

costs associated with housing because the rules concern private detective companies and private detectives.

Smart Growth Development Impact Analysis

The rules proposed for readoption with amendments will not have any impact upon the achievement of smart growth and there is an extreme unlikelihood that the rules 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 rules concern private detective companies and private detectives.

Full text of the rules proposed for readoption may be found in the New Jersey Administrative Code at N.J.A.C. 13:55.

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

SUBCHAPTER 1. GENERAL PROVISIONS

13:55-1.1 Application for license

(a) Any person desiring to pursue the "private detective business" as defined in N.J.S.A. 45:19-9 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.

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

13:55-1.3 Employees

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

(b) (No change.)

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

(c) Upon hire, the employer shall maintain proof of initial fingerprinting and attach same to the employee statement.

(d) (No change.)

(e) Each licensee shall file with the Superintendent a current list of employees [on the first day of July of each year] **at the time of hire, biennial license renewal, and termination of an employee.**

[(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

(a) (No change.)

(b) In the event an employee fails, upon termination of his **or her** employment, or upon demand, to surrender his **or her** identification card, [badge,] uniform, or other equipment furnished him **or her** by his **or her** employer, notification of same shall be given the Superintendent and the local police agency having jurisdiction.

13:55-1.5 [Badges and uniforms] **Uniforms, insignias, and emblems**

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,] **this chapter**, 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], **or emblem that** is likely to be confused with that of any law enforcement officer of the Federal government, a state, or any political subdivision thereof.

13:55-1.10 Change in type of license

(a) Any individual licensee intending to change his **or her** 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. **Licensing as a qualifying member on multiple active licenses is prohibited.**

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

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] **first, second, or third degree crime** or any of the [misdemeanors or] **enumerated** 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. (No change.)

3. Knowingly made a false material statement **or purposely omitted information** in his **or her** application;

4.-6. (No change.)

7. Failed to maintain a proper surety bond as required by N.J.S.A. 45:19-12; [or]

8. Failed to meet or continue to meet the requirements for licensure provided by the Act and [these rules.] **this chapter; or**

9. Demonstrated that licensing would not be in the best interest of public health, safety, or welfare.

(b) (No change.)

13:55-1.13 Location of offices

(a) (No change.)

(b) Mail should be addressed to the Superintendent, Division of State Police, Box [68] **7068**, West Trenton, New Jersey **08628**.

(a)

DIVISION OF STATE POLICE

Traffic Control and Parking on State Property in Trenton

Proposed Readoption with Amendments: N.J.A.C. 13:56

Authorized By: Colonel Joseph Fuentes, Superintendent, Division of State Police.

Authority: N.J.S.A. 39:4-208.

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

Proposal Number: PRN 2014-019.

Submit comments by March 22, 2014, to:

Colonel Joseph R. Fuentes, Superintendent
c/o Office of State Governmental Security
New Jersey State Police
PO Box 7068
West Trenton, New Jersey 08628-0068

The agency proposal follows:

Summary

The rules governing parking were originally promulgated by the Division of State Police in 1972 and were not subject to Executive Order No. 66 (1978). Pursuant to N.J.S.A. 52:14B-5.1.c(2), these rules are scheduled to expire on June 18, 2014. The Division has reviewed the rules and has determined that they are still necessary for the purposes for which they were promulgated and proposes to readopt the chapter with amendments.

N.J.A.C. 13:56-1.1 provides that a permit is required for parking but that spaces are on a first come, first served basis.

N.J.A.C. 13:56-1.2 explains the rules for visitor parking. The Division proposes a technical amendment to subsection (b) by substituting the term "liaison" for "receptionist" and by removing "Visitor-State Parking Area-Parking by Permit Only-Obtain Permit from Receptionist." The Division also proposes to delete subsection (c). This change is necessary to clarify that this rule pertains to all visitor parking areas on all State properties in Trenton rather than specifically Area Six. The Division also proposes to amend recodified subsection (d) to correct grammar.

N.J.A.C. 13:56-1.3 sets forth the application procedure. The Division proposes a technical amendment to paragraphs (a)1 and 2, as a clarification of requirement, by adding "to the State Parking Administrator." This change is necessary to clarify the procedure of issuing permits to department personnel. The State Parking Administrator is in the Department of the Treasury.

