

corregir el defecto si el defecto es uno que puede causar la muerte o serio daño corporal si el vehículo se maneja; o (iii) el vehículo ha estado fuera de servicio por reparos por una acumulación total de 20 días naturales o más, o en el caso de una casa rodante motorizada (*motorhome*) de 45 días o más.

4. Si substancialmente el mismo defecto continua existiendo después que el fabricante ha tenido la última oportunidad de reparar o corregir el defecto, usted puede presentar una solicitud para compensación bajo la Ley de Limón de Nueva Jersey.

**PARA INFORMACIÓN COMPLETA ACERCA DE SUS DERECHOS Y RECURSOS BAJO ESTA LEY, INCLUYENDO LA DIRECCIÓN DEL FABRICANTE PARA NOTIFICARLE EL DEFECTO, PÓNGASE EN CONTACTO CON: NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY, DIVISION OF CONSUMER AFFAIRS, LEMON LAW UNIT, POST OFFICE BOX 45026, NEWARK, NEW JERSEY 07101, NÚMERO DE TELÉFONO: 973-504-6226**

(b) The manufacturer, through its dealer or lessor, shall maintain a record substantiating compliance with [this section] (a) above and shall make the record available to the Division upon request.

Recodify existing (b)-(d) as (c)-(e) (No change in text.)

13:45A-26.5 Preliminary steps to initiate a Lemon Law action within the Division of Consumer Affairs Lemon Law Unit

(a) To initiate a claim within the Division of Consumer Affairs Lemon Law Unit under the Lemon Law[, written]:

1. **Written** notification of the potential claim shall be sent certified mail, return receipt requested, by or on behalf of a consumer, to the manufacturer of a nonconforming motor vehicle if [either] **and only after one** of the following occurs during the first [18,000] **24,000** miles of operation or within 24 months after the date of original delivery, whichever is earlier:

[1.] i. [Substantially] **Except as set forth in (a)iii below, substantially** the same nonconformity has been subject to **examination** or repair two or more times by the manufacturer or its dealer and the nonconformity continues to exist; [or]

[2.] ii. The motor vehicle has been out of service by reason of repair for one or more nonconformities for a minimum of 20 days, **or in the case of a motor home, for a minimum of 45 days**, since the original delivery of the motor vehicle, and a nonconformity continues to exist[.]; **or**

iii. **In the case of nonconformity that is likely to cause death or serious bodily injury if the vehicle is driven, the nonconformity has been subject to examination or repair at least once by the manufacturer or its dealer and the nonconformity continues to exist; and**

[(b)] 2. The manufacturer has one more opportunity to **examine**, repair or correct the nonconformity within 10 days following receipt of the written notification from the consumer of a potential claim **provided for in (a)1 above**. If the nonconformity continues to exist after expiration of the 10-day time period and the manufacturer refuses to replace or refund the price of the vehicle, the consumer may pursue a Lemon Law claim with the Lemon Law Unit.

[(c)] (b) (No change in text.)

(c) **When a motor home has been constructed by more than one manufacturer, an examination or repair attempt will not count towards the examination or repair attempts referred to in (a)1 above, if the repair facility is not authorized to provide services by the manufacturer who constructed the nonconforming portion of the motor home.**

(d) **If a nonconformity in a motor home is addressed more than once due to a consumer's decision to continue travelling and to seek examination or repair of the same nonconformity at another authorized repair facility rather than waiting for the examination or repair to be completed at the initial repair facility, it shall constitute one examination or repair for the purpose of the examination or repair attempts referred to in (a)1 above.**

(a)

**DIVISION OF STATE POLICE  
Uniform Crime Reporting System**

**Proposed Readoption with Amendments: N.J.A.C. 13:57**

Authorized By: Colonel Joseph R. Fuentes, Superintendent, Division of State Police and approved by Anne Milgram, Attorney General.  
Authority: N.J.S.A. 52:17B-5.1.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2009-351.

