board of Mortuary Science
Department of Law and Public Safety

(b)

LAW AND PUBLIC SAFETY

DIVISION OF MOTOR VEHICLES

Proposed Regulation Governing Vehicles With Expired Inspection Certificates

Raphael J. Marini, Director of the Division of Motor Vehicles in the Department of Law and Public Safety, pursuant to the authority of N.J.S.A. 39:8-2 and 39:8-10, proposes to adopt a regulation governing the operation of certain New Jersey registered vehicles displaying expired inspection certificates.

Full text of the new regulation follows:

13:20-7.13 Expired inspection certificates

(a) The Director of the Division of Motor Vehicles may authorize and issue letters of extension to registered owners of New Jersey vehicles who are unable to complete the required vehicle inspection prior to the expiration of the current inspection period for:

1. Vehicles which have been temporarily out of State and which are now returning to New Jersey.

2. Vehicles which have been stored and not operated.

3. Vehicles which need major repairs which repairs cannot be completed during inspection period.

4. Vehicles which are unable to be inspected within the time required due to the licensee's health.

5. Vehicles which, for any other reason deemed valid by the Director, are unable to be inspected within the required period of time.

(b) Such extension is not intended for the purpose of allowing the operation of unsafe vehicles. This letter will permit the vehicle to be operated to a repair facility for correction of any defects or to the inspection station, or in the case of a person whose vehicle has been temporarily out of this State, to allow such person sufficient time within which to have that vehicle inspected at a New Jersey facility.

Interested persons may present statements or arguments in writing relevant to the proposed action on or

before June 30, 1972, to:

Raphael J. Marini
Director, Division of Motor Vehicles
Department of Law and Public Safety
25 South Montgomery Street
Trenton, New Jersey 08625

The Division of Motor Vehicles, upon its own motion or at the instance of any interested party, may thereafter adopt the proposed regulation without further notice.

Raphael J. Marini
Director, Division of Motor Vehicles
Department of Law and Public Safety

(a)

LAW AND PUBLIC SAFETY

DIVISION OF STATE POLICE

Proposed Revised Rules for Private Detectives

Colonel David B. Kelly, Superintendent of the New Jersey State Police, pursuant to authority of N.J.S.A. 45:19-8 et seq., proposes to repeal the existing rules governing private detectives promulgated on August 18, 1969, and proposes to adopt in place thereof revised rules to implement the Private Detective Act of 1939, N.J.S.A. 45:19-8 et seq.

Full text of the proposed revised rules follows:

13:55-1.1 Application for license

Any person desiring to pursue the "private detective business" shall file an application with the Superintendent on a form designated S.P. 171 (Individual or Partnership) or S.P. 172 (Corporation) and accompanied by any documents required by such application. The applicant shall also submit such other documents as the Superintendent may require pursuant to N.J.S.A. 45:19-12. All requests for applications shall be in writing.

13:55-1.2 Reproduction of License

No license certificate may be reproduced in any form except on written approval of the Superintendent.

13:55-1.3 Employees

(a) Employees' statements and employees' fingerprint cards shall be numbered consecutively, commencing with Number 1.

(b) A number, once assigned, shall not be used for any other employee or for a former employee subsequently re-employed.

(c) The number entered on the employee's statement shall be identical with that entered on the fingerprint card.

(d) Employees shall be refingerprinted upon re-employment after termination of employment; provided, however, that an employee who has been temporarily laid off or who is employed part-time need not be refingerprinted until a period of more than 90 days has elapsed since the date of his former employment.

(e) Each licensee shall file with the Superintendent a current list of employees on the first day of July of each year.

(f) Every set of fingerprints forwarded to the Superintendent shall be accompanied by a form designated S.P. 487-A.

13:55-1.4 Identification cards

Licensees and employees of licensees shall at all times carry and exhibit when requested, only those identification cards which are prescribed in N.J.S.A. 45:19-17.

In the event an employee fails, upon termination of his employment, or upon demand, to surrender his identification card, badge, uniform or other equipment furnished

him by his employer, notification of same shall be given the Superintendent and the local police agency having jurisdiction.

13:55-1.5 Badges and uniforms

No particular type or style of uniform or badge is prescribed in these rules, other than required as to badges in N.J.S.A. 45:19-19 or prohibited by Chapter 2 of Title 52 of the Revised Statutes as to the use, exhibit and display of the Great Seal of the State of New Jersey, but no licensee or employee of a licensee, shall, with intent to deceive or confuse the public, use a title, badge, uniform, or other insignia which is likely to be confused with that of any law enforcement officer of the Federal Government, a State, or any political subdivision thereof.

13:55-1.6 Advertising

(a) No licensee shall, by the use of any letterhead, advertisement, or other printed matter, or in any manner whatever, represent that he is an instrumentality or agency of the Federal Government or of the State of New Jersey or any agency or political subdivision thereof.

(b) No licensee shall advertise, solicit or contract for business in a name different from that under which he is currently licensed.

(c) No licensee shall conduct a business under a trade name unless and until he has obtained the written authorization of the Superintendent to do so. The Superintendent shall not authorize the use of a trade name which, in his opinion, is so similar to that of a public officer or agency, or of that used by another licensee that the public may be confused or misled thereby. The authorization shall require, as a condition precedent to the use of such name, the filing of a certificate of doing business under such name with the county clerk of the county where the licensee's principal place of business is located and with the Secretary of State in the manner provided by law.

(d) No licensee shall offer, by radio, television, newspaper advertisement or any other means of communication, to perform services at any location which is merely the location of an answering service unless full disclosure of that fact is made in the advertisement.

13:55-1.7 Prohibited acts

(a) No holder of a license issued under the Act may be a party to a franchise agreement nor accept money or other thing of value for the right to act as agent of the licensee. Possession of an employee's identification card shall not authorize the holder to engage in the business of private detective for his own reward or profit.

(b) No holder of a license under the Act may perform any of the services of a private detective, investigator, or detective agency on a contingent or percentage basis, or to make or enter into any agreement for furnishing services of any kind or character, by the terms or conditions of which agreement the compensation to be paid for such services to the holder of a license is partially or wholly contingent or based upon a percentage of the amount of money or property recovered, or dependent in any way upon the result achieved.

13:55-1.8 Active law enforcement officers

(a) No person who is an active member of the organized police department of this or any other State or political subdivision thereof, or who is an officer or investigator with an investigative agency of the United States of America or of any State, County or municipality thereof, shall be issued a Private Detective License, nor shall he be a qualifying member, officer or director of any firm, association or corporation licensed under the Act.

(b) Any person who either being licensed under the Act as an individual or being a qualifying member or officer or director of a corporation, firm or association licensed

under the Act, who commences employment as a law enforcement officer in any of the categories mentioned in subsection A, shall surrender said license to the Superintendent during such employment if he be an individual licensee and resign his position as qualifying member, officer or director of a firm, association or corporation. In the case of a firm, association or corporation, if the individual who is required to resign is the qualifying member, the Superintendent, at his discretion, may reinstate the license upon receipt and approval of an application from another person who is qualified under the Act.

13:55-1.9 License continuation

Whenever a licensee ceases to meet the requirements of N.J.S.A. 45:19-12, the license may remain in effect for at least 60 days from the date of such cessation, upon written request to the Superintendent, and cause shown.

13:55-1.10 Change in type of license

Any individual licensee intending to change his business to a firm, association or corporation, or any firm or association intending to change the form of its business to a corporation, shall apply to the Superintendent in the same manner as required for an original license. Upon issuance of the new license, the previous license shall be surrendered to the Superintendent. No refund or credit shall be made in respect to the fee paid for the unexpired term of the previous license.

13:55-1.11 Grounds for denial, revocation, suspension or refusal to renew a license.

(a) The Superintendent may deny, revoke, suspend or refuse to renew a license upon determining that the applicant or licensee has:

1. Been convicted of a high misdemeanor or any of the misdemeanors or offenses prescribed by N.J.S.A. 45:19-16 and who has not subsequent to such conviction received executive pardon therefor removing any civil disabilities incurred thereby;

2. A bad moral character, intemperate habits, or a bad reputation for truth, honesty and integrity;

3. Knowingly made a false material statement in his application;

4. Been convicted of a violation of the New Jersey Wiretapping and Electronic Surveillance Control Act (N.J.S.A. 2A:156A-1 et seq.);

5. Practiced fraud, deceit or misrepresentation, including but not limited to:

i. Knowingly making a false statement or written report relating to evidence or information obtained in the course of employment;

ii. Manufacture of evidence;

iii. Acceptance of employment adverse to a client or former client relating to a matter with respect to which the licensee has obtained confidential information by reason of or in the course of his employment by such client or former client;

6. Demonstrated incompetence or untrustworthiness in his actions;

7. Has failed to maintain a proper surety bond as required by N.J.S.A. 45:19-12; and

8. Has failed to meet or continue to meet the requirements for licensure provided by the Act and these rules.

(b) The Superintendent may, upon written notice, suspend or revoke any license pursuant to N.J.S.A. 45:19-13, pending any hearing provided for by law or these rules.

13:55-1.12 Hearings

(a) In the case of the denial of a license application, or the refusal to renew a license, or suspension of a license, the Superintendent shall notify the applicant or licensee in writing of same and shall state the reasons for his action.

(b) Upon such notification, the Superintendent shall afford the applicant or licensee an opportunity to be heard thereon in person or by counsel. A request for such an opportunity to be heard shall be made in writing to the Superintendent within 15 days from the receipt of notice provided in subsection A.

(c) If a request for an opportunity to be heard is timely received, the Superintendent shall set a date for hearing and notify the parties of the time and place thereof. Such a hearing shall be conducted by the Superintendent or his designee.

(d) All hearings shall be held in accordance with the provisions of: the "Administrative Procedure Act" (N.J.S.A. 52:14B-1 et seq.)

13:55-1.13 Location of offices

The headquarters of the Division of State Police in the Department of Law and Public Safety is located at West Trenton, New Jersey. Mail should be addressed to the Superintendent, Division of State Police, Box 68, West Trenton, New Jersey.

Interested persons may present statements or arguments in writing, orally in person or by telephone relevant to the proposed action on or before June 30, 1972 to:

Colonel D. B. Kelly
New Jersey State Police
P.O. Box 68
West Trenton, New Jersey 08625
Telephone: (609) 882-2000

After full consideration of all written and oral submissions respecting these proposed revised regulations, the New Jersey State Police, upon their own motion, may thereafter adopt the regulations substantially as proposed without further notice.

Colonel D. B. Kelly
Superintendent
New Jersey State Police
Department of Law and Public Safety

(a)

LAW AND PUBLIC SAFETY

DIVISION OF MOTOR VEHICLES

Proposed Amendments to Rules On Motor Vehicle Race Tracks

Raphael J. Marini, Director of the Division of Motor Vehicles in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 5:7-14, proposes to amend the rules concerning motor vehicle race tracks.