N.J.A.C. 13:56-1.4 restricts permits to full-time State employees or those connected with State government in Trenton.

N.J.A.C. 13:56-1.5 describes the content and requirements for display of parking permits.

N.J.A.C. 13:56-1.6 prohibits counterfeiting or loaning parking permits.

N.J.A.C. 13:56-1.7 and N.J.A.C. 13:56-1.8 are reserved.

N.J.A.C. 13:56-1.9 concerns recordkeeping requirements.

N.J.A.C. 13:56-1.10 concerns temporary permits. The Division proposes an amendment to subsection (c), by adding the language “or placed on the dashboard” to clarify the display requirement.

N.J.A.C. 13:56-1.11 concerns reserved parking. The Division proposes a minor amendment to subsection (c) to update the name of the entity at the State complex directing parking to “Office of State Governmental Security.”

N.J.A.C. 13:56-1.12 concerns emergency parking conditions as determined by State Police.

N.J.A.C. 13:56-1.13 concerns parking at the State House Complex.

N.J.A.C. 13:56-1.14 concerns parking in driveways.

N.J.A.C. 13:56-1.15 requires that vehicles be parked only in marked spaces. The Division proposes a minor amendment to correct grammar.

N.J.A.C. 13:56-1.16 provides that illegally parked vehicles may be towed at the owner’s expense.

N.J.A.C. 13:56-1.17 requires operators to obey all traffic control devices and police officers.

N.J.A.C. 13:56-1.18 establishes an offense of careless driving. The Division proposes an amendment to conform the language to N.J.S.A. 39:4-97, by removing “and at a speed” to endanger life and property, as well as making the section read in the active voice, rather than passive.

N.J.A.C. 13:56-1.19 establishes a maximum speed of 15 miles per hour in State parking areas. The Division proposes an amendment to add “or as posted” since some parking areas have lower speed limits.

N.J.A.C. 13:56-1.20 requires operators to obey the directions of traffic or police officers on duty. The Division proposes a minor amendment to update the name of the entity at the State complex directing parking to “Office of State Governmental Security.”

N.J.A.C. 13:56-1.21 provides for the revocation of a parking permit for violation of these rules.

N.J.A.C. 13:56-1.22 concerns overflow parking.

N.J.A.C. 13:56-1.23 requires permit holders to notify the permit issuer of a change in vehicle registration number.

N.J.A.C. 13:56-1.24 sets forth penalties.

N.J.A.C. 13:56-1.25 requires the permit holders to surrender permits on termination of employment. The Division proposes an amendment to add the statement, “As a safeguard, the State Parking Administrator shall be notified to revoke the parking rights of an individual who neglects to return their issued permit to the employing agency.” This added language will strengthen the State Parking Administrator safeguards involving notification of revoked parking rights.

The Division has provided a 60-day comment period for 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 re adoption with amendments provide for the orderly distribution of parking permits for State employees and visitors to government offices in Trenton. The rules also establish traffic control standards for State parking facilities and thereby contribute to public safety and security at State offices.

Economic Impact

The rules proposed for re adoption with amendments do not impose any costs on employees or visitors. Persons who violate parking rules are subject to the fines prescribed by N.J.S.A. 39:4-209 and set forth in N.J.A.C. 13:56-1.24.

Federal Standards Statement

A Federal standards analysis is not required because the rules proposed for re adoption with amendments are not subject to any Federal standards.

Jobs Impact

The rules proposed for re adoption with amendments will not result in the generation or loss of jobs in New Jersey.

Agriculture Industry Impact

The rules proposed for re adoption with amendments will not have an impact on the agriculture industry of the State.

Regulatory Flexibility Statement

A regulatory flexibility analysis is not required because the rules proposed for re adoption with amendments do not impose reporting, recordkeeping, or other compliance requirements on small businesses, as that term is defined in the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. The rules proposed for re adoption with amendments apply to State employees who are issued parking permits, to visitors who park at State facilities in Trenton, and to the issuing authority, none of which are small businesses.

