

**CHAPTER 80A**

**BODY ARMOR REPLACEMENT FUND PROGRAM**

**Authority**

52:17B-4.4 and 101.

**Source and Effective Date**

R.2004 d.15, effective January 5, 2004.  
See: 35 N.J.R. 2836(b), 36 N.J.R. 198(a).

**Chapter Expiration Date**

Chapter 80A, Body Armor Replacement Fund Program, expires on January 5, 2009.

**Chapter Historical Note**

Chapter 80A, Body Armor Replacement Fund Program, was adopted as R.1998 d.287, effective June 1, 1998. See: 30 N.J.R. 1200(a), 30 N.J.R. 2051(a). Chapter 80A, Body Armor Replacement Fund Program, expired on November 28, 2003.

Chapter 80A, Body Armor Replacement Fund Program, was adopted as new rules by R.2004 d.16, effective January 5, 2004. See: Source and Effective Date.

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**SUBCHAPTER 1. PURPOSE, SCOPE, DEFINITIONS**

**13:80A-1.1 Purpose**

This chapter describes the process to award grants from the Body Armor Replacement Fund program, enacted pur-

suant to the Body Armor Replacement Fund Act. It establishes guidelines for the receipt of program funds and procedures to ensure grantee accountability. The program is established in order to make grants to local law enforcement agencies, the Division of State Police and the Department of Corrections for the purchase of body armor for the law enforcement officers and corrections officers of those agencies.

**13:80A-1.2 Scope**

The rules contained in this chapter shall govern the award of initial and successive grants for body armor from the Body Armor Replacement Fund.

**13:80A-1.3 Legal authority**

The Attorney General has delegated to the Director of the Division of Criminal Justice, Department of Law and Public Safety, the responsibility to administer this program and to establish the rules deemed necessary to effectuate the purposes of the Fund, as established under P.L. 1997, c.177 (N.J.S.A. 52:17B-4.4).

**13:80A-1.4 Definitions**

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

“Act” means the Body Armor Replacement Fund Act, P.L. 1997, c.177 (N.J.S.A. 52:17B-4.4).

“Annual replacement allotment” means the number of vests required to equip one-fifth of an applicant agency’s total number of local law enforcement officers, State Department of Corrections officers or State police officers or troopers, as defined within this chapter, with body armor.

“Applicant” means any local law enforcement agency, the Division of State Police, the State Department of Corrections or the Juvenile Justice Commission that makes application for a Body Armor Replacement Fund grant.

“Applicant agency head” means the person who is the chief executive officer of the law enforcement or correctional organization applying for a grant under this program.

“Body armor” means a body vest designed to be worn on the body for protection against blunt force trauma associated either with the impact of a firearm projectile or from a knife or other pointed instrument, and which meets or exceeds either of the following applicable standards: “Ballistic resistant body armor” means a vest or similar article which is manufactured of bullet resistant fabric that conforms to National Institute of Justice (NIJ) Standard-0101.03 (as amended and supplemented). “Stab resistant body armor” means a vest or similar article which is manufactured of material that conforms to or exceeds the

minimum performance standards contained in the State of California specification established for body vest thrust protection entitled "Test Methods and Procedures; Armor, Thrust, Insert; 8470-BS001; November, 1994" or any stab resistant vest authorized for purchase under any current State of New Jersey contract.

"Chief financial officer" means, except in the case of a municipality, the director of revenue and finance, comptroller, treasurer, collector or other financial officer of a local unit of government or of the State agency applying for the grant. In the case of a municipality, the chief financial officer means the person appointed pursuant to section 5 of P.L. 1988, c.100 (N.J.S.A. 40A:9-140.10).

"Director" means the Director of the Division of Criminal Justice.

"Eligible applicant" means an applicant that timely files a completed application with the Division of Criminal Justice, requests body armor for its eligible officers and certifies that it will utilize grant funds to purchase body armor for its eligible officers.

"Eligible officer" means a local law enforcement officer, or Division of State Police trooper or officer or State Department of Corrections officer.

"Fund" means the Body Armor Replacement Fund.

"Governing body" means the governing body of a county or the commission, council, board or body having control of the finances of a municipality or any other local unit of government.

"Local law enforcement agency" means any police force or organization in a municipality or county which has, by statute or ordinance, the responsibility of detecting crime and enforcing the general criminal laws of this State. For purposes of this chapter, it also includes any municipal or county jail, detention center or correctional facility.

"Local law enforcement officer" means any full-time, sworn, permanently appointed county or municipal officer who has the full power to arrest and who regularly exercises police powers regarding the enforcement of the general criminal laws of this State. For purposes of this chapter, in accordance with the provisions of the Act, it also includes a full-time, sworn, permanently appointed officer of any county or local jail, detention center or correctional facility. The term "local law enforcement officer" includes, but is not necessarily limited to:

1. Municipal police officer;
2. Sheriffs' officer;
3. County court attendant;
4. County corrections officer;
5. County police officer;

6. County park police officer;
7. County prosecutors' investigator;
8. County prosecutors' detective; and
9. Local housing police officer, guard or patrolman.

"Local unit" means a county or municipality.

"Program" means the Body Armor Replacement Fund Program.

"State Department of Corrections officer" means corrections officers, correction investigators and parole officers of the State Department of Corrections or State Juvenile Justice corrections officers of the Juvenile Justice Commission.

"State fiscal year" means a fiscal year which runs between July 1 through June 30.

"State police officer or trooper" means sworn members of the Division of State Police.

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## SUBCHAPTER 2. BODY ARMOR REPLACEMENT PROGRAM

### 13:80A-2.1 Fund uses and limitations

(a) All of the monies deposited in the fund from the preceding State fiscal year shall be available annually for grants for the purchase of body armor, exclusive of the allocations made by the Act to the Department of Law and Public Safety for administrative expenses of the grant program and to the Department of Personnel for the operation of the Law Enforcement Officer Crisis Intervention Services Telephone Hotline.

(b) All funds received by a grantee shall be used exclusively for the purchase of body armor for its eligible officers.

### 13:80A-2.2 Notification of availability and award of grants

(a) The Division of Criminal Justice shall publish, annually, a notice of availability of funds in the New Jersey Register.

(b) The Division of Criminal Justice shall mail grant applications upon request.

(c) Program grants shall be awarded once annually.

### 13:80A-2.3 Application for funds

To apply for funds, each applicant shall submit a completed application to the Division of Criminal Justice by the deadline date specified in the notice of availability of funds published in the New Jersey Register.