Submit written comments by January 15, 2010 to:  
Colonel Joseph R. Fuentes, Superintendent  
c/o Criminal Justice Records Bureau  
Attn: Uniform Crime Reporting Unit  
New Jersey State Police  
PO Box 7068  
West Trenton, New Jersey 08628-0068

The agency proposal follows:

**Summary**

In accordance with N.J.S.A. 52:14B-5.1c, N.J.A.C. 13:57, Uniform Crime Reporting System rules, will expire on April 18, 2010. The Division of State Police has evaluated the rules at N.J.A.C. 13:57-1.1 through 1.3 and has determined that they are necessary, reasonable and appropriate for the purpose for which they were originally promulgated. A summary of contents of the rules proposed for readoption follows:

Pursuant to N.J.S.A. 52:17B-5.2, the Attorney General has authorized the Superintendent of the Division of State Police to collect and collate Statewide crime data through the administration of the Uniform Crime Reporting (UCR) system. N.J.A.C. 13:57 was adopted by the Superintendent to facilitate the collection and collation of crime data from law enforcement agencies within the State. Pursuant to N.J.A.C. 13:57, the general requirements of the UCR system have been identified by the rules as originally adopted. These requirements include:

- (1) Definition of law enforcement agencies;
- (2) Identification of required report forms;
- (3) Submission deadlines; and
- (4) Data collection rules and procedures.

N.J.A.C. 13:57-1.1, which defines the law enforcement agencies subject to the chapter, is proposed for readoption without amendment.

N.J.A.C. 13:57-1.2 lists the type of reports that law enforcement agencies are required to submit, the circumstances under which they must be submitted and the date by which they must be forwarded to the Division of State Police. An amendment is proposed to specify that reports must be submitted electronically.

N.J.A.C. 13:57-1.3, which lists exceptions to the general reporting requirements outlined in N.J.A.C. 13:57-1.2, is being proposed for readoption without amendment.

Proposed new rule N.J.A.C. 13:57-1.4 outlines the actions that may be taken if a reporting agency is delinquent in submitting reports in a timely manner.

The Division is providing a 60-day comment period on this notice of proposal. Therefore, this notice is excepted from the rulemaking calendar requirement pursuant to N.J.A.C. 1:30-3.3(a)5.

**Social Impact**

The rules proposed for readoption and the proposed amendment and new rule will enable the Division of State Police to more efficiently maintain and perform its Uniform Crime Reporting data collection functions, as required by statute. Moreover, the rules assist in identifying with greater accuracy the extent, type and location of criminal activity throughout the State by allowing for the collection of additional unreported data from bi-state agencies and county agencies which may have gone unreported in the past. The proposed rules will thus provide for an even better informed citizenry and criminal justice community.

**Economic Impact**

The rules proposed for readoption and the proposed amendment and new rule will not impose an adverse economic impact upon the public. Administration of the Uniform Crime Reporting System imposes economic costs on both the Division of State Police and all other law enforcement agencies. The Division of State Police must create and distribute the required reports in addition to assigning personnel to the task of collecting, verifying and collating crime data. All other law enforcement agencies must assign personnel to the task of gathering crime data and preparing the required reports. However, the rules proposed for readoption will impose no additional economic costs on any agency. The proposed new rule may result in an economic impact if a law enforcement agency fails to report data and the Attorney General determines that sanctions should be imposed. However, the purpose of the proposed new rule is to ensure compliance and to allow for even greater accuracy in the reporting of crime data to the citizenry and criminal justice community. Greater accuracy in the reporting of crime data could have positive economic effects within the State.

**Federal Standards Statement**

A Federal standards analysis is not required, as none of the rules proposed for readoption or the proposed amendment and new rule are subject to any Federal standards.

**Jobs Impact**

The rules proposed for readoption and the proposed amendment and new rule will not have any impact on the creation or loss of jobs in New Jersey.

**Agriculture Industry Impact**

The rules proposed for readoption and the proposed amendment and new rule will not have any impact on the agriculture industry in New Jersey.

**Regulatory Flexibility Statement**

A regulatory flexibility analysis is not required because the rules proposed for readoption and the proposed amendment and new rule do not impose any reporting, recordkeeping or other compliance requirements on small businesses as defined by the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. The rules apply only to law enforcement agencies, all of which are public entities.