Housing Affordability Impact Analysis

The rules proposed for re adoption with amendments will have an insignificant impact on affordable housing in New Jersey and there is an extreme unlikelihood that the rules would evoke a change in the average costs associated with housing because the rules proposed for re adoption with amendments concern parking on State property in Trenton.

Smart Growth Development Impact Analysis

The rules proposed for re adoption with amendments will not have any impact upon the achievement of smart growth or upon the implementation of the State Development and Redevelopment Plan (State Plan) and there is an extreme unlikelihood that the rules would evoke a change in housing production in Planning Areas 1 or 2, or within designated centers, under the State Plan because the rules proposed for re adoption with amendments concern parking on State property in Trenton.

Full text of the rules proposed for re adoption may be found in the New Jersey Administrative Code at N.J.A.C. 13:56.

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

SUBCHAPTER 1. GENERAL PROVISIONS

13:56-1.2 Visitor parking

(a) (No change.)

(b) Visitor parking permits issued to persons on State business shall be issued by an authorized department [receptionist] **liaison** of the State building being visited that has a visitor parking area posted[.].

[“Visitor—State Parking Area—Parking by Permit Only—Obtain Permit from Receptionist.”]

[(c) Visitor parking permits shall be issued to visitors in the Area Six visitors parking area by the State Police or their designee.]

[(d)] (c) All visitor[s] permits shall be issued [at] **on** a first come, first served basis.

[(e)] (d) (No change in text.)

13:56-1.3 Application procedure

(a) Applications for the registration and the issuance of a parking permit shall be made in the following manner:

1. Prior to the ending of the calendar year, December 31, unless otherwise specified, each State department head will be notified by letter by the [issuing agent] **State Parking Administrator** of the parking spaces available in each parking area for department personnel.

2. Upon receipt of such notification, the department head shall submit in writing **to the State Parking Administrator**, a list of names of the employees to whom permits should be issued.

13:56-1.10 Temporary permits

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

(c) [These permits] **Permits issued under this section** will be affixed to the driver’s sun visor, **or placed on the dashboard**, so as to be clearly visible through the front windshield.

13:56-1.11 Reserved parking spaces

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

(c) In addition, certain State vehicles, including, but not limited to, the Governor, cabinet, State Police, and emergency vehicles in connection with designated assignments and other vehicles may park in the State complex at the direction of the **Office of State Governmental Security** [Bureau].

13:56-1.15 Parking space markings

The operator of a vehicle [will] **shall** park said vehicle in a proper manner in the spaces marked by two white or yellow lines, as the marking color may be, and [they] shall not park the vehicle in any other space not so marked.

13:56-1.18 Careless driving

[The operator of] **No person shall operate** any vehicle [who drives a vehicle] within any of the State parking areas carelessly and heedlessly in disregard of the rights or safety of others, or without due caution [and at a speed] or in a manner so as to endanger life and property [shall be guilty of careless driving].

13:56-1.19 Speed limits

No person shall drive a vehicle within the State parking areas, grounds, or roadways at a rate of speed greater than 15 miles per hour, **or as otherwise posted**.

13:56-1.20 Authority of officers on duty

The traffic or police officer, or security patrol under the direction of the **Office of State Governmental Security** [Bureau], on duty in any of the State parking areas may regulate and control the traffic and parking and all drivers of vehicles shall obey his or her orders and directions, notwithstanding anything contained in [these provisions] **this chapter**.

13:56-1.25 Return of permits

Permit holders shall surrender all permits issued through their employing agency to the Department of **the Treasury**, Division of Property Management and Construction upon termination of employment with either that employing authority or the State government. **As a safeguard, the State Parking Administrator shall be notified to revoke the parking rights of an individual who neglects to return their issued permit to the employing agency.**

PUBLIC UTILITIES

(a)

BOARD OF PUBLIC UTILITIES

Gas Service

Proposed Readoption with Amendments: N.J.A.C. 14:6

Authorized By: New Jersey Board of Public Utilities, Robert M.

Hanna, President; Jeanne M. Fox, Joseph L. Fiordaliso, Mary-Anna Holden, and Dianne Solomon, Commissioners.

Authority: N.J.S.A. 48:2-13 and 48:10-5.

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

BPU Docket Number: GX13101010.

Proposal Number: PRN 2014-020.

Comments may be submitted through March 22, 2014, by e-mail in Microsoft Word format, or in a format that can be easily converted to Word, to: rule.comments@bpu.state.nj.us or on paper to:

Kristi Izzo, Secretary
Board of Public Utilities
ATTN: BPU Docket Number GX13101010
44 S. Clinton Ave., 9th Floor
PO Box 350
Trenton, New Jersey 08625-0350

The agency proposal follows:

Summary

The Board of Public Utilities (Board) is proposing to readopt its rules governing gas utilities, found at N.J.A.C. 14:6. In accordance with N.J.S.A. 52:14B-5.1.c(2), these rules will expire on July 18, 2014. These rules have served over an extended period of time in the regulation of gas utilities subject to the jurisdiction of the Board, in such areas as the construction, inspection, and maintenance of utility plant and the testing and accuracy of gas meters. The rules are necessary in that they relate directly to the provision of safe, adequate, and proper service by New Jersey gas utilities.

The substantive provisions of the rules proposed to be readopted by the Board are summarized below. It should be noted that, throughout the chapter, minor clarifying and/or technical amendments are proposed that do not change the meaning of the text.

Subchapter 1. General Provisions

N.J.A.C. 14:6-1.1 outlines the scope of Chapter 6 and delineates the entities that the rules apply to. The Board is proposing no changes.

N.J.A.C. 14:6-1.2 lists a number of defined terms that are utilized throughout the chapter.

Subchapter 2. Plant

N.J.A.C. 14:6-2.1 requires that the construction, installation, operation, and maintenance of plant and facilities of each gas utility must be in accordance with the Transportation of Natural and Other Gas by Pipeline: Minimum Federal Safety Standards: Part 192, Title 49 of the Federal and Liquefied Natural Gas Facilities Federal Safety Standards: Part 193, Title 49 of the Code of Federal Regulations, which are incorporated by reference herein. N.J.A.C. 14:6-2.1(b)3 is added to require that entities subject to the chapter comply with N.J.A.C. 14:7, regarding natural gas pipeline rules, and subsection (b) is amended to include "State rules" incorporated by reference, as a result of proposed new paragraph (b)3. N.J.A.C. 14:6-2.1(c) is amended to include a cross-reference to new paragraph (b)3. N.J.A.C. 14:6-2.1(d) requires utilities to abide by all applicable provisions of this subchapter, as well as the International Fuel Gas code. The proposed amendment to N.J.A.C. 14:6-2.1(d) would update the reference to require entities subject to this chapter to comply with the 2012 edition of the International Fuel Gas Code and to correct the website where this document may be obtained.

N.J.A.C. 14:6-2.2 requires a leak test to be performed on each service installation installed after February 20, 2007. 49 CFR 192 Subpart J, which contains requirements pertaining to leak testing, is incorporated by reference, including all amendments and supplements. The Board is proposing no changes.

N.J.A.C. 14:6-2.3 requires the prompt inspection of gas leaks and that a gas utility maintain a sufficient number of reliable devices to detect the presence of combustible gas and to ascertain the pressure existing in the gas system. The Board is proposing no changes.

N.J.A.C. 14:6-2.4 requires the installation of an outside shutoff valve on every new or renewed service line and on existing service lines, when repairs are made, provided installation doesn't require further excavation. The Board is proposing no changes.

N.J.A.C. 14:6-2.5 requires each gas utility to be able to shut down any section of its system in an emergency and to train operator-qualified employees in procedures necessary to reduce the flow of gas because of an emergency.

N.J.A.C. 14:6-2.6 requires each gas utility to provide combustible gas detecting equipment and training in the use of the equipment to all employees involved in the detection of gas leaks. The Board is proposing no changes.

N.J.A.C. 14:6-2.7 requires compliance with the Board's one-call rules, and prohibits the use of mechanical equipment within 24 inches of a gas pipe or facility unless the pipe or facility has been located and exposed by hand excavation. N.J.A.C. 14:6-2.7(a) is proposed for amendment in order to clarify that N.J.A.C. 14:2-3.3, rather than all of N.J.A.C. 14:2, be complied with as it pertains to protecting underground facilities and excavating within 24 inches of gas pipelines.