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

13:22-2.1(a)2ii.

The policy and the certificate are to contain a statement to the effect that they are non-cancellable except upon [ten (10)] **thirty (30)** days prior written notice to the administrator of the Race Track Law.

13:22-2.1(a)4.

Where the municipality does not have a building inspector, or a building code, a statement from a [recognized engineer, or a reputable building contractor] **New Jersey State licensed structural engineer** may be accepted.

13:22-2.1(a)5.

A sketch or sketches of the track and associated areas, as near to scale as practicable, indicating the location of required safety features such as hub rails, fences, light

or flagman positions, spectator seating, entrances and exits, pit facility locations and other physical factors affecting the safety of spectators and participants. This requirement shall not apply to locations licensed prior to January 1, 1963 unless alterations are made to the track and associated areas on or after January 1, 1963.

13:22-2.4(e)

No person who has been convicted of the use or possession of any narcotic drug, as defined in Article I, Chapter 18 of Title 24, New Jersey Revised Statutes, shall be allowed in the pit area for a period of one year from the date of conviction.

13:22-2.6(b)

Only persons holding pit credentials shall be admitted to the pit area or racing area.

13:22-3.5(b)

Any spectator stand erected or relocated on or after April 1, 1960, must be located at least twenty-five (25) feet from the hubrail.

13:22-4.1(d)

All safety belts must bear the date of manufacture and may not be in use for more than five years.

13:22-4.2 Helmets

[(a) Helmets of such construction that they will not be easily punctured or crushed must be worn by all drivers participating in races or exhibitions of driving skill.

(b) Football, miners', construction or plastic helmets are not approved and may not be used.] All drivers participating in races and exhibitions of driving skill must wear a safety helmet of the type approved by the Director of the Division of Motor Vehicles.

13:22-4.7 Roll-over bars

All race cars shall be equipped with roll-over bars [designed, constructed,] of a design, construction and quality approved by the administrator and maintained with a view toward affording the driver maximum protection against injury.

13:22-1.1 Definitions

The term "ambulance" as used herein, means a motor vehicle [especially designed and equipped for the transportation of persons disabled by illness and injury] certified to provide emergency medical services pursuant to the New Jersey Highway Safety Act of 1971.

The term "trained first-aid attendant", as used herein, means a person certified to provide emergency medical services pursuant to the New Jersey Highway Safety Act of 1971.

13:22-3.1(b)

In addition to the reports to the administrator, the [following reports will be made: (a) when an accident occurs which results in a death, the police having jurisdiction shall be notified by the quickest means available] licensee shall report any accident resulting in a fatality to the police agency having jurisdiction by the quickest means available.

13:22-8.1 Monthly reports

(a) The licensee shall file with the administrator a monthly report on the form approved and provided by the administrator. This report shall indicate the date of racing events held in the reported month, the type of event, the attendance, the number of vehicles entered, and an account of accidents resulting in personal injury or property damage, as well as an account of any other unusual incidents occurring at the track during the reporting period.

[13:22-8.1 Accident reports

(a) Accident involving any injury or death must be reported to the office of the administrator, by telephone, no later than 9:00 A.M. of the first business day following the accident.

(b) Such a report must be followed within 48 hours by a complete written report of the accident.

(c) In addition to these reports to the administrator, the following reports will be made:

a. When an accident occurs which results in a death, the police having jurisdiction shall be notified immediately by the quickest means possible.]

Subchapter 9. Special Age Provisions

13:22-9.1 Participant requirements

(a) Notwithstanding any other section of this regulation to the contrary, a person between the ages of fourteen (14) and eighteen (18) years of age may be permitted to participate in go-cart, snowmobile, and motorcycle events provided he meets the following conditions:

1. He shall be required to furnish proof of participant liability insurance in the amount of \$25,000 to any one person and \$50,000 for multiple claims.

2. He shall be required to furnish proof of successful completion of an operational and safety course for the particular vehicle which he desires to operate. This course must be one approved by the administrator.

13:22-9.2 Licensee responsibilities

(a) It shall be the responsibility of the licensee to insure that the above mentioned conditions are met prior to permitting an individual covered by this section to participate in any event.

(b) It shall further be the responsibility of the licensee to insure that the operation of vehicles covered by this section by persons between the ages of fourteen (14) and eighteen (18) shall be restricted to the confines of an approved race or exhibition area and adjoining pit area.

(c) It shall further be the responsibility of the licensee to insure that individuals permitted to participate in go-cart, snowmobile and motorcycle events under this section, do not under any circumstances, participate in any events in which the participants are eighteen (18) years of age or older.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before June 30, 1972, to:

Raphael J. Marini, Director
Division of Motor Vehicles
Department of Law and Public Safety
25 South Montgomery Street
Trenton, New Jersey 08625

The Division of Motor Vehicles, upon its own motion or at the instance of any interested party, may thereafter adopt the regulations substantially as proposed without further notice.

Raphael J. Marini, Director
Division of Motor Vehicles
Department of Law and Public Safety

(a)

LAW AND PUBLIC SAFETY

DIVISION OF CONSUMER AFFAIRS

STATE BOARD OF MEDICAL EXAMINERS

Rules on Examinations and Endorsements

On May 10, 1972, Anthony J. Balsamo, Secretary of the State Board of Medical Examiners in the Division of Consumer Affairs of the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 45:9-2 and in accordance with applicable provisions of the Administrative Procedure

Act of 1968, adopted rules on examinations and endorsements, as proposed in the Notice published April 6, 1972, at 4 N.J.R. 74(b).

Such rules may be cited as N.J.A.C. 13:35-1.1 (Federation licensing examination), 13:35-2.1 (Endorsement; Federation licensing examinations), 13:35-3.1 (Endorsement; sister state examination and practice), 13:35-4.1 (Endorsement; diplomate specialty boards) and 13:35-5.1 (Endorsement; National Boards of Medical Examiners, Podiatric Examiners and Osteopathic Examiners).

An order adopting these rules was filed and effective May 23, 1972, as R.1972 d.99.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(a)

LAW AND PUBLIC SAFETY

DIVISION OF CONSUMER AFFAIRS

STATE BOARD OF MEDICAL EXAMINERS

Rules on Clinical Clerkships

On May 10, 1972, Anthony J. Balsamo, Secretary of the State Board of Medical Examiners in the Division of Consumer Affairs of the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 45:9-2 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules on clinical clerkships, as proposed in the Notice published April 6, 1972, at 4 N.J.R. 74(a).

Such rules may be cited as N.J.A.C. 13:35-7.1.

An order adopting these rules was filed and effective May 23, 1972, as R.1972 d.100.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(b)

LAW AND PUBLIC SAFETY

DIVISION OF CONSUMER AFFAIRS

STATE BOARD OF MEDICAL EXAMINERS

Rules on Minimum Eye Examinations

On May 10, 1972, Anthony J. Balsamo, Secretary of the State Board of Medical Examiners in the Division of Consumer Affairs of the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 45:9-2 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules on minimum eye examinations, as proposed in the Notice published April 6, 1972, at 4 N.J.R. 73(a).

Such rules may be cited as N.J.A.C. 13:35-6.1.

An order adopting these rules was filed and effective May 23, 1972, as R.1972 d.101.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(c)

PUBLIC UTILITIES

BOARD OF PUBLIC UTILITY COMMISSIONERS

Proposed Rules for Electrical Inspection Authorities

William E. Ozzard, President of the Board of Public Utility Commissioners, pursuant to authority of N.J.S.A. 48:7-14, proposes to adopt regulations for electrical inspection authorities. Such rules are tentatively scheduled to be cited as N.J.A.C. 14:5-4.1 et seq.

Full text of the proposed rules follows:

CHAPTER 5. ELECTRIC

SUBCHAPTER 4. ELECTRICAL INSPECTION AUTHORITIES

14:5-4.1 Scope of Regulations

(a) These regulations are promulgated in accordance with the authority provided to the Board of Public Utility Commissioners (Board) under N.J.S.A. 48:7-14.

(b) The purpose and intent of these regulations is to enforce the statutory mandate of the Legislature, which directs this Board to promulgate rules and regulations necessary to effectuate the purposes of the Act.

(c) These regulations apply to:

1. Electrical inspection authorities engaged in the business of inspection of electric wiring, appurtenances and structures, conduits and equipment, within or on public or private, residential, commercial or industrial premises, beyond the point of connection to the lines of the utility furnishing electric service, installed to utilize electric energy for light, heat and power for any purpose.

2. Electrical inspectors engaged in the business of electrical inspections.

3. Utilities rendering electric service.

4. Municipalities, and cities and counties where applicable.

14:5-4.2 Definitions

The following words and terms, when used in these regulations, shall have the meaning indicated.

"Board" means the Department of Public Utilities, Board of Public Utility Commissioners, as defined in N.J.S.A. 48:1-1 et seq.

"Electrical Inspection Authority" means an entity which engages in the business of inspection of electrical construction work.

"Electrical Inspector" means an individual who engages in the business of electrical inspection.

"Customer" means a person, partnership, firm, corporation or other entity which engages the services of an electrical inspection authority.

"Utility" means an electric company as defined in N.J.S.A. 48:2-13.

"Board of Examiners of Electrical Contractors" means the Division of Professional Boards, Department of Law and Public Safety.

"Certificate" means the Certificate of Public Convenience and Necessity issued by the Board pursuant to Chapter 244 of L. 1971.

"Electrical Inspection" means the act of investigating electrical construction, for the purpose of certifying conformance of such construction with applicable codes and regulations.

"City and County Personnel" means only those individuals who are directly employed and compensated by

the particular city or county for which they perform electrical inspection service.

14:5-4.3 Board's Rules of Practice, Regulations and Administrative Orders

Every electrical inspection authority engaged in the business of inspections of electrical construction work shall be subject to the regulations as set forth herein in addition to the Board's Rules of Practice, Regulations and Administrative Orders heretofore promulgated, which may be applicable.

14:5-4.4 General provisions

(a) No electrical inspection authority shall operate in the State of New Jersey unless and until it has secured a certificate from this Board.

(b) No electrical inspection authority shall employ any inspector who has not been licensed by the Board as an electrical inspector.

(c) No person shall engage in the business of electrical inspections unless such person has secured a license from the Board.

(d) Every utility in the State of New Jersey shall accept all electrical inspection authorities approved by this Board.

(e) Every county and city within the State of New Jersey shall accept all electrical inspection authorities approved by this Board, except where counties and cities conduct electrical inspections with their own personnel pursuant to N.J.S.A. 40:23-20, et seq., and N.J.S.A. 40:173-1, et seq., respectively.

(f) Every municipality within the State of New Jersey shall accept all electrical inspection authorities approved by this Board.

(g) A municipality, upon approval from the Board, may have and fix compensation of its own electrical inspectors who shall be licensed electrical inspectors.

19:5-4.5 Approval procedure

(a) Each electrical inspection authority seeking approval to engage in the business of inspection of electrical construction work shall file a petition with the Board in accordance with the Board's Rules of Practice and furnish, among other things, the following:

1. The names and addresses of all persons who have either financially or operationally a legal or beneficial interest in the petitioner's business.

2. Experience of the inspection authority, experience and training of inspectors, description of training programs for inspectors and other personnel, together with all supporting data in order to enable the Board to determine the qualifications of the petitioner to engage in such business.

3. A schedule of rates to be charged, including a detailed explanation of any variance in the fees by way of discounts, special classifications, etc.

4. Copies of current liability insurance policies or other acceptable proof of insurance.

5. Such other information as the Board may deem necessary for its determination of the qualifications of the petitioner to engage in the business of electrical inspections.

(b) Upon receipt of a petition, the Board may process the petition with or without public hearings to determine whether a certificate shall be issued to the petitioner; however, no order of denial shall be entered until petitioners are afforded a hearing with regard thereto.

(c) The Board may impose such conditions as it finds to be proper and necessary when issuing a certificate, either in the form of a certificate or by its own order.

(d) The Board may deny any petition for issuance of certificate.

14:5-4.6 Inspection service

(a) It shall be the duty of every electrical inspection authority to render prompt and diligent inspection service.

(b) These regulations do not limit the duties now imposed upon the electrical inspection authorities, but merely serve to define such duties and to establish standards for their performance.

14:5-4.7 Area of service

Every electrical inspection authority may operate on a statewide basis, and shall except for good cause accept all applications for electrical inspection regardless of type and location of such inspections.

14:5-4.8 Standards for inspection

Inspections shall be made to insure compliance with the National Electrical Code, regulations of the Board, and any other code of federal, state or local government in effect at the time of construction.

14:5-4.9 Customer information

(a) Each electrical inspection authority shall, upon request, furnish its customers with such information as is reasonable in order that the customers may obtain prompt and diligent service.

(b) Each electrical inspection authority shall file and keep up to date with the Board, and keep open to public inspection in each office, addresses and telephone numbers of all offices, time of regular business hours of all offices, a schedule showing all rates and charges made, established, or enforced or to be charged or enforced, all rules and regulations relating to such rates and charges and all general privileges and concessions granted or allowed.

(c) The above information shall be readily accessible to the public at all times during normal business hours and on demand by any person, shall be produced for examination immediately.

14:5-4.10 Applications

(a) Applications by a customer for the inspection of electrical construction work may be made at the electrical inspection authority's office either in person, by mail, or by telephone.

(b) If the electrical inspection authority requires a written application, the same may be subsequently submitted to the customer for signature.

14:5-4.11 Interval between application and inspection

Every electrical inspection authority shall make inspections within three days following receipt of application for inspection from a customer.

14:5-4.12 Records

(a) Each electrical inspection authority shall keep all records of its business within the State of New Jersey and shall notify the Board of the office or offices at which various records are kept. These records shall be open for examination by the Board's inspectors.

(b) Each electrical inspection authority shall keep complete records, for a period of 5 years, of applications for inspection, progress reports, incomplete inspections where violations have not been cleared, temporary and final approval certificates issued and performance of inspectors employed. There shall be permanent file of final approval certificates issued.

(c) Each electrical inspection authority shall promptly notify the utility in writing of applications for inspection, violations if any, and temporary and final approval certificates issued.

(d) Each electrical inspection authority shall formally inquire of the utility concerned to verify whether the cus-

tomers had made an application to another electrical inspection authority for inspection of the same electrical construction work.

(e) An electrical inspection authority shall not accept application if the customer had previously made application to another electrical inspection authority for inspection of the same electrical construction work, except where there is shown to have been violation of Regulation 11 supra.

14:5-4.13 Offices

Each electrical inspection authority shall maintain adequate number of offices in the State of New Jersey, the current locations and telephone numbers of which shall be furnished to the Board, where applications for electrical inspections, complaints, inspection inquiries, bill payments, etc., will be received, so that prompt and diligent inspection service is rendered to the customers.

14:5-4.14 Personnel to be contacted

(a) Each electrical inspection authority shall furnish to the Board and keep current a list of names, addresses and telephone numbers of the agent upon whom process may be served, responsible officials and employees to be contacted in connection with routine matters during normal working hours.

(b) Each electrical inspection authority shall also furnish to the Board and keep current a list of names, addresses and telephone numbers of responsible officials who may be contacted in the event of emergency during other than normal working hours.

14:5-4.15 Supervision

Every electrical inspection authority shall provide adequate supervision so that the inspectors are prompt and diligent in discharging their duties.

14:5-4.16 Code review

Every electrical inspection authority shall provide periodic code review sessions so that the inspectors keep abreast of additions or revisions of various applicable codes.

14:5-4.17 Insurance

Every electrical inspection authority shall carry liability insurance, at least in the amount of \$1,000,000, for each person and each occurrence to satisfy claims or judgments for property damage and/or personal injury arising out of failure of its inspector to properly discharge his duties and responsibilities.

14:5-4.18 Workmen's compensation

Every electrical inspection authority shall carry workmen's compensation insurance in accordance with statutory requirements.

14:5-4.19 Rates

(a) Customers shall not be charged rates other than provided for in the rate schedules filed with the Board.

(b) Such rate schedules shall not be effective until filed and accepted by the Board.

14:5-4.20 Compensation of the inspectors

(a) Inspectors shall be remunerated on a salary basis only.

(b) Inspectors shall not be given commissions or other bonus incentives for volume of work performed.

14:5-4.21 Monopoly forbidden

No electrical inspection authority shall act as an exclusive agent of a municipality, city, county, or utility, nor shall it monopolize, or attempt to monopolize or combine

or conspire with any other person to monopolize trade or commerce in any relevant market located in whole or in part in this state for the electrical inspection business.

14:5-4.22 Refusal of a customer to correct a violation

(a) In the event a customer refuses to correct the violation in the electrical construction work within 30 days, the electrical inspection authority shall notify the Board, the utility concerned, and the Board of Examiners of Electrical Contractors of such violations.

(b) In such case, the utility shall not render service to the premises in question until the violation is corrected.

14:5-4.23 Inspection requested by Board

Every electrical inspection authority shall, when requested by the Board, make, at no cost to the Board, electrical inspections during regular business hours.

14:5-4.24 Emergency inspections

In case of emergency, every electrical inspection authority shall make electrical inspections when requested by the Board on behalf of a customer. In such an instance, regular charge for the inspection may be made to the customer.

14:5-4.25 Periodic reports

(a) Every electrical inspection authority shall file an annual report on forms to be prescribed by the Board, showing its financial condition on a calendar year basis. Such reports shall also contain a statement of income and expenses for a calendar year period.

(b) Every electrical inspection authority shall file a quarterly report on forms to be prescribed by the Board showing its operations of the preceding quarter.

(c) All reports shall be filed on or before the due date noted on the report forms.

14:5-4.26 Conflict of interest

(a) No electrical inspection authority or any of its employees, officers or stockholders shall have any interest or relationship to any electrical contractor, whether a corporation, partnership or individual.

(b) No electrical inspection authority or any of its employees, officers or stockholders shall have any interest or relationship to any manufacturer or seller dealing in electrical appliances, machinery, wiring, electrical hardware or other electrical apparatus.

(c) No electrical inspection authority or any of its employees, officers or stockholders shall have any interest or relationship to any electric public utility, municipal electric department or other entity supplying electrical energy for industrial, residential or commercial use.

14:5-4.27 Electrical inspection authority certificate

(a) An electrical inspection authority seeking issuance or renewal of certificate shall file with the Board an application in writing upon forms prescribed by the Board. The application shall be accompanied by fees in the following amounts: 1. for initial certificate, \$1,000. 2. for renewal, \$500.

(b) The certificate periods shall be from July 1 to June 30 of the following year, and certificates shall be renewed on or before July 1 of each year.

(c) Renewal shall be governed by the standards applicable to initial issuance.

(d) The Board, upon complaint or on its own initiative, may, after hearing, revoke or suspend the certificate issued to any electrical inspection authority engaged in the business of electrical inspections upon finding that such electrical inspection authority:

1. Has secured such certificate by misrepresentation;

- 2. Has violated any law or rule, regulation or administrative order of the Board;
- 3. Has refused or failed to comply with laws or rules, regulations, or orders of the Board;
- 4. Has engaged in fraudulent business activities or in misleading advertising practices;
- 5. Has committed an act of gross negligence or condoned such an act by its employee;
- 6. Has failed to adequately and properly supervise employees so as to insure compliance with laws or rules, regulations or orders of the Board, or recognized safety standards;
- 7. Has failed to perform electrical inspections to insure conformance with standards of the National Electrical Code and any other applicable code then in effect.
- 8. Has failed to apply for a renewal within 30 days of the date of the expiration of any certificate.

14:5-4.28 Inspector license

(a) No person shall be granted an electrical inspector's license unless he shall first establish his qualifications therefor and shall take and pass the examination for electrical inspectors given by the Board. An applicant for such examination shall have been employed or engaged in the business of electrical construction and installation or have equivalent practical experience for a period of not less than seven years preceding the time of such application, or shall otherwise establish to the satisfaction of the Board that the applicant has the necessary educational background and experience to qualify to take the examination for a license.

(b) The examination shall be so designed as to establish the competence and qualifications of the applicant to perform and supervise the various phases of electrical inspection work. Any applicant who shall fail to pass such examination shall not be eligible to retake an examination until six months from the date of such failure.

(c) An applicant for an examination for a license shall apply to the Board for permission to take such examination upon forms provided by the Board and shall provide the Board with such information as shall be necessary to establish his qualifications to take the examination. The applicant for an initial examination shall pay a fee to the Board of \$25.00. An applicant for re-examination shall pay a fee to the Board of \$15.00. Such fees shall not be refundable.

(d) Upon payment of the prescribed fee as herein set forth, any person who has been engaged in the business of electrical construction, installation or inspections for a period of at least seven years prior to the effective date of these regulations, who is employed by an electrical inspection authority on the effective date of these regulations, and who has made an application for temporary license to the Board on or before with satisfactory proof of his ability to engage in such business may be granted a temporary license.

(e) After no temporary license shall be recognized by the Board and all electrical inspectors shall be required to have passed the examination as set forth herein.

(f) The Board shall prescribe the conditions of examination, and shall hold a minimum of examinations each year at such time and place within the State as the Board shall designate. Public notice shall be given of the time and place of all examinations. Such examinations shall cover such matters as the provisions of nationally

recognized electrical installation safety standards and the theoretical and practical application of the same encountered in electrical work. Said examinations may be written and/or oral, and shall give ample opportunity for all applicants to be thoroughly and carefully examined, but no license shall be granted except by the Board.

(g) A person seeking issuance or renewal of license shall file with the Board an application in writing upon forms prescribed by the Board. The application shall be accompanied by fees in the following amounts: 1. for initial license, \$50.00; 2. for renewal, \$25.00.

(h) The license periods shall be from July 1 to June 30 of the following year, and licenses shall be renewed on or before July 1 of each year. Renewal shall be governed by the standards applicable to initial issuance. The Board may require re-examination upon failure to apply for a renewal within 30 days of the date of the expiration of any license.

(i) The Board may refuse to grant, or may suspend, revoke or refuse to renew any license if the holder has:

- 1. Secured such license by misrepresentation.
- 2. Failed to maintain the qualifications required for retention of the license.
- 3. Violated any rule, regulation or administrative order of the Board.
- 4. Committed an act of gross negligence.
- 5. Failed to perform electrical inspections to insure conformance with the standards of the National Electrical Code and any other applicable code then in effect.

(j) An applicant whose license has been revoked may become eligible not earlier than one year from the date of said revocation for a new license upon the satisfactory completion of an examination as herein provided, and demonstration to the satisfaction of the Board that he is fit and able to render prompt and diligent service.

14:5-4.29 Validity of regulations if any portion declared invalid

If any regulation, sentence, paragraph or section of these regulations, or the application thereof to any persons or circumstances, shall be adjudged by a court of competent jurisdiction to be invalid, or if by legislative action any regulation shall lose its force and effect, such judgment or action shall not affect, impair or void the remainder of these regulations.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before June 28, 1972, to:

Board of Public Utility Commissioners
Room 208
101 Commerce Street
Newark, New Jersey 07102

A public hearing will be held on July 17, 1972, at 10:00 A.M. at the Board's offices at the above address at which time and place comments, suggestions, recommendations, additions and modifications to the rules and evidence with respect thereto will be received for the record.

The Board of Public Utility Commissioners, upon its own motion or at the instance of any interested party, may thereafter adopt these rules substantially as proposed without further notice.

William E. Ozzard
President
Board of Public Utility Commissioners
Department of Public Utilities

(a)

PUBLIC UTILITIES

BOARD OF PUBLIC UTILITY COMMISSIONERS

Proposed Revisions to Rules On Autobus Specifications

William E. Ozzard, President of the Board of Public Utility Commissioners, pursuant to authority of N.J.S.A. 48:2-1 et seq., proposes to revise Subchapter 2 of Chapter 11 in Title 14 concerning autobus specifications. Such rules are proposed to become effective July 1, 1972.

Full text of the proposed, revised Subchapter follows:

SUBCHAPTER 2. AUTOBUS SPECIFICATIONS

14:11-2.1 Scope

(a) The Board hereby adopts the rules and regulations relating to the safety of equipment as promulgated from time to time by the United States Department of Transportation (formerly ICC Motor Carrier Safety Regulations), presently set forth in Part 393, entitled "Parts and Accessories Necessary for Safe Operation," as amended. A copy of these regulations entitled "Department of Transportation Motor Carrier Safety Regulations" may be obtained from the Superintendent of Documents, Washington, D.C. 20423.

(b) The following specifications apply to all autobuses for which a certificate of compliance of this Board is required. With respect to sedan-type autobuses, the specifications applicable thereto are set forth in Administrative Order 14:212A.

(c) Any autobus now in operation or acquired prior to July 1, 1972 and for which this Board has issued a certificate of compliance, may continue in service as presently designed, constructed and equipped except where the context of these specifications indicates to the contrary.

14:11-2.2 Dimensions of autobuses

(a) The over-all length shall not exceed 40 feet, 0 inches excluding bumpers.

(b) The over-all width shall not exceed 102 inches outside measurement. For buses exceeding 96 inches, see paragraph (c).

(c) No autobus with an outside width in excess of 96 inches will be approved unless request for approval is accompanied by a certificate, (1) of the Division of Motor Vehicles in the Department of Law and Public Safety that the proposed width is not unsafe for use on the highways in this State, and (2) of the State Highway Department that the proposed width, if in excess of 96 inches, is not in conflict with the requirements of any agency of the United States having jurisdiction over the National System of Interstate and Defense Highways authorized by law.

No outside width so prescribed shall be valid if the allowance or use of same would disqualify the State of New Jersey or any department, agency or governmental subdivision thereof for the purpose of receiving Federal highway funds.

(d) The inside height of autobuses transporting passengers shall not be less than 6 feet, 3 inches measured vertically from the floor level in the center aisle to the ceiling.

14:11-2.3 Window-seat distance

When the distance between the horizontal level of any seat and the lower edge of the window opening or the top of the window guards above said seat is less than 18 inches, window opening shall be restricted to a maximum of 6 inches.

14:11-2.4 Guard rail

All autobuses normally transporting passengers in excess of seated capacity shall be equipped with a suitable guard rail or gate which will prevent passengers from occupying any space forward of the plane of the back of the driver's seat when the bus is in motion.

14:11-2.5 Partition and curtain

All autobuses shall be equipped with a partition of wood or metal and wire glass or safety glass or plexiglass at least $\frac{3}{8}$ inches thick and located to the rear of the driver's seat with a suitable curtain, if necessary, to shield the driver from the glare of inside lights.

14:11-2.6 Service doors

(a) All service doors and connecting passages shall have a horizontal clearance of not less than 24 inches.

(b) Service doors located rearward of the front service door shall be equipped with an audible or visible signal indicating to the driver when the door is not completely closed. Such doors shall also be equipped with flexible rubber edges having a total width of 4 inches.

(c) Rear side service doors shall be so interlocked that it will be impossible, under normal operating conditions, to put the vehicle in motion when such door is open.

14:11-2.7 Emergency door

(a) An emergency door located in the center of the rear vertical plane of the bus body or in the left side of the bus body between the center of the bus and the extreme rear of the bus body shall be provided. The emergency door shall have a clearance with the door open of not less than 10 inches at the floor line and not less than 18 inches from a point 12 inches above the floor line to the upper belt panel.

(b) The emergency door shall be conspicuously marked on the inside of the bus body:

EMERGENCY DOOR

(c) The emergency door shall be constructed and maintained in such condition as to be readily opened by passengers in case of emergency.

(d) A clear passage to the emergency door of not less than 10 inches in width and free from all obstruction shall be provided and maintained.

(e) The emergency door shall be equipped with an audible or visible signal to warn the driver when the door is not completely closed.

(f) In lieu of an emergency door, each autobus shall have adequate means of escape for passengers through push-out type windows. Each push-out type window so constructed shall have a frame or sash so designed, constructed and maintained as to provide free opening with reasonable effort.

14:11-2.8 Aisle

The width of the aisle shall not be less than 14 inches.

14:11-2.9 Seat dimensions

(a) A clearance of not less than 26 inches shall be provided between seats, measured at the seat line from the front of the back rest of each seat to the nearest forward obstruction.

(b) A transverse and longitudinal seat space of not less than 16 inches shall be provided for each seated passenger.

(c) The seating capacity or seat layout in any autobus shall not be permanently changed without notification to the Board, and no autobus in which such changes have been made shall be placed in service until inspected and approved by a representative of the Board.

(d) Permanent seats may be installed to the right of the driver provided an adequate transparent shield is installed between the driver and the seat to prevent passengers from interfering with or conversing with the driver.

14:11-2.10 Entrance handles

(a) Rails or handles located inside the bus body shall be provided at each service door.

(b) Outside handles will not be permitted on any portion of the autobus.

14:11-2.11 Handles for standing passengers

(a) Handles, stanchions or hand rails placed at a convenient height shall be provided in autobuses normally carrying standing passengers, except in that portion of the autobus where handles on transverse seats are provided.

(b) All hand rails, stanchions and handles must be constructed of non-inflammable materials.

14:11-2.12 Lights

(a) An interior lighting system shall be provided which shall have a total luminous intensity of not less than five rated candle power per seated passenger, the receptacles being located so as to provide a reasonably uniform diffusion of light within the passenger compartment. The lamps shall be located or shielded so as to prevent direct rays of the light source from striking the windshield.

(b) At least one step light shall be provided at each service door.

(c) Stop lights shall be separate and independent from all other rear lights.

14:11-2.13 Passenger signal

A satisfactory signal system shall be provided and maintained for the use of passengers to signal for a stop.

14:11-2.14 Signs

(a) A sign indicating route where applicable, and destination shall be provided, so designed and located that it may be read by day or night from a point at least 100 feet forward from the front of the vehicle. This sign must not interfere with the driver's view or produce an annoying glare.

(b) A sign shall be provided indicating, that smoking on autobuses is prohibited by law.

14:11-2.15 Chassis and body or bus unit

The chassis and body, or complete bus unit, shall be so designed and constructed that it will properly and safely support the gross weight of the vehicle, including capacity passenger load. Step height shall not exceed 18 inches.

14:11-2.16 Height of frame

(a) The height of chassis frame shall not exceed 35 inches from the ground to the top of the frame, measured at the front service door without passenger load.

(b) The height of floors of buses constructed in unit shall not exceed 47 inches from the ground, measured at front service doors without passenger load.

14:11-2.17 Relation of body and chassis frame

(a) The body shall not extend more than 15 inches beyond the rear of the main frame supporting the body.

(b) Extensions of standard chassis frames will not be permitted.

14:11-2.18 Overhang of body

(a) The maximum overhang of body to the rear of the rear axle shall not be in excess of one-third of the total length of the vehicle.

(b) Vehicle measurements are to be taken from the extreme front to the extreme rear of the vehicle, not including bumpers.

(c) Overhang measurements are to be taken from the center of the rear axle to the extreme rear end of the bus, not including rear bumper.

14:11-2.19 Bumpers

(a) Each autobus shall be equipped with front and rear bumpers attached to the main frame supporting the body.

(b) The rear bumper shall extend at least 4 inches beyond the body limits and be shielded on the top to prevent toe-hold, except on autobuses constructed with the motor attached to the extreme rear end of the chassis frame or with compartments of similar size between the extreme rear of the bus body and rear seat in the passenger compartment.

14:11-2.20 Brakes

(a) Every autobus shall be equipped with two independent brake systems. Service brakes shall operate on all wheels and shall be capable of bringing the autobus to a stop at a rate of deceleration equivalent to a stop of 22.5 feet from a speed of 20 miles per hour.

(b) The emergency brake shall be capable of bringing the autobus to a stop at a rate of deceleration equivalent to a stop within 75 feet from a speed of 20 miles per hour.

1. Emergency brake is to be activated by energy independent of energy to service brakes.

2. Brake is to be activated and capable of stopping and holding bus if main energy supply to service brakes falls below safe operating level. Upon application of emergency brake, it must remain on, though source of energy for application may be eliminated.

3. When activated by loss of main energy supply to service brakes, driver, without leaving seat, must be able to over-ride emergency brake a minimum of three times. Control to operate over-ride shall be of a "dead-man" type, necessitating constant driver effort to use.

4. Any energy supply to activate emergency brake shall be separate and independent of main energy supply reservoirs.

(c) The braking distance shall be measured by means of an instrument or machine of the decelerometer type capable of being read in feet.

(d) Brake systems actuated by compressed air pressure or vacuum power shall be constructed to afford the following results:

1. Compressed air brake systems shall be equipped with an air compressor of sufficient size to fully charge the reservoir to its rated operating pressure in three minutes.

2. Reservoir capacity shall be sufficient to permit not less than four full brake applications and maintain 60 psig after the motor has been shut off.

3. Compressed air reservoirs shall be equipped with a safety valve that shall vent to the atmosphere at an air pressure not in excess of 1½ times the maximum air compressor governor setting. The safety valve shall be tested at intervals of not greater than six months.

4. Vacuum reservoirs shall have a volume of not less than 1,000 cubic inches for braking purposes only.

5. Vacuum brake systems shall develop a minimum of 14 inches of reservoir vacuum in the following manner:

i. Intake manifold of motor within one minute, and

ii. Vacuum pump within two minutes.

(e) Brake systems shall be equipped with pressure or power gauge, not less than 3 inches in diameter located in clear view of the driver and illuminated during the period running lights are required.

(f) Buses equipped with brake systems actuated by compressed air or vacuum power shall be equipped with an audible or visible signal within hearing or full view of the driver to indicate that air or vacuum pressure is dangerously low.

(g) Hydraulic system service (foot) brakes shall be of a dual type, split to the front and rear wheels and each section separately actuated.

14:11-2.21 Equipment unit

Only single-unit autobus equipment with the motive power and the passenger compartment mounted on such unit will be permitted.

14:11-2.22 Identification

(a) No autobus shall be operated unless it displays on each side of its exterior in clearly visible letters at least 1 7/8 inches in height the exact name of the owner.

(b) The name of lessee, if any, shall be displayed in like manner, preceded by the words, "operated by."

(c) Every autobus shall be assigned an identifying number by the utility. This number must be displayed on the interior front, and the front, rear and both sides of the exterior. Interior number shall be at least 1 3/8 inches in height. All exterior numbers shall be at least 3 3/8 inches in height and of a sharply contrasting color from the background.

(d) Each autobus shall have displayed on the right-hand side thereof the number of the Board's Certificate of Compliance in letters and figures 2 inches high in the following style:

NJ PUC - 12345

14:11-2.23 Inspection and certificate of inspection

(a) All autobuses for which certificates of compliance have been issued by the Board shall be inspected at least twice annually. Nothing herein contained shall limit the Board's authority to require more frequent inspection of such autobuses when, in its opinion, the safety of the public so requires.

(b) No autobus shall be operated unless it prominently displays on the lower right corner of the right-hand windshield, visible from the exterior, an unexpired Certificate of Inspection issued by the Board.

14:11-2.24 Maintenance

(a) The body, chassis, engine and all equipment shall be maintained in proper adjustment and safe operating condition.

(b) A current record shall be kept showing the vehicle identification, date of breakdowns, any defects reported and corrective measures taken. These records shall be retained by the utility for at least three months.

(c) Each utility shall make a complete inspection of each motor vehicle at regular time or mileage intervals for mechanical or structural defects, and all necessary repairs shall be made before the motor vehicle is returned to service. An itemized record of each inspection showing the date, vehicle identification, lubrication record and adjustments, and signed by the person making such inspection, shall be retained at the local office, garage or repair shop where such inspection is made, for at least three months.

(d) The maintenance facilities of each utility shall be adequate and shall include either a suitable pit, ramp or hoist or an arrangement for the use of such facilities.

(e) The passenger section shall be kept clean and sanitary.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before June 28, 1972, to:

Department of Public Utilities
101 Commerce Street
Newark, New Jersey

The Board of Public Utility Commissioners, upon its own motion or at the instance of any interested party, may thereafter adopt these revisions substantially as proposed without further notice.

William E. Ozzard
President
Board of Public Utility Commissioners
Department of Public Utilities

(a)

PUBLIC UTILITIES

BOARD OF PUBLIC UTILITY COMMISSIONERS

Proposed Rules On Public Movers Certificates

The Board of Public Utility Commissioners, pursuant to authority of N.J.S.A. 48:22-5(b), proposes to adopt a new rule concerning public movers certificates. Such rule is scheduled to be cited as N.J.A.C. 14:2-2.2.

Full text of the proposed rule follows:

14:2-2.2 Certificates of public movers

(a) No person or any person controlling, controlled by, or under common control with such person, shall hold a certificate as a public mover authorizing operation for the transportation, moving and accessorial services which they perform, if such person or any such controlling person, controlled person, or person under common control, holds another certificate to operate as a public mover.

(b) For the purpose of this regulation, where reference is made to control (in referring to a relationship between any persons), such reference shall be construed to include actual as well as legal control, whether maintained or exercised through or by reason of the method of or circumstances surrounding organization or operation, through or by common directors, officers or stockholders, a voting trust or trusts, a holding or investment company or companies, or through or by any other direct or indirect means; and to include the power to exercise control.

(c) The Board may, for good cause shown consistent with the public interest, find that multiple certificates shall be issued, notwithstanding the provisions set forth in subsections (a) and (b) above.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before June 28, 1972, to:

Board of Public Utility Commissioners
Room 208
101 Commerce Street
Newark, New Jersey 07102

The Board of Public Utility Commissioners, upon its own motion or at the instance of any interested party, may thereafter adopt these rules substantially as proposed without further notice.

William E. Ozzard
President
Board of Public Utility Commissioners
Department of Public Utilities

(b)

PUBLIC UTILITIES

BOARD OF PUBLIC UTILITY COMMISSIONERS

Proposed Rules For Collection, Removal and Disposal of Garbage, Refuse and Trash

William E. Ozzard, President of the Board of Public Utility Commissioners, pursuant to authority of N.J.S.A. 48:13A-4, proposes to adopt rules concerning the collection, removal and disposal of garbage, refuse and trash.

Such rules are scheduled to be cited as N.J.A.C. 14:9-4.1 et seq.

Full text of the proposed rules follows:

CHAPTER 9. SEWER AND WATER

SUBCHAPTER 4. SOLID WASTE INDUSTRIES

14:9-4.1 Certificates for solid waste disposal

(a) No person, or any person controlling, controlled by, or under common control with such person, shall hold a certificate as a solid waste collector or solid waste disposal operator authorizing operation for the collection or disposal of solid waste, if such person, or any such controlling person, controlled person, or person under common control, holds another certificate to operate as a solid waste collector or solid waste disposal operator.

(b) For the purposes of this Regulation, where reference is made to control (in referring to a relationship between any persons), such reference shall be construed to include actual as well as legal control, whether maintained or exercised through or by reason of the method of or circumstances surrounding organization or operation, through or by common directors, officers, or stockholders, a voting trust or trusts, a holding or investment company or companies, or through or by any other direct or indirect means; and to include the power to exercise control.

(c) The Board may, for good cause shown consistent with the public interest, find that multiple certificates shall be issued, notwithstanding the provisions set forth in (a) and (b) above.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before June 28, 1972, to:

Board of Public Utility Commissioners
Room 208
101 Commerce Street
Newark, New Jersey 07102

A public hearing relating to the proposed action will be held on Wednesday, July 12, 1972, at 10:00 A.M. at the Board's offices at the above address at which time any interested person may present his views on the proposed action.

The Board of Public Utility Commissioners, upon its own motion or at the instance of any interested party, may thereafter adopt these rules substantially as proposed without further notice.

William E. Ozzard
President
Board of Public Utility Commissioners
Department of Public Utilities

(a)

TRANSPORTATION

THE COMMISSIONER

Proposed Revision to Rules On Outdoor Advertising on Interstate Systems

John C. Kohl, Commissioner of Transportation, pursuant to authority of N.J.S.A. 27:7A-11 et seq., proposes to revise Subchapter 8 (Roadside Advertising; Interstate) of Chapter 41 (Permits) of Title 16 of the New Jersey Administrative Code. These revisions involve the deletion of the present Subchapter 8 in its entirety and adopting a new Subchapter in place thereof.

A summary of the proposed revisions follows:

The proposed rules expand the scope of Subchapter 8 to

include directional signs, official signs and notices, public utility signs, service club and religious notices, public service signs, on-premise signs, and all other types of signs within protected areas of interstate highways, all other limited access highways and non-limited access highways.

The proposed rules will define the zoned and unzoned commercial and industrial areas where signs may be located or excluded, and set forth the requirements for size, spacing, and lighting.

The Commissioner of Transportation is authorized to issue or deny permits for the erection or maintenance of outdoor advertising signs within protected areas of interstate highways, all other limited-access highways and non-limited access highways, prescribing the number, location, and types of, and specifications for outdoor advertising signs, and designating the conditions under which such outdoor advertising signs may be erected and maintained.

In connection with the issuance of permits for outdoor advertising signs, these rules authorize the Commissioner of Transportation to charge and collect fees for such permits based on the size of the advertising surface of each sign. The Commissioner of Transportation is also authorized to acquire by gift, purchase or condemnation, real or personal property, or the right to maintain outdoor advertising signs in any protected area of interstate highways, all other limited-access highways and non-limited access highways, for the purpose of implementing these rules.

All persons whose property is purchased or otherwise acquired, except by gift to the State of New Jersey pursuant to the proposed rules, shall receive just compensation therefor.

The proposed amendments are necessary to implement the provisions of c. 353, L. 1971, which govern outdoor advertising on interstate highways, all other limited-access highways and non-limited access highways. The intent of c. 353, L. 1971 is to promote the safety, convenience, and enjoyment of travel on, and protection of the recreational value and public investment in highways within New Jersey and to preserve and enhance the natural scenic beauty or aesthetic features of the highways and adjacent areas.

Copies of the complete text of the proposed revisions may be obtained from:

Victor A. Rice Jr.
Administrative Practice Officer
New Jersey Department of Transportation
1035 Parkway Avenue
Trenton, New Jersey 08625

Interested persons may present statements orally or in writing relevant to the proposed action at a public hearing to be held on June 28, 1972, at 3 P.M. in the cafeteria, first floor, main building, New Jersey Department of Transportation, 1035 Parkway Avenue, Trenton, New Jersey.

Written statements or arguments may be submitted relevant to the proposed action on or before June 28, 1972, to the Department's Administrative Practice Officer at the above address.

After full consideration of all submissions respecting the proposed revisions, the Department of Transportation, upon its own motion or the instance of any interested party, may thereafter adopt the proposed revisions without further notice.

John C. Kohl
Commissioner
Department of Transportation

(a)

TREASURY

STATE INVESTMENT COUNCIL

Amendment to Temporary Reserve Group

On May 17, 1972, the State Investment Council in the Department of the Treasury, pursuant to authority of N.J.S.A. 52:18A-89 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted an amendment to the listing of temporary reserve group by adding the Transportation Benefit Fund to this listing.

The amended portion of N.J.A.C. 17:16-5.5 (Temporary Reserve Group) now reads (additions indicated in boldface thus; deletions indicated in brackets [thus]):

- 17:16-5.5(a) 24. State Water Development Fund.
- 25. **Transportation Benefit Fund.**
- [25.] 26. Unclaimed Personal Property Trust Fund.
- [26.] 27. Unemployment Compensation Auxiliary Fund.
- [27.] 28. Veterans' Loan Guaranty and Insurance Fund (Veterans' Guaranteed Loan Fund).
- [28.] 29. Water Conservation Fund.

An order adopting this amendment was filed and effective May 23, 1972, as R.1972 d.98 (Exempt, Procedure Rule).

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(b)

TREASURY

STATE LOTTERY COMMISSION

Clover Club Ticket Reservation Plan

On May 15, 1972, Ralph F. Batch, Executive Director of the State Lottery Commission in the Department of the Treasury, pursuant to authority of N.J.S.A. 5:9-7 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted procedural rules concerning a new Clover Club Ticket Reservation Plan.

Such rules will be included in Subchapter 6 of Chapter 21 in Title 17 of the New Jersey Administrative Code.

Full text of these rules follows:

SUBCHAPTER 6. CLOVER CLUB TICKET RESERVATION PLAN

17:21-6.1 Description of plan

The New Jersey State Lottery Clover Club Ticket Reservation Plan will offer to a subscriber a lottery ticket, with an assigned number, which will participate in a specified number of sequential weekly lottery drawings.

17:21-6.2 Time periods

The number of sequential weekly lottery drawings which a subscriber may select are 12 weeks for \$6.00, 24 weeks for \$12.00, and 52 weeks for \$25.00.

17:21-6.3 Renewal option

(a) A subscriber may renew his ticket for the same lottery number or a new lottery number at any time prior to the expiration date printed on his ticket.

(b) Continuance of participation will only be permitted if the subscriber's application for renewal, either for the same number or a new number, is in the possession of the Lottery Commission by 12:00 midnight on the Wednesday prior to the drawing which next follows the subscriber's last effective lottery date, i.e. the expiration date.

(c) Any decision as to interpretation of the above will be made by the executive director, New Jersey State Lottery Commission, and will be considered final and binding.

17:21-6.4 Applicability of Weekly Lottery rules

In general, the provisions governing the weekly lottery shall be applicable to the New Jersey State Lottery Ticket Reservation Plan, except as otherwise indicated herein.

An order adopting these rules was filed May 15, 1972, as R.1972 d.94 (Exempt, Procedure Rule), to become effective June 1, 1972.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(c)

TREASURY

DIVISION OF TAXATION

Revisions to Rules On Emergency Transportation Tax Return

On April 27, 1972, Sidney Glaser, Director of the Division of Taxation in the Department of the Treasury, pursuant to authority of N.J.S.A. 54:8A-56 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to the rules concerning the emergency transportation tax return, as proposed in the Notice published April 6, 1972, at 4 N.J.R. 78(a).

Such revised rules will be cited as N.J.A.C. 18:10-21.3(c).

An order adopting these revisions was filed and effective May 1, 1972, as R.1972 d.82.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(d)

TREASURY

DIVISION OF TAXATION

Rule On Transportation Benefits Tax Return

On April 27, 1972, Sidney Glaser, Director of the Division of Taxation in the Department of the Treasury, pursuant to authority of N.J.S.A. 54:8A-116 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted a rule, to be cited as N.J.A.C. 18:10A-1.1 (Transportation benefits tax return), concerning the transportation benefits tax return, as proposed in the Notice published April 6, 1972, at 4 N.J.R. 78(b).

An order adopting this rule was filed and effective May 1, 1972, as R.1972 d.83.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(a)

DELAWARE RIVER PORT AUTHORITY

Revisions In Toll Regulations For Passage Over Bridges

On April 19, 1972, the Board of Commissioners of the Delaware River Port Authority adopted revisions to its regulations concerning tolls for passage over bridges under its control.

Full text of the revised regulations follows:

Resolved that the schedule of tolls adopted February 16, 1972, and amended on March 16, 1972, to become effective April 1, 1972, be further amended and corrected to read as follows:

Classification	Rate
Passenger Automobile	\$ 0.60
Passenger Automobile and one axle trailer (each additional trailer axle \$0.30)	0.90
Motorcycle	0.35
Buses, two axle	1.50
three axle	2.25
Commercial trucks, two axles, four tires 7,000 pounds gross weight or less	0.60
Commercial trucks, two or more axles, six or more tires, or 7,001 pounds or more gross weight, per axle	0.75
Commutation rate for passenger automobiles, and two axle, four tire trucks, 7,000 pounds gross weight, or less:	
Book of 40 tickets	14.00
42 tickets	14.70
44 tickets	15.40
46 tickets	16.10
48 tickets	16.80
50 tickets	17.50

Special Permits (Non-commercial motor vehicles 60,001 pounds gross weight and upward, commercial vehicles operating under official permit) \$10.00 permit fee plus \$1.50 for the first 40,000 pounds and \$0.25 for each 2,000 pounds or fraction thereof in excess of 40,000 pounds.

Bus and Truck Toll Scrip (25 crossings):

Denomination	Value	Price
\$1.50	\$ 37.50	\$ 33.75
2.25	56.25	50.63
3.00	75.00	67.50
3.75	93.75	84.38
4.50	112.50	101.25

Definitions and Restrictions:

Commutation tickets shall be accepted for passage of the vehicle to which issued and will not be acceptable for passage of any other vehicle.

Commutation ticket books will be issued on a calendar-month basis and will not be accepted for passage for any time other than the month for which issued.

Tickets detached from the ticket book will not be honored for passage. Unused tickets will not be redeemable or refundable.

Bus and truck toll scrip shall be good and valid until used. Toll scrip in excess of the required toll may be tendered in payment; however, no refund of the excess shall be made. Toll scrip in denomination of less than the fare and the balance in cash may be tendered in payment of the fare. Toll scrip may not be used to purchase other

reduced rate fares. Toll scrip may be purchased by mail or in person at the toll accounting offices located in the administration buildings for each of the bridges.

An order adopting these revisions was filed May 5, 1972, as R.1972 d.84 (Exempt, Exempt Agency).

Albert E. Bonacci
Director of Administrative Procedure
Department of State

STATE NEWS OF PUBLIC INTEREST

TO ASK FUND TO COVER PUBLIC IN REAL ESTATE TRANSACTIONS

State Insurance Commissioner Richard C. McDonough is in favor of new legislation to establish a realtors' recovery fund to cover any financial losses suffered by the public because of improprieties by real estate brokers or salesmen in the handling of funds in a real estate transaction.

The Commissioner gave his views last month at the initial meeting between the New Jersey Real Estate Commission and 50 instructors who teach real estate courses in public and private schools in the State.

McDonough said the recovery fund could be similar to the recovery fund established by the New Jersey Bar Association in which each lawyer contributes \$15 a year to the fund to cover financial losses as the result of mishandling of funds.

Currently, if a person suffers financial loss because of mishandling of funds by a real estate salesman or broker, the only redress is for the victim to sue in an attempt to recover.

McDonough said the Real Estate Commission, which is under his jurisdiction, is preparing to ask for legislation for a realtors recovery fund.

COMMISSIONER PLEDGES STRICT CONTROL OF HEALTH INSURANCE ADS

Insurance Commissioner Richard C. McDonough declared last month that he would vigorously enforce the new controls over false or misleading advertisements on accident and health insurance policies.

(The new rules became effective May 16, 1972, on filing with the Division of Administrative Procedure. Cited as R.1972 d.95, they will be included as Chapter 2 of Title II (Insurance) in the New Jersey Administrative Code, when published later this year.)

The full text of the new rules was in the April 6, 1972 New Jersey Register, cited as 4 N.J.R. 69(b).)

McDonough said he has notified the 16 out-of-state accident and health insurance companies who do a mail-order business in New Jersey that they must send all samples of advertisements and policies to him for examination.

The Commissioner stated that the Department will exercise its legal authority to order advertisements changed if they tend to deceive or mislead the public. If a company persists in using the misleading or deceptive advertising, "We'll hit them with a stiff fine. If that doesn't stop it, the Department will move to revoke their license to do business in this State."

The Department in the past has found many of these advertisements to be partly or wholly deceptive and misleading, he added.

McDonough said that a typical example usually contains big headlines offering sensational insurance values, but the small print lists exception after exception which shows the offer is actually a general, ordinary insurance plan.

"What we're after is to put the small fine print into large letters so the public can know what they're being asked to buy."

The Commissioner said the new regulations require that:

- Advertising must not mislead in fact or by implication.
- The language used must not tend to deceive concerning benefits coverage or premiums.
- Exceptions and qualifying conditions must be clearly stated.
- Testimonials must be genuine and current.
- Maximum as well as minimum premiums must be disclosed.
- Ads may not unfairly or incompletely compare policies offered with other coverage.
- Ads must indicate in what states the company is certified to transact insurance business.
- Advertisers may not falsely imply that the policy is a special or introductory offer.

SEES \$1 BILLION FOR PUBLIC TRANSPORTATION IF BOND ISSUE IS APPROVED IN NOVEMBER

The \$650 million transportation bond issue question which will appear on the November ballot would provide far more funds for public transportation such as trains and buses than for new highways, according to Transportation Commissioner John C. Kohl.

He says that approval would result in a billion-dollar transit improvement program.

Because of the impact the \$240 million in State transit funds would generate, Federal participation would raise the amount to \$720 million, and another estimated \$280 million would be spent by other agencies such as the Port of New York Authority, the Commissioner explained.

In contrast, the proposed \$410 million in State highway funds would generate a total road improvement program of \$567 million when the Federal contributions are added in, he said.

"This is a bus and rail transit program first and a highway program second," the Commissioner said, "and those who might call this a highway-biased bond issue are ignoring the program's potential for expanding public transportation services in New Jersey."

Further, the Commissioner warned, "if continued financing is not available for the State's projects, transit and highway alike, the vitally-needed improvements for New Jersey's transportation will be seriously delayed and might even come to a halt. In addition, the other agencies would not be able to carry out their roles in the overall program," he said.

"The principal beneficiaries of the bond issue would be those who look to public transportation for their daily travel needs, those who see public transportation as the way to relieve highway congestion and those who see in public transportation the answer to increasing concern over the environment," the Commissioner said.

As to statements that \$144 million in public transportation funds are still available from the 1968 bond issue, he said that virtually all of this money has been appropriated

by the Legislature for specific public transportation projects.

"As soon as the complex legal and financial problems of the State's principal rail and bus carriers are resolved, bonds will be sold to obtain these funds and the funds will be put to use," Kohl added.

Among major items included for public transportation would be an additional \$3 million for the Penn Central Railroad for improvements to their main line, and a whopping \$37 million to be spent over four years for 1,500 new buses to replace those on major lines on a lease basis.

In the Trenton-Mercer area, the bond issue would finance two Route 92 bypasses around Princeton and Hightstown; a southerly spur on the Trenton Freeway between the Stockton Street circle and Lalor Street; extension of the Route 29 Freeway between Federal Street and Lalor Street; and an interchange on Route 130 at Route 33 near Hightstown.

In 1968, voters overwhelmingly approved a \$640 million transportation bond issue with \$440 million for highways and \$200 million for mass transportation.

With all of this money committed, Transportation Department officials say its building program will be severely crippled without the additional bond funds. They plan an information campaign for later this year.

LOTTERY TICKET RESERVATION PLAN ANNOUNCED BY GOVERNOR

The State Lottery's new Clover Club ticket reservation plan that allows a club member to purchase a New Jersey Lottery number for 12, 24 or 52 weeks, was announced last month by Gov. William T. Cahill.

The Clover Club plan offers lottery patrons a convenience unmatched anywhere, Governor Cahill said.

Applications for the Clover Club program, adopted after several months of study by the State Lottery Commission, are now available at all lottery ticket agencies.

By joining the club, a ticket purchaser is automatically entered into every weekly drawing for the duration of his membership and won't have to be concerned about buying a ticket each week. Not only that, but he need not worry should he lose or misplace his membership card since his name and ticket number are on file at State Lottery headquarters.

Cost of the Clover Club membership is \$6 for the 12-week plan, \$12 for the 24-week plan, and \$25 for the 52-week plan, the latter including a bonus of two weeks free.

A six-digit lottery number assigned to each Clover Club member is automatically entered in each week's drawing and should it be a winner, a check for the prize will be forwarded to the ticket holder.

"Under the new ticket reservation plan," said Governor Cahill, "it will no longer be necessary for New Jersey or out-of-state residents to appear at a lottery claims center when they win. Lottery computers will scan all Clover Club members automatically and checks will be forwarded promptly to winners.

"And we'll also notify all those who qualify for the 50-cent Millionaire drawings. These Clover Club features will be particularly helpful to ticket purchasers living some distance from New Jersey."

Clover Club tickets may be obtained by filling in an application form and paying the prescribed fee at any of the more than 4,000 lottery ticket agencies. At State Lottery headquarters, the name and address of the purchaser and the six-digit lottery number he has been assigned is entered into the computer file, and a Clover Club membership card containing the ticket and serial numbers, and

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starting and ending date of his membership, is forwarded to the purchaser.

Clover Club memberships may be renewed three weeks prior to the expiration date on the ticket. At that time, the purchaser may request a new ticket number or an extension of the old one.

Governor Cahill noted that the Clover Club memberships are "perfect for gifts." Once the membership card is issued, he said, the purchaser participates in every weekly drawing, with a chance to win prizes from \$40 to \$1,000,000. The number each Clover Club member receives is exclusively his for the 12, 24 or 52 weeks purchased.

The Governor said the ticket reservation plan is another "first" for New Jersey and "further proof that the Garden State Lottery continues to be the most rewarding in America."

"The New Jersey Lottery," he added, "was the first in America to be successful with a weekly drawing, a 50-cent ticket, and a generous prize structure based on a single six-digit number. Other States have copied the New Jersey format or adapted it to their own lottery operations."

THREE NEW MEMBERS NAMED TO HEALTH PLANNING COUNCIL

A United Fund community relations specialist, a hospital administrator and a Model Cities director have been appointed by Dr. James R. Cowan, State Health Commissioner, to the State Health Planning Council.

The three new members are Louis O. Emanuel, Community Relations Director, United Community Services, New Brunswick; Felix M. Pilla, Administrator of Monmouth Medical Center, Long Branch; and Wilson Shepherd, Director of the Asbury Park Model Cities Community Development Program.

The 30-member SHPC is responsible under Federal legislation for coordinating all health planning in the State and under State legislation for recommending final action by the Commissioner on applications by health facilities and services for certificates of need.

REGAN IS NEW SUPERINTENDENT AT LEESBURG STATE PRISON

Vincent Regan, 46, assumed new duties this week as superintendent of the State Prison at Leesburg, following appointment by Commissioner Robert L. Clifford of the Department of Institutions and Agencies.

Regan, superintendent for the past nine years of the Ocean Residential Group Center at Forked River, succeeds Edward Ziegele, who is ill. Ziegele had held the top Leesburg post since 1965. Regan will receive \$21,910 a year.

In earlier work for the State, Regan was a case worker at the Diagnostic Center at Menlo Park and assistant superintendent at Highfields Residential Group. The Ocean facility as well as Highfields treats delinquent boys 16 to 18 who are selected for admission by any of the State's juvenile court judges.

Regan is a graduate of Maryknoll College, N. Y. and has a master's degree in social work from Fordham University.

JOHNSTON ADVANCED TO DEPUTY POST IN HOUSING FINANCE AGENCY

Community Affairs Commissioner Lawrence F. Kramer announced last month that William L. Johnston of Cranbury has been named Deputy Executive Director of the New Jersey Housing Finance Agency.

Kramer, chairman of the agency, noted that Johnston, 34, has been the agency's chief financial officer the past two years.

"The teaming of John P. Renna Jr., Executive Director and a well-known and experienced builder, with Johnston, who has broad knowledge of the financial field, provides the agency with a tremendous combination of talent—talent which can lead to even greater action in the future," Kramer said.

Renna said a deputy was needed because New Jersey is now one of the nation's front runners in providing large-scale housing backed by financing by a state agency.

"During the past fiscal year, we authorized mortgage loan commitments of \$116 million to finance construction of over 4,600 dwelling units throughout the State," Renna noted. "The 1971 commitments equalled those of the previous three years combined."

Johnston, whose new salary is \$27,414, became comptroller of the agency in April, 1970. Previously, he had been with Prudential Insurance Company as a senior investment analyst and with the Township of Cedar Grove in Essex County as township manager.

A registered municipal accountant, Johnston is a St. Peter's College graduate, majoring in accounting. He is married and lives with his wife and three children on Southfield Road, Cranbury.

GAMBACORTA APPOINTED ADULT EDUCATION DIRECTOR

The appointment of Rocco Gambacorta as director of the Department of Education's Bureau of Adult and Continuing Education has been announced by State Education Commissioner Carl L. Marburger.

Gambacorta was assistant director of the bureau and had been serving as acting director. Also announced was the promotion of Barry F. Semple from assistant director to director of the general adult education unit of the bureau.

The bureau, in the Department's Division of Field Services, administers New Jersey's programs in adult basic education, high school equivalency, work incentive (WIN) education, English and citizenship for the foreign born, emergency preparedness education and general adult education.

Gambacorta, a native of Camden, was graduated from Gettysburg (Pa.) College in 1950 and began his career as a teacher in Camden. He served subsequently as a teaching principal in Mount Laurel, administrative principal of West Berlin schools, and as a principal, elementary curriculum coordinator and adult education director, all in Cherry Hill.

Gambacorta joined the State Education Department in 1964 as director of adult basic education. He is a member of the board of trustees of Cherry Hill Hospital and holds a master's degree from Glassboro State College. He lives at 424 Howard Road, Cherry Hill.

Semple was born in Bridgeton and graduated from Trenton State College. He served as a teacher and director of Federal programs in the Bridgeton schools and as coordinator of the Monmouth County adult education program before joining the Department in 1970 as assistant director of general adult education.

Semple lives at 124 Robinson Place, Shrewsbury Borough. He holds a master's degree from Rutgers University.

MAGOVERN ELECTED HEAD OF INSTITUTIONS BOARD

John J. Magovern Jr., insurance executive of Summit, has been elected chairman of the new State Board of Institutional Trustees of the Department of Institutions and Agencies.

Magovern succeeded Lloyd B. Westcott, who resigned as chairman in April after some 30 years of service in the unpaid post.

The Board of Trustees was formed this year to replace the old Board of Control of the Department. The 12-member board coordinates activities of boards of local institutions and agencies and serves in an advisory capacity to the Commissioner of Institutions and Agencies.

Magovern joined the Board of Control in 1962 and continued on the successor Board of Trustees which is appointed by the Governor.

Magovern, 67, retired earlier this year as president and chief executive officer of Mutual Benefit Life Insurance Co., Newark. He is president of the New Jersey Chamber of Commerce, a member of the State Tax Policy Committee and a director of the Greater Newark Chamber of Commerce.

He received his law degree from Fordham University in 1929. Married and a native of South Orange, the Magoverns have three children and three grandchildren.

RUTLEDGE PROMOTED TO NEW STATE EDUCATION POST

Dr. Charles W. Rutledge has been promoted from assistant director to associate director of the Department of Education's Office of Teacher Education and Certification, according to Commissioner Carl L. Marburger.

As associate director of the office, which is headed by Dr. Ward Sinclair, Dr. Rutledge fills the vacancy created by the death March 15 of Dr. Robert J. MacNamara.

Dr. Rutledge, a native of Ohio, has been an educator 17 years. He served as a teacher and administrator in Michigan schools, as professor of education and chairman of the education division at Findlay (Ohio) College, before coming to New Jersey as assistant director of teacher education and certification in August, 1970.

Dr. Rutledge received his B.A., M.A., and Ph.D. degrees from Michigan State University. He lives at 16 Pennington-Lawrenceville Road, Pennington.

SIMMONS APPOINTED TO VACANCY ON CIVIL SERVICE COMMISSION

Leonard Simmons was sworn in last month as a member of the New Jersey Civil Service Commission. Judge James H. Coleman of the Workmen's Compensation Court administered the oath of office as Gov. William T. Cahill presided at the ceremony held in his executive office.

Gov. Cahill extended his congratulations to Commissioner Simmons and said he had appointed the new Commissioner because he was industrious, honest, able and enthusiastic, and that he had a talent for getting along with people.

A resident of Roselle, Simmons, who is 52, was appointed to the \$10,500 part-time post to fill the unexpired two-year term of the late William G. Dowd Jr. He was born in North Carolina, educated in New York City and is a graduate of Bowne Business School in New York.

The new Commissioner is the proprietor of the Veterans

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Cleaners in Roselle. During World War II, he served in the U.S. Army in Europe, attaining the rank of first sergeant. He was a member of the Roselle Police Department and also served as Police Commissioner. He also pioneered the adoption of the Civil Service Act for the Borough of Roselle.

Simmons is a past post commander of the American Legion and headed the Roselle Heart Fund drive in 1964. He is former president of the Borough Council, a trustee of Bethlehem Baptist Church; chancellor commander of Randolph Lodge #75, Knights of Pythias, former president of the Roselle Board of Education and former president of the Union County Vocational and Technical School Board.

Commissioner Simmons resides with his wife, the former Claudia Matthews, in Roselle. They are the parents of eight children.

SAYS HOUSING FINANCE AGENCY ACTIONS LAST YEAR EQUALLED PREVIOUS THREE

John P. Renna Jr., executive director of the New Jersey Housing Finance Agency, in releasing the 1971 annual report, called last year's efforts the "most productive year in the agency's history."

"The report clearly shows that the agency equalled in one year the output of the prior three years. It also shows beyond a shadow of a doubt we are not just talking about the housing shortage in this State, we are doing something about it," Renna declared.

The annual report was submitted to Gov. William T. Cahill and members of the Legislature and is available to the public.

Renna, who has directed the agency since July 1, 1970, noted that:

- The agency had authorized by the close of 1971 mortgage commitments of \$220 million for 9,187 dwelling units in 38 developments throughout the State.

- In 1971, the agency authorized mortgage loan commitments of \$116 million to finance construction of 4,623 dwelling units.

- By the end of 1971, there were 11 developments opened for occupancy with 2,123 of the 2,545 units rented.

- Construction continued on 19 other developments containing 4,693 dwelling units, while eight other developments proceeded toward mortgage closings.

- The agency's first bond issue of \$42.5 million was sold at a net interest rate of 5.35 per cent. This, Renna said, was the lowest interest rate received by any HFA in the country and reflected the confidence of the investing public in the programs of the Agency.

- Major strides were taken to provide more housing for senior citizens with construction beginning on six senior citizens projects containing 1,156 dwelling units, and the opening of two senior citizens developments containing 282 units.

Copies of the report are available at no cost from: New Jersey Housing Finance Agency, 101 Oakland Street, Trenton, N.J. 08618.

11 MORE SUGGESTION WINNERS SHARE \$835 IN THIRD LISTING

Eleven more winners shared \$835 in the third distribution this year in the State Employees' Suggestion Awards program, according to the Civil Service Department.

Highest amount of \$240 went to Thomas L. Convery, an auditor-intern in the Treasury Department, who suggested revising two forms to eliminate longhand recording of repetitious data.

In the State Department, Miss Virginia Maslowski, a senior clerk stenographer, received \$235 for suggesting that Title 19 (the Election Laws) not be reprinted each year, but only the amendments or new laws.

George C. Henger, a head offset machine operator in the Education Department, won \$180 for the idea of printing Commissioners' decisions on both sides of the paper instead of just one.

The State saves approximately ten times the amount of each award, the basis on which they are figured.

Two winners in the Department of Institutions and Agencies were Brian F. DuMont, a correction officer, \$25, and Mrs. Marion Bowman, senior clerk typist, \$15.

In the Department of Labor and Industry, Mrs. Helen B. Butterfoss, an employment security clerk, received \$50 for suggesting the use of flip cards. Also in Labor and Industry were Edward J. Moore Jr., a helper, \$25; Lee E. Brenner, an audit account clerk, \$15; Mrs. Dorothy Y. Pesce, a principal clerk, \$15; and Merritt P. Skaggs, an employment interviewer, \$15.

Representing the Department of Civil Service was Mrs. Vera C. Bennett, a principal clerk, who received \$20.

HOUSING AGENCY SELLS \$59 MILLION CONSTRUCTION BONDS AT 5.74 PER CENT

The New Jersey Housing Finance Agency has sold \$58,915,000 more in bonds at a net interest rate of 5.74 per cent to a group of three large New York City financial houses.

Community Affairs Commissioner Lawrence F. Kramer, chairman of the agency, said the bonds were purchased May 16 by Dillon Read and Company, Salamon Brothers, and Smith Barney and Company. It was the second public bond sale by the agency since it was created in 1967.

"The low interest rate reflects the investment community's recognition and confidence in the sound financial program of our agency," noted John P. Renna Jr., Executive Director. He said the agency has AA ratings from both major New York bond rating houses, Moody's Investor's Service and Standard and Poor's.

Proceeds of the sale will be used to retire bond anticipation notes previously sold to finance construction of nine agency-financed housing developments in Trenton, Long Branch, Paterson, Englewood, Rahway, Union City, Millville and Ventnor.

The agency has had one private and one public bond sale previously. In December, 1970, \$5,035,000 in bonds were purchased privately by the Prudential Insurance Company at a 4.5 per cent interest rate to finance the 270-unit University Court garden cooperative in Newark.

In November, 1971, an underwriting group purchased \$42,515,000 in bonds at 5.35 per cent to retire bond anticipation notes sold to finance construction of eight agency-financed projects.

STATE'S NEW ROAD MAP AND GUIDE AVAILABLE

The Department of Transportation has available for free public distribution the State's 1972 official map and guide.

Other than tracing highway and road systems, the map delineates other transportation facilities such as the commuter railroad system, commercial and general aviation airports and railroad freight lines. It identifies places of interest, all four-year colleges, State institutions, State Police stations and motor vehicle inspection stations.

Among the new features of the official map are larger type, a mileage table of distances between various communities, and inset maps of Interstate Routes 78 and 80, showing entrance and exit ramps. There is as previously a locator for more than 1,000 places, and a guide to parks and recreation areas listing accommodations available.

Requests for the map should be addressed to: Transportation Department, Office of Information Services, 1035 Parkway Avenue, Trenton, N.J. 08625.

SIX TAX DEPARTMENT VETERANS HONORED WITH JEWELLED AWARDS

Six Taxation Department employees whose aggregate length of service is 220 years, or nearly 37 years each, received service awards recently from Sidney Glaser, director of the State Treasury's Division of Taxation.

Glaser presented a diamond tie bar to John Sweeney, recently retired Chief Examiner with the Transfer Inheritance Tax Bureau, and a State employee for 45 years.

The other five recipients of jeweled awards, all Transfer Inheritance Tax Bureau employees, were: Jacob Bebitch and Christian Wieger, 40 years of service each; Frank B. Ely and George V. Sampson, 35 years each; and William Dooling, 25 years.

All six recipients are Trenton residents.

OFFICIAL LISTING OF THE 19 TITLES

(Continued from back page)

Each State Department has been assigned an official Title number for the Code, with Treasury split into two for its general and taxation rules.

Five of the 17 Departments have such a large number of rules that they require more than one volume.

Title numbers and multiple volumes follow:

1. Chief Executive; 2. Agriculture; 3. Banking; 4. Civil Service; 5. Community Affairs; 6. Education; 7. Environmental Protection (two volumes); 8. Health; 9. Higher Education; 10. Institutions and Agencies (three volumes); 11. Insurance; 12. Labor and Industry (five volumes); 13. Law and Public Safety (two volumes); 14. Public Utilities; 15. State; 16. Transportation; 17. Treasury-General; 18. Treasury-Taxation (two volumes) and 19. Other Agencies, including inter-state.

Once all are in print an Index volume for the entire Code will be provided to set subscribers to supplement and combine the more detailed indexes for each Title.

OFFICIAL NOTICE

THREE MORE CODE TITLES TO BE ISSUED THIS MONTH

Three more Departmental Titles in the New Jersey Administrative Code are scheduled to be mailed to subscribers within a month, according to Albert E. Bonacci, Director of the Division of Administrative Procedure.

These four volumes will cover three Departments—Health, Higher Education and Law and Public Safety (in two volumes)—and will bring to 12 volumes and 14 of 19 Titles the portion of the Code published since April, Bonacci said.

This is over half of the entire Administrative Code, and the remainder should be available within three months, the director added.

Rules yet to be issued are for the Departments of Labor and Industry, Environmental Protection, Institutions and Agencies, Insurance, and Other Agencies, followed by an Index volume for the entire Code.

Charter Rate Extended

Bonacci also announced that the initial updating of the first-published Titles will be sent within the next two months to Code subscribers.

He said the full set of an estimated 23 volumes, plus index, is still available on the charter subscription basis at \$50 initially, along with the mandatory three-year updating contract at \$100 a year.

For individual Departmental Titles, the rules are priced at \$5 per volume and the three-year updating service at \$10 per volume per year.

Billings for the first year's updating service will be made annually, beginning in December of this year.

(Continued on preceding page)



FIRST COPY OF THE ADMINISTRATIVE CODE, which will contain all regulations of New Jersey State agencies, was recently presented to a pleased Governor William T. Cahill. At left is Secretary of State Paul J. Sherwin, and right, Albert E. Bonacci, Director of the Division of Administrative Procedure in the Department of State, publishers of the Code.

Governor Cahill also met with the staff of the Division and commended them for their fine job in the massive publishing effort. He called it a further indication of his administration's emphasis on the public's "right to know." Bonacci noted that the some 13,000 pages in the Code make it the biggest publication project ever undertaken by the State of New Jersey.

Use This Official Order Blank To Receive the New Administrative Code

<p>ADMINISTRATIVE CODE SUBSCRIPTION FORM —</p> <p>Original Purchase at \$5 per Volume or \$50 per Set includes mandatory 3-Year Update Service to be billed later at \$10 per volume per year or \$100 per set per year.</p> <hr/> <p>Please enter my order for Sets or Titles and update service. </p> <p>Mail with check or money order to: Director, Div. of Administrative Procedure, 10 North Stockton Street, Trenton, N. J. 08608</p>	<p>YOUR MAILING ADDRESS:</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>Number of Full Sets (Enclose \$50 each)</p> <p>Departmental Titles:</p> <p>.....</p> <p>No. Vol's (Enclose \$5 per volume)</p> <p>Total Enclosed Signed</p> <p>\$..... Title</p>
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