**Smart Growth Impact**

The rules proposed for readoption and the proposed amendment and new rule will have no impact on the achievement of smart growth or the implementation of the State Development and Redevelopment Plan.

**Housing Affordability Impact**

The rules proposed for readoption and the proposed amendment and new rule will have an insignificant impact on affordable housing in New Jersey and there is an extreme unlikelihood that the regulation would evoke a change in the average costs associated with housing because the proposed rules concern reporting of crime statistics by law enforcement agencies.

**Smart Growth Development Impact**

The rules proposed for readoption and the proposed amendment and new rule will have an insignificant impact on smart growth and there is an extreme unlikelihood that the regulation would evoke a change in housing production in Planning Areas 1 or 2 or within designated centers under the State Development and Redevelopment Plan in New Jersey because the proposed rules concern reporting of crime statistics by law enforcement agencies.

Full text of the rules proposed for readoption may be found in the New Jersey Administrative Code at N.J.A.C. 13:57.

Full text of the proposed amendment and new rule follows (additions indicated in boldface thus; deletions indicated in brackets [thus]):

13:57-1.2 Reports to Attorney General (State Police to act as collecting agency); types of forms; by whom; when submitted  
(a)-(e) (No change.)

(f) A law enforcement agency shall submit its UCR data and reports either electronically through data entry in the Division's E-

UCR website or through an electronic interface between the law enforcement agency's records management system (RMS) and the Division's E-UCR website. If the electronic interface option is unavailable the agency shall submit the UCR data collected through its RMS system to the Division for entry into E-UCR.

**13:57-1.4 Failure to report**

(a) Law enforcement agencies that fail to submit the reports required by N.J.A.C. 13:57-1.2 shall be subject to the following actions:

1. The Division of State Police Uniform Crime Reporting (UCR) Unit shall make every effort to contact the head of the agency to ascertain reasons for the delinquency and to assist with possible solutions to any identified problems, as follows:

i. On the 15th day following the close of the reporting period, an electronic notice of delinquency shall be sent to the law enforcement agency's UCR reporter;

ii. If the report is not received by the 22nd day following the close of the reporting period, an electronic notice of delinquency shall be sent to the head of the law enforcement agency and other administrative workstations within the law enforcement agency; and

iii. If the report is not received by the 30th day following the close of the reporting period, an electronic notice of delinquency shall be sent to the respective county prosecutor and the UCR representative of the New Jersey State Association of Chiefs of Police;

2. If a resolution to the delinquent reporting is not attained, the UCR Unit head shall forward a notice of the delinquency to the Office of Attorney General for review and appropriate action;

3. In the discretion of the Attorney General, appropriate action may include, but shall not be limited to, suspension or termination of eligibility to receive forfeiture moneys and/or award of grant funds provided to the law enforcement agency by or through the Department of Law and Public Safety, and additional notice of such action may be sent to the respective county prosecutor's office, including authorizing the prosecutor to exercise direct oversight, as well as the governing body or chief executive of the municipality or other government entity; and

4. At the time of compilation of any of the annual Uniform Crime Report, a reporting agency that has not supplied the necessary information after being contacted by the UCR Unit, shall be noted as "DID NOT REPORT" in the annual publication.

**STATE**

**(a)**

**DIVISION OF THE STATE LIBRARY**

**Library Network Services**

**Proposed Readoption with Amendments: N.J.A.C. 15:22**

Authorized By: Norma E. Blake, State Librarian (with the approval of George A. Pruitt, Ph.D., President, Thomas Edison State College).

Authority: N.J.S.A. 18A:4-14, 18A:74-3.3, 18A:74-6 and 18A:74-10 and Reorganization Plan No. 002-1996.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2009-345.

Submit written comments by January 15, 2010 to:

Victoria Rosch, Deputy Director  
Library Development Bureau  
New Jersey State Library  
PO Box 520  
Trenton New Jersey 08625-0520  
Fax: (609) 278-2650  
Email: [vrosch@njstatelib.org](mailto:vrosch@njstatelib.org)

The agency proposal follows: