

# NEW JERSEY REGISTER



DEPARTMENT LIBRARY  
N. J. DEPT. OF TRANSPORTATION  
TRENTON, NEW JERSEY  
*The State's Official Rules Publication*

Director of Commuter Services  
Dept. of Transportation  
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(a)

## BANKING

### DIVISION OF SAVINGS AND LOAN

#### Proposed Revised Effective Date Of Rule on Notice of Maturity Of Fixed Term Savings Accounts

Richard F. Schaub, Commissioner of Banking, pursuant to authority of N.J.S.A. 17:12B-133, proposes to revise the effective date of N.J.A.C. 3:30-1.3, Notice of maturity of fixed term savings account, from the current date of August 1, 1975, to the new, proposed effective date of September 1, 1975.

**Full text** of the rule appeared in the July 10, 1975, issue of the New Jersey Register at 7 N.J.R. 293(a). No substantive changes are proposed in the text of the rule; only the effective date, as indicated above, is proposed to be changed.

Interested persons may present statements or arguments, in writing, relevant to the proposed action on or before August 27, 1975, to:

William B. Lewis  
Deputy Commissioner  
Department of Banking  
Trenton, N.J. 08625

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

Richard F. Schaub  
Commissioner  
Department of Banking

(b)

## CIVIL SERVICE

### CIVIL SERVICE COMMISSION

#### Proposed Revisions on Qualifications For Promotional Examinations

The New Jersey Civil Service Commission, pursuant to authority of N.J.S.A. 11:5-1 et seq., proposes to adopt revisions to the rule concerning qualifications for promotional examinations.

**Full text** of the proposed revisions follows (additions indi-

cated in boldface **thus**; deletions indicated in brackets [thus]):

#### 4:1-8.6 Qualifications for promotional examinations

(a) In order to qualify for promotional examination an applicant:

1. Must meet all the qualifications of Section 8 (Qualifications of applicants for open competitive examinations) of this Subchapter, except that the residency requirement shall not be applicable unless required by law;

2. Must be a permanent employee in a class to which the examination is opened by the announced closing date for filing applications, and unless otherwise provided by regulation shall have been employed after regular appointment in such lower class for at least one year immediately preceding the announced closing date;

3. Must be in active employment in a class as provided by the Chief Examiner and Secretary on the announced closing date for filing applications, and remain until the employment list is issued, except that absence from such active employment shall not disqualify an applicant otherwise qualified who:

i. Is on an approved leave with pay or on sick leave without pay;

ii. Is on military leave;

iii. Is on a temporary assignment or temporary transfer within the same or to a different organization unit, as the case may be;

iv. Is on educational leave;

v. Is assigned or detailed to another governmental unit pursuant to any Federal or State employee interchange act;

vi. Is promoted to another class title in the same organization unit; [or]

vii. Is on suspension; or

**viii. Is on leave without pay to fill elective office.**

Interested persons may present statements or arguments in writing relevant to the proposed action on or before August 27, 1975, to:

Joseph Lavery  
Administrative Practice Officer  
Department of Civil Service  
201 East State Street  
Trenton, N.J. 08625

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

William Druz  
Chief Examiner and Secretary  
Department of Civil Service

## 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)

## COMMUNITY AFFAIRS

### DIVISION OF AGING

#### Rules on County Offices on Aging

On June 26, 1975, Patricia Q. Sheehan, Commissioner of Community Affairs, pursuant to authority of N.J.S.A. 40:23-6.44 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted new rules on county offices on aging, substantially as proposed in the Notice published June 5, 1975, at 7 N.J.R. 247(e), but with subsequent substantive changes not detrimental to the public, in the opinion of the Department of Community Affairs.

Such rules may be cited as N.J.A.C. 5:71-1.1 et seq.

**Full text** of the Sections of these rules that were affected by the substantive changes follows:

5:71-1.2(a) 2 To provide information and referral services for the elderly of the county;

5:71-1.4 Note: The following Sections 5 through 9(a) apply only to P.L. 1970, c.248, known as State Aid to County Offices on Aging.

5:71-1.9(b) The county office on aging, through the Board of Chosen Freeholders, is required to provide the Division on Aging, Department of Community Affairs, with a certified audit of all grantees for all funds received under Title III of the Older Americans Act of 1965 no later than four months after the completion of the contract.

An order adopting these rules was filed June 30, 1975, as R.1975 d.192 to become effective July 1, 1975.

Thomas F. Kistner  
Director of Administrative Procedure  
Department of State

(b)

## EDUCATION

### STATE BOARD OF EDUCATION

#### Proposed Rule on Certification For Teaching of Psychology

The State Board of Education, pursuant to authority of N.J.S.A. 18A:6-34 et seq., proposes to adopt a new rule on certification for teaching of psychology.

**Full text** of the proposed new rule follows:

6:11-8.8 Teaching of psychology; certification endorsement (effective August 31, 1977)

(a) This endorsement is required for teaching psychology in elementary and secondary schools.

(b) The requirements are as follows:

1. A bachelor's degree based upon a four-year program in an accredited college;
2. A regular New Jersey teaching certificate;
3. Completion of 24 semester-hour credits in psychology including work in each of the following areas:

- i. Developmental psychology;
- ii. Mental health, including courses such as abnormal psychology, and conflict and adjustment;
- iii. Personality or social psychology;
- iv. Experimental psychology or learning or motivation;
- v. Psychological measurement, including courses such as quantitative methods, statistics and tests and measurements.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before August 27, 1975, to:

Ms. Lorraine Colavita  
Administrative Practice Officer  
State Department of Education  
225 West State St.  
Trenton, N.J. 08625

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

Fred G. Burke  
Commissioner of Education  
Secretary, State Board of Education

(c)

## EDUCATION

### STATE BOARD OF EDUCATION

#### Proposed Rule on Method Of Teaching Reading

The State Board of Education, pursuant to authority of N.J.S.A. 18A:6-34 et seq., proposes to adopt a new rule concerning the methods of teaching reading in all teaching programs.

**Full text** of the proposed new rule follows:

6:11-8.2(a)8 Reading (effective June 30, 1978):

i. All teaching programs shall include six semester-hour credits or at least two courses in methods of teaching reading. Such courses shall include studies designed to develop an understanding of reading methods and teaching techniques to increase reading abilities, to improve reading skills and study habits, to expand vocabulary, to provide necessary skills for each content area and/or level, and to nurture a lifetime interest in reading.

ii. The development of literal, interpretative and critical comprehension skills must also be incorporated.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before August 27, 1975, to:

Ms. Lorraine Colavita  
Administrative Practice Officer  
State Department of Education  
225 West State St.  
Trenton, N.J. 08625

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

Fred G. Burke  
Commissioner of Education  
Secretary, State Board of Education

(a)

# EDUCATION

## STATE BOARD OF EDUCATION

### Proposed Revisions in State Library Aid

The State Board of Education, pursuant to authority of N.J.S.A. 18A:74-3.1 et seq., 40:33-1 and 40:54-1, proposes to revise the rules concerning State library aid. The proposed revised rules will replace the current text of Subchapter 1, Chapter 68 in Title 6 of the New Jersey Administrative Code.

Full text of the proposed, revised rules follows:

#### SUBCHAPTER 1. STATE LIBRARY AID

##### 6:68-1.1 Definitions

The following words and terms, when used in this Subchapter, shall have the following meanings:

“Area library” means any library with which the State contracts for specialized services to all residents of an area specified in the contract.

“Association library” means one established, governed, and supported by an association of citizens. Such an association is incorporated, forms its own constitution, appoints or elects its own board, and is responsible for the operation of the library. It may receive tax support from the local governing body.

“Audio-visual materials” include materials which rely on a device for transmission, reproduction or enlargement to be effectively utilized or understood. Excluded are print and print substitutes such as microform, but included are art works and objects.

“County library” means one established by law following a county-wide referendum passed by a majority of voters or by resolution of the board of chosen freeholders in counties with populations of less than 150,000. It is supported by taxes and governed by a board known as the county library commission composed of five members appointed by the freeholders.

“Extended long-term loan” means a loan of one year (12 months) or more.

“Full-time” means a minimum of 30 hours per week. For municipalities of under 5,000 population full-time may be defined as two part-time persons. At no time shall either part-time employee work less than ten hours per week.

“Joint library” means one established by law following a referendum in two or more municipalities in which the majority of voters vote to establish such a library. It is governed by a board appointed by the mayors of the participating municipalities.

“Municipal library” means one established by law following a referendum in which the majority of voters vote to establish such a library. It is supported by taxes and is governed by a seven-member board, five of whom are appointed by the mayor. The mayor and the superintendent of schools serve as ex-officio members of the board.

“Periodical” means a serial publication which is issued in a continuous series under the same title, usually published at regular intervals, more frequently than annually, over an indefinite period, individual issues in the series being numbered consecutively or each issue being dated.

“Periodical indexes” — The following are examples of periodical indexes:

1. Abridged Readers Guide to Periodical Literature;
2. Readers Guide to Periodical Literature;
3. Applied Science and Technology Index;
4. Business Periodical Index;
5. Education Index;
6. Library Literature;
7. Social Sciences and Humanities Index;
8. Popular Periodical Index;
9. Subject Index to Magazines for Children.

“Professional librarian” means an individual holding a New Jersey professional librarian certificate.

##### 6:68-1.2 Governance

(a) Any municipal library which has been established pursuant to N.J.S.A. 40:54-1 et seq. or pursuant to any special act shall provide for a library board of trustees in the manner and with the duties and powers specified in said statute.

(b) Association libraries receiving local tax support under N.J.S.A. 40:54-35 shall be governed by a board of trustees incorporated as a non-profit corporation pursuant to N.J.S.A. 15.

(c) Any joint library which has been established pursuant to N.J.S.A. 40:54-1 et seq. shall provide for a library board of trustees in the manner and with the duties and powers specified in N.J.S.A. 40:54-29.10 and 40:54-29.12.

##### 6:68-1.3 Certification

In order to receive any State library aid, all public libraries serving populations of 10,000 or above shall employ certified librarians in professional positions as required in N.J.S.A. 45:8A.

##### 6:68-1.4 Employees

(a) All libraries established pursuant to N.J.S.A. 40:54-1 et seq. and N.J.S.A. 40:33-1 et seq. (municipal, joint, association and county) shall meet the following minimal requirements based on the population of the area from which the library receives tax support:

1. Number of employees: All libraries shall employ a minimum of one full-time staff member. In addition, one full-time employee or the equivalent thereof in part-time paid employment for the initial 4,000 population and each succeeding 4,000 population shall be employed as set forth in chart A annexed hereto and made a part thereof. All of the above are exclusive of janitorial or custodial employees.

Chart A  
Full-Time paid employees  
Total number of full-time paid employees

Population	Total number of full-time paid employees
0 - 3,999	1
4,000 - 7,999	2
8,000 - 11,999	3
12,000 - 15,999	4
16,000 - 19,999	5
20,000 - 23,999	6
24,000 - 27,999	7
28,000 - 31,999	8
32,000 - 35,999	9
36,000 - 39,999	10
40,000 - 43,999	11
44,000 - 47,999	12
48,000 - 51,999	13

52,000 - and over

14, plus one additional full-time paid employee for each additional 4,000 population.

Chart C  
Periodical holdings

Population	Number of Periodicals	Number of Periodicals listed in indexes	Number retained for three years
Under 5,000	25	15	8
5,000 - 9,999	50	30	17
10,000 - 24,999	75	45	25
25,000 - 49,999	100	60	33
50,000 - and over	150	90	50

2. Professional staff:

i. All libraries serving populations of 10,000 or more must employ as library director a full-time professional librarian who holds a professional librarian certificate.

ii. Libraries serving 10,000 to 50,000 population must employ a minimum of one full-time professional librarian or the full-time equivalent for each 10,000 population as set forth in chart B annexed hereto and made a part thereof.

iii. Libraries serving populations over 50,000 must employ a minimum of one full-time professional librarian or the full-time equivalent for every 10,000 population up to 50,000 and one additional full-time professional librarian or the full-time equivalent for each 20,000 population over 50,000 as set forth in chart B annexed hereto and made a part thereof.

1. In addition, each library shall purchase the index or indexes which are necessary to provide access to information contained within the periodicals.

2. Those libraries which are in municipalities providing tax support for a county library may reduce the requirements in subsections (a), (b) and (c) of this Section in exact proportion to the number of items provided by the county library on extended long-term loan.

6:68-1.6 Hours of service

(a) The following minimum hours of service are required:

Population served	Hours open per week
Under 10,000	30
10,000 - 24,999	45
25,000 - 49,999	50
50,000 - and over	60

(b) Minimum hours open to the public must be scheduled to provide some service five days per week with a minimum of three evenings and some weekend hours every week. Seasonal variations are permitted for three months per year.

(c) Libraries serving communities of under 10,000 population must meet the minimum requirement of 30 hours per week. However, the 30 hours may be scheduled to provide only two instead of three evenings per week.

6:68-1.7 Reduction of aid for failure to meet minimum requirements

(a) Failure to meet the requirements of N.J.A.C. 6:68-1.2 and 6:68-1.3 will result in the loss of all per capita State aid.

(b) Failure to meet the requirements specified in N.J.A.C. 6:68-1.4 through 6:68-1.6 will result in the loss of per capita State aid by a percentage in proportion to the number of requirements not yet achieved, each requirement to have the following weights:

1. N.J.A.C. 6:68-1.4:
  - i. Employees 30 per cent.
2. N.J.A.C. 6:68-1.5:
  - i. Basic book collection 10 per cent;
  - ii. Annual purchases 30 per cent;
  - iii. Periodicals 10 per cent;
3. N.J.A.C. 6:68-1.6:
  - i. Hours of service 20 per cent

6:68-1.8 Use of per capita aid; decision by public library board of trustees or county library commissioners

Upon receipt of State aid checks pursuant to N.J.S.A. 18A:74-3, municipal and county treasurers shall make these funds immediately available to public library trustees or county library commissioners as the case may be. Decisions on the use and expenditures of per capita State aid rest with the board of trustees of municipal, joint and association libraries and with the county library commission of the library.

Chart B

Population	Number of full-time professionals
0 - 9,999	0
10,000 - 19,999	1
20,000 - 29,999	2
30,000 - 39,999	3
40,000 - 49,999	4
50,000 - 69,999	5
70,000 - 89,999	6
90,000 - 109,999	7
110,000 - 129,999	8
130,000 - and over	9, plus one additional full-time professional for each additional 10,000 pop.

6:68-1.5 Library materials

(a) A minimum collection of 8,000 volumes or one volume per capita, whichever is greater, shall be available in all libraries established pursuant to the provisions of N.J.S.A. 40:54-1 et seq. and N.J.S.A. 40:33-1 et seq.

(b) A minimum of 1/10 volume per capita shall be purchased annually. Audio-visual materials may be equated to volumes purchased. To equate audio-visual with print purchases:

1. Divide total materials budget, excluding expenditure for periodicals by the average price per volume as computed in N.J. Library Statistics for the preceding calendar year; or

2. Divide total expenditure for audio-visual materials by average price per volume for the preceding calendar year. Add resulting figure to number of volumes purchased. The total of the two figures should be equal to or exceed the minimum requirement of 1/10 volume.

(c) Periodical holdings and subscriptions shall be provided as set forth in chart C annexed hereto and made a part thereof.

ies. The State Librarian may require a certified audit if he deems necessary.

#### 6:68-1.9 Application of special census

An application for the use of a special census for the receipt of aid pursuant to N.J.S.A. 18A:74-3 shall be submitted in writing to the State Librarian for transmittal to the State Commissioner of Education on or before October 15 of the year preceding that in which the special census would be used as a basis for the payment of per capita aid or area library grants. The application must include the new census figure to be used and written verification from the United States Bureau of the Census.

#### 6:68-1.10 Library buildings; submission of program

Any library planning to use State aid moneys for new construction, an addition to the present building, or extensive renovation shall submit its building program and preliminary building plans to the State Librarian for review and approval.

#### 6:68-1.11 Revision of criteria

The State Librarian shall review all State library aid rules and regulations periodically, and at least every five years the advisory council of the Division of the State Library, Archives and History, shall recommend appropriate revision to the State Board of Education, to ensure that libraries throughout the State move toward the achievement of national standards and develop appropriate systems of library service.

#### 6:68-1.12 State library aid application form

This form is available from:  
Department of Education  
New Jersey State Library  
Library Development Bureau  
Trenton, New Jersey 08625

Interested persons may present statements or arguments in writing relevant to the proposed action on or before August 27, 1975, to:

Ms. Lorraine Colavita  
Administrative Practice Officer  
State Department of Education  
225 West State St.  
Trenton, N.J. 08625

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

Fred G. Burke  
Commissioner of Education  
Secretary, State Board of Education

(a)

## EDUCATION

### STATE BOARD OF EDUCATION

#### Proposed Rule on Construction Of School Bus Bodies

The State Board of Education, pursuant to authority of N.J.S.A. 18A:39-1 et seq., proposes to adopt a new rule concerning the strength of joints of school bus bodies.

Full text of the proposed rule follows:

6:21-6.10(m) Rules on strength of joints of school bus bodies include:

1. This standard establishes requirements for the strength of joints in school bus bodies to insure that all joints within bus bodies which employ discrete fasteners, including those between heavy gauge members and those which join panels to panels or panels to heavier structures, achieve a significant proportion of the strength of the parent metal, so that all available panel materials are capable of serving as part of the structure.

2. Accordingly, for any method of joining such members, it shall be demonstrated by calculation that the strength of such joints is at least 60 per cent of the tensile strength of the thinnest joined member.

3. School bus body materials shall meet the minimum thickness requirements noted elsewhere in this section.

4. This standard shall be effective on all buses manufactured after January 1, 1976.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before August 27, 1975, to:

Ms. Lorraine Colavita  
Administrative Practice Officer  
State Department of Education  
225 West State St.  
Trenton, N.J. 08625

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

Fred G. Burke  
Commissioner of Education  
Secretary, State Board of Education

(b)

## EDUCATION

### STATE BOARD OF EDUCATION

#### Revisions on Nonpublic School Tuition

On June 26, 1975, Fred G. Burke, Commissioner of Education and Secretary of the State Board of Education, pursuant to authority of N.J.S.A. 18A:46-1, 18A:46-21 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to N.J.A.C. 6:20-4.1 and 6:20-4.2 concerning nonpublic school tuition as proposed in the Notice published April 10, 1975, at 7 N.J.R. 140(a).

An order adopting these revisions was filed and effective July 2, 1975, as R.1975 d.196.

Thomas F. Kistner  
Director of Administrative Procedure  
Department of State

(c)

## EDUCATION

### STATE BOARD OF EDUCATION

#### Rule On Master Plans

On June 26, 1975, Fred G. Burke, Commissioner of Education and Secretary of the State Board of Education, pursuant to authority of N.J.S.A. 18A:4-15, 18A:18-2, 18A:33-1 and in

accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted a new rule, cited as N.J.A.C. 6:22-2.9, concerning master plans as proposed in the Notice published June 5, 1975, at 7 N.J.R. 250 (a).

An order adopting this rule was filed and effective July 2, 1975, as R.1975 d.197.

Thomas F. Kistner  
Director of Administrative Procedure  
Department of State

(a)

## EDUCATION

### STATE BOARD OF EDUCATION

#### Revisions for Professional Librarians

On June 26, 1975, Fred G. Burke, Commissioner of Education and Secretary of the State Board of Education, pursuant to authority of N.J.S.A. 18A:6-34 et seq., 45:8A-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to N.J.A.C. 6:11-12.7 concerning professional librarians as proposed in the Notice published June 5, 1975, at 7 N.J.R. 250 (b).

An order adopting these revisions was filed and effective July 2, 1975, as R.1975 d.198.

Thomas F. Kistner  
Director of Administrative Procedure  
Department of State

(b)

## ENVIRONMENTAL PROTECTION

### DIVISION OF FISH, GAME AND SHELLFISHERIES

#### FISH AND GAME COUNCIL

##### Proposed Amendment to Game Code

The Fish and Game Council in the Division of Fish, Game and Shellfisheries in the Department of Environmental Protection, pursuant to authority of N.J.S.A. 13:1B-30 et seq., proposes to adopt an amendment to the Game Code for the 1975-76 hunting season. The proposed amendment is known within the Department of Environmental Protection as Docket No. DEP 038-75-04.

**Full text** of the proposed, new amendment follows:

7:25-5.26 Designated wildlife management areas where the special "pheasant and quail" stamp is required

(a) No person shall at any time hunt for, pursue, kill, take or attempt to take with a firearm or bow and arrow, or have in possession any pheasant or quail in the following designated wildlife management areas, unless such person has first procured and has in possession a valid special "pheasant and quail" stamp.

(b) Designated wildlife management areas include:

1. Assunpink;
2. Berkshire Valley;
3. Black River;
4. Clinton;
5. Colliers Mills;
6. Dix;
7. Flatbrook-Roy;
8. Glassboro;

9. Greenwood (including Pasadena-Howardsville);
10. Hainesville;
11. Heislerville;
12. Mad Horse;
13. Manahawkin;
14. Medford;
15. Millville (Bevan-Cedarville);
16. Nantuxent;
17. Peaslee;
18. Pt. Republic;
19. Rancocas;
20. Stafford Forge;
21. Tuckahoe-Corbin City (MacNamara);
22. Turkey Swamp;
23. Walpack;
24. White Bogs;
25. Winslow;
26. Whittingham.

(c) The authority for the adoption of the foregoing Section is N.J.S.A. 23:3-61.1, 23:3-61.2, 23:3-61.3, 23:3-61.4, Chapter 117, approved June 3, 1975.

A public hearing respecting the proposed action will be held on Tuesday, September 9, 1975, at 8:00 P.M. in Room 1308, Labor and Industry Building, John Fitch Plaza, Trenton, New Jersey. Interested persons may present oral or written comments relevant to the proposed action at this hearing.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before September 9, 1975, to:

Fish and Game Council  
P.O. Box 1809  
Trenton, N.J. 08625

The New Jersey Fish and Game Council, upon its own motion or at the instance of any interested party, may thereafter adopt this amendment substantially as proposed without further notice.

Al Toth  
Chairman, Fish and Game Council  
Department of Environmental Protection

(c)

## ENVIRONMENTAL PROTECTION

### DIVISION OF FISH, GAME AND SHELLFISHERIES

#### FISH AND GAME COUNCIL

##### Proposed 1976 Fish Code

The Fish and Game Council in the Division of Fish, Game and Shellfisheries in the Department of Environmental Protection, pursuant to authority of N.J.S.A. 13:1B-29 et seq., proposes to adopt the Fish Code for the 1976 fishing season. Such proposal is known within the Department of Environmental Protection as Docket DEP 048-75-07.

**Full text** of the 19 pages of the proposed Fish Code may be obtained from:

Division of Fish, Game and Shellfisheries  
Post Office Box 1809  
Trenton, N.J. 08625

A public hearing on this proposed action, at which interested persons may present oral or written statements relevant to the proposed action, will be held on September 9, 1975, at 8:00 P.M. in Room 1308 of the Labor and Industry Building, John Fitch Plaza, Trenton, New Jersey.

Interested persons may present statements or arguments relevant to the proposed action in writing on or before September 9, 1975, to:

Fish and Game Council  
Division of Fish, Game and Shellfisheries  
Post Office Box 1809  
Trenton, N.J. 08625

The Fish and Game Council, upon its own motion or at the instance of any interested party, may thereafter adopt this Fish Code substantially as proposed without further notice.

Russell A. Cookingham  
Director, Division of Fish,  
Game and Shellfisheries  
Department of Environmental Protection

(a)

## ENVIRONMENTAL PROTECTION

### THE COMMISSIONER

#### Notice of Hearings on Real Property Tax Exemption

Take notice that David J. Bardin, Commissioner of Environmental Protection, has issued the following notice, known within the Department of Environmental Protection as Docket No. DEP 035-75-04, concerning public hearings on real property tax exemptions.

Full text of the Notice follows:

Public hearings will be held by the Green Acres program administrator beginning on Thursday, September 4, 1975, at 10:00 A.M. and continuing consecutively for as many days as the administrator may deem necessary, at the New Jersey State Museum Auditorium, State Street, Trenton, to solicit information and public comments pertaining to applications made to the Commissioner of Environmental Protection for "Certification of Eligibility" leading toward exemption from taxation on real property owned by certain non-profit organizations.

The deadline for filing applications was August 1, 1975. All interested parties are invited to participate in the hearings and are requested to submit written statements relevant to specific applications. Interested parties may also present oral statements and must so notify the Department of their "desire to speak" no later than August 29.

Written statements and "desire to speak" requests should be sent to: Lewis J. Nagy, Green Acres Tax Exemption Program, Department of Environmental Protection, Post Office Box 1390, Trenton, New Jersey 08625.

The termination date for receipt of written statements concerning specific applications is September 8, 1975.

A listing of all applications submitted is available free of charge and specific applications are available for inspection by appointment at:

Green Acres and Outdoor Recreation Office  
Department of Environmental Protection  
Labor and Industry Building, Room 811  
John Fitch Plaza  
Trenton, New Jersey  
Phone: (609) 292-3805

This Notice is published as a matter of public information.  
Thomas F. Kistner  
Director of Administrative Procedure  
Department of State

(b)

## ENVIRONMENTAL PROTECTION

### THE COMMISSIONER

#### Emergency Amendment Concerning Rules Of Bureau of Solid Waste Management

On June 27, 1975, David J. Bardin, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 13:1E-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted an emergency amendment to a rule of the Bureau of Solid Waste Management concerning the effective date of such rules. Such amendment is known within the Department of Environmental Protection as Docket No. DEP 047-75-06.

Full text of the adopted amendment follows:

7:26-2.5(y) Note: The effective date of this Section is stayed until further notice.

An order adopting this amendment was filed and effective June 27, 1975, as R.1975 d.190 (Exempt, Emergency Rule).

Thomas F. Kistner  
Director of Administrative Procedure  
Department of State

(c)

## ENVIRONMENTAL PROTECTION

### THE COMMISSIONER

#### Revisions on Water Quality Standards For Morses Creek in Linden

On July 9, 1975, David J. Bardin, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 13:1D-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions concerning water quality standards for Morses Creek in Linden, New Jersey, substantially as proposed in the Notice published February 6, 1975, at 7 N.J.R. 47(b), with only inconsequential structural or language changes, in the opinion of the Department of Environmental Protection. Such revisions are known within the Department of Environmental Protection as Docket No. DEP 012-74-11.

The revisions concern the deletion of the current text of N.J.A.C. 7:9-4.8(d)6.iv., Tidal portions of Morses Creek, and the adoption of new text to be cited as N.J.A.C. 7:9-4.9.

Full text of the new rule follows:

7:9-4.9 Designated use and quality criteria

(a) Rules concerning the tidal portion of Morses Creek include:

1. Designated uses: Industrial and other reasonable uses;
2. Quality criteria include:

i. Floating, suspended, colloidal and settleable solids; oil, grease, color and turbidity:

(1) None noticeable in the water or deposited along the shore or on the aquatic substrata in quantities detrimental to the natural biota. None which would render the waters unsuitable for the designated uses.

(2) Maximum 30-day average of 50 Jackson Turbidity Units (JTU), a maximum of 150 JTU at any time, unless exceeded due to natural conditions.

ii. Toxic or deleterious substances, including but not limited to mineral acids, caustic alkali, cyanides, heavy metals, carbon dioxide, ammonia or ammonium compounds, chlorine, phenols, pesticides and so forth. None, either alone or in combination with other substances, in such concentrations as to affect humans or be detrimental to the natural aquatic biota, produce undesirable aquatic life, or which would render the waters unsuitable for the designated uses;

iii. Taste and odor producing substances: None offensive to humans or which would produce offensive tastes and/or odors in biota used for human consumption. None which would render the water unsuitable for the designated uses;

iv. pH: Between 6.5 and 8.5. Natural conditions outside this range shall prevail;

v. Dissolved oxygen: Not less than 3.0 mg/l at any time;

vi. Temperature: Temperature change shall not cause mortality of fish or shellfish;

vii. Radioactivity: Current U.S. Public Health Service drinking water standards shall apply;

viii. Bacterial quality: Fecal coliform levels shall not exceed a geometric average of 1500/100 ml. Samples shall be obtained at sufficient frequencies and at locations and during periods which will permit valid interpretation of laboratory analyses. Appropriate sanitary surveys shall be carried out as a supplement to such sampling and laboratory analyses.

An order adopting these revisions was filed and effective July 9, 1975, as R.1975 d.200.

Thomas F. Kistner  
Director of Administration Procedure  
Department of State

(a)

## HEALTH

### THE COMMISSIONER

#### Proposed Rules on Hospital Reporting Regarding 1977 Rate Setting System

With the approval of the Health Care Administration Board, the Commissioner of Health, pursuant to authority of N.J.S.A. 26:2H-1 et seq., proposes to adopt new rules on hospital reporting in relation to the 1977 rate setting system.

Full text of the proposed new rule follows:

#### SUBCHAPTER 20. HOSPITAL REPORTING

8:31-20.1 Hospital reporting; 1977 rate setting system; general provisions

In accordance with N.J.S.A. 26:2H-1 et seq., the Commissioner of Health may request that health care facilities furnish the Department of Health such reports and information as it may require to effectuate the provisions and purposes of this

act, excluding confidential communications from patients.

8:31-20.2 Reports to identify intensity of hospital care and hospital case mix

(a) By January 1, 1976, each hospital included under the provisions of N.J.S.A. 26:2H-1 et seq. will complete a medical abstract covering hospital inpatient services of that hospital.

(b) The abstract to be used will be either that used for the New Jersey utilization program or the professional activities survey.

(c) By December 1, 1976, each hospital shall inform the Commissioner, Department of Health, which of the two medical abstract forms it proposes to use.

(d) The abstract will be completed by the hospital within 30 days following the patient's discharge.

(e) The abstract will be made available to the Department of Health in a computer processable format on a monthly basis with the first report being submitted by April 1, 1976.

(f) No information identifying the patient by name or by any personal characteristics other than the hospitals' medical record number, the patient's age, sex and race will be included in the information given the Department of Health. The Department of Health is not permitted to enter the records of the hospital to identify the patient.

(g) No information identifying the physician treating the patient other than the hospital's code will be forwarded to the Department of Health. The Department of Health is not permitted to enter the records of the hospital to identify the physician.

(h) By January 1, 1976, the patient's medical record number must be identical to the patient's billing or account number so as to enable computer linkage of these two records at a later date.

Interested persons may present statements or arguments relevant to the proposed action in writing on or before August 27, 1975, to:

John Reiss  
Assistant Commissioner  
Division of Health Planning and  
Resources Development  
Department of Health  
John Fitch Plaza  
Trenton, N.J. 08625

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

Dr. Joanne E. Finley  
Commissioner  
Department of Health

(b)

## HEALTH

### THE COMMISSIONER

#### Proposed Definition of Responsible Administrative Position

Dr. Joanne E. Finley, Commissioner of Health, pursuant to authority of N.J.S.A. 28:2H-27, 28:2H-28, 30:11-13, 30:11-21 and with the approval of the Nursing Home Administrator's Licensing Board, proposes to adopt a definition of "responsible administrative position".

Full text of the proposed new rule follows:

8:34-1.2 Definitions

**“Responsible administrative position” means a position in a patient care institution in which an applicant has assisted a nursing home administrator in performing the functions set forth in this Section (definition of a nursing home administrator). In determining whether an applicant has worked in such a position, the Board shall not be bound by any titles used by an institution, but rather shall examine the actual duties and responsibilities of an applicant.**

Interested persons may present statements or arguments in writing relevant to the proposed action on or before August 27, 1975, to:

John J. Haney  
Executive Secretary  
Nursing Home Administrator's Licensing Board  
Department of Health  
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 this rule substantially as proposed without further notice.

Dr. Joanne E. Finley  
Commissioner  
Department of Health

(a)

## HEALTH

### THE COMMISSIONER

#### Proposed Revisions on Guidelines And Criteria for the Submission Of Certificate of Need Applications

Dr. Joanne E. Finley, Commissioner of Health, pursuant to authority of N.J.S.A. 26:2H-1 et seq. and with the approval of the Health Care Administration Board, proposes to revise the rules concerning the guidelines and criteria for the submission of certificate of need applications. Such revisions, if adopted, will be cited as N.J.A.C. 8:33-1.1 et seq.

The proposed revisions affect Sections in Chapter 33 of Title 8 in the New Jersey Administrative Code as well as the deletion of the current text of N.J.A.C. 8:31-4.1 et seq., 8:33-2.2(a), 8:31-5.2, 8:31-4.3 through 8:31-4.5, 8:31-8.1, 8:33-1.12, 8:31-11.1 and 8:32-1.1 et seq.

The proposed revisions involve changes in the process and procedure for filing applications for certificates of need and specifically concern purpose, introduction, filing fees, general statement of public policy, definitions, criteria for submission of certificate of need applications, review process, nonsubstantive review process and related exhibits.

Copies of the full text of 37 pages of the proposed revisions may be obtained from:

James H. Houston  
Administrative Analyst  
Division of Health Planning  
and Resources Development  
State Department of Health  
Post Office Box 1540  
Trenton, New Jersey 08625

Interested persons may present statements or arguments in writing relevant to the proposed action on or before August 27, 1975, to the Department of Health at the above address.

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

Dr. Joanne E. Finley  
Commissioner  
Department of Health

(b)

## HEALTH

### NURSING HOME ADMINISTRATOR'S LICENSING BOARD

#### Revisions Concerning License

On June 27, 1975, Dr. Joanne E. Finley, Commissioner of Health, pursuant to authority of N.J.S.A. 26:2H-28, with the approval of the Nursing Home Administrator's Licensing Board and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions which deleted a portion of N.J.A.C. 8:34-1.18(a)3. concerning the refusal, suspension and revocation of licenses as proposed in the Notice published June 5, 1975, at 7 N.J.R. 263(c).

An order adopting these revisions was filed and effective July, 1, 1975, as R.1975 d.193.

Thomas F. Kistner  
Director of Administrative Procedure  
Department of State

(c)

## HEALTH

### THE COMMISSIONER

#### Revisions on Birth Certificates

On June 30, 1975, Dr. Joanne E. Finley, Commissioner of Health, pursuant to authority of N.J.S.A. 26:1-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to N.J.A.C. 8:2-1.1 concerning birth certificates substantially as proposed in the Notice published May 8, 1975, at 7 N.J.R. 210(a) but with subsequent, substantive changes not detrimental to the public in the opinion of the Department of Health.

An order adopting these revisions was filed July 1, 1975, as R.1975 d.194 to become effective August 1, 1975.

Thomas F. Kistner  
Director of Administrative Procedure  
Department of State

(d)

## HEALTH

### HEALTH CARE ADMINISTRATION BOARD

#### Rule on Hospital Long Range Plans

On July 9, 1975, Dr. Joanne E. Finley, 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 a new rule, to be cited as N.J.A.C. 8:31-16.1, concerning hospital long range plans as proposed in the Notice published June 5, 1975, at 7 N.J.R. 263(b).

An order adopting this rule was filed and effective July 9, 1975, as R.1975 d.201.

Thomas F. Kistner  
Director of Administrative Procedure  
Department of State

(a)

## HEALTH

### THE COMMISSIONER

#### Revised Schedules of Controlled Substances

On July 23, 1975, Dr. Joanne E. Finley, Commissioner of Health, pursuant to authority of N.J.S.A. 24:21-31b and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted procedural rules which revised the Schedules of Controlled Substances in Subchapter 10 of Chapter 65 in Title 8 of the New Jersey Administrative Code.

The revised schedules now will indicate the origin, legal citations and effective dates of the various substances and drugs subject to N.J.S.A. 24:21-1 et seq. The current text of these schedules merely list the substances in alphabetical order without reference to the origin, legal citations and effective dates. These revised schedules are intended to facilitate referencing to such controlled substances.

An order adopting these revisions was filed July 23, 1975, as R.1975 d.209 (Exempt, Procedure Rule) to become effective August 1, 1975.

Thomas F. Kistner  
Director of Administrative Procedure  
Department of State

(b)

## INSTITUTIONS AND AGENCIES

### DIVISION OF PUBLIC WELFARE

#### Proposed New Food Stamp Manual

Robert E. Mulcahy, Acting Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4B-2, proposes to adopt a new Food Stamp Manual which will replace the current text in Chapter 87 of Title 10 in the New Jersey Administrative Code.

The proposed new manual concerns general provisions, application process, eligibility factors other than need, financial eligibility standards for assets and income, administrative procedures and fair hearings.

**Copies of the full text** of approximately 150 pages of the proposed manual may be obtained from:

Division of Public Welfare  
Post Office Box 1627  
Trenton, N.J. 08625

Interested persons may present statements or arguments relevant to the proposed action in writing or or before August 27, 1975, to:

Division of Public Welfare  
Post Office Box 1627  
Trenton, N. J. 08625

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

Robert E. Mulcahy  
Acting Commissioner  
Department of Institutions and Agencies

(c)

## INSTITUTIONS AND AGENCIES

### DIVISION OF PUBLIC WELFARE

#### Proposed Revisions Covering Classification and Compensation Plan

Robert E. Mulcahy, Acting Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:7-6 and 44:10-3, proposes to revise Ruling 11, Part I, Classification and Compensation Plan, and Part II, Time and Leave Regulations, in Chapter 109 in Title 10 of the New Jersey Administrative Code.

**Copies of the full text** of the 21 pages of the proposed revisions may be obtained from:

Division of Public Welfare  
Post Office Box 1627  
Trenton, N.J. 08625

Interested persons may present statements or arguments relevant to the proposed action in writing on or before August 27, 1975, to:

Division of Public Welfare  
Post Office Box 1627  
Trenton, N.J. 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 E. Mulcahy  
Acting Commissioner  
Department of Institutions and Agencies

(d)

## INSTITUTIONS AND AGENCIES

### DIVISION OF PUBLIC WELFARE

#### Proposed Revisions Concerning Fair Hearings

Ann Klein, Commissioner of Institutions and Agencies, pursuant to the authority of N.J.S.A. 44:7-6 and 44:10-3, proposes to revise certain Sections in the Public Assistance Manual concerning fair hearings.

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

10:86-6.12(c) The hearing officer's findings of fact and conclusions of law shall be filed with the [Decisional Panel] **Bureau of Administrative Review and Appeal, State Division of Public Welfare**, and on the same date mailed to the client and his/her representative and the County Welfare Board. The report of the hearing officer shall be part of the record in the case.

(d) If the parties in interest wish to take exception to the hearing officer's report, such exception must be submitted in written form to the **Bureau of Administrative Review and Appeal** [Decisional Panel, addressed to the] State Division of Public Welfare [and be received] **and to all concerned parties and, to be considered, must be received** by the State Division no later than 15 days after the mailing date of the hearing officer's report [if they are to be considered]. [:]

[1. Within 15 days of the mailing of the hearing officer's recommended report, the client and the county welfare board may file written exceptions, objections and replies thereto with a copy of such written comment to the other party].

(e) The final fair hearing decision will be rendered in writing by [a decisional panel composed of the hearing officer presiding at the hearing,] the Director of the Division of **Public Welfare** [and the Commissioner of the Department of Institutions and Agencies].

(f) The final decision shall adopt, reject or modify the **findings and conclusion** [recommended report and decision] of the hearing officer. The final decision shall include findings of fact and conclusions of law, separately stated. Findings of fact, if set forth in statutory language, shall be accompanied by a concise and explicit statement of the underlying facts supporting the findings. The client and the county welfare board shall be notified by mail of any decision or order.

10:81-6.13(a) A decision based on the evidence produced at the hearing will be rendered in writing with reasonable promptness. The decision [will represent the determination of a decisional panel consisting of the hearing officer,] of the Director of the **Division of Public Welfare** [or his/her designated alternate, and the Commissioner of institutions and Agencies or his/her designated alternate. The decision] shall be **final** [mandatory] and binding upon all parties concerned:

Interested persons may present statements or arguments in writing relevant to the proposed action on or before August 27, 1975, to:

Division of Public Welfare  
Box 1627  
Trenton, N.J. 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.

Ann Klein  
Commissioner  
Department of Institutions and Agencies

(a)

## INSTITUTIONS AND AGENCIES

### DIVISION OF MENTAL RETARDATION

#### Manual of Standards for Private Licensed Institutions for Mentally Retarded

On July 10, 1975, Maurice G. Kott, Director of the Division of Mental Retardation in the Department of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:1-12 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted a new Manual of Standards for private licensed institutions for the mentally retarded as proposed in the Notice published June 5, 1975, at 7 N.J.R. 265(b).

Such rules may be cited as N.J.A.C. 10:47-1.1 et seq.

An order adopting these rules was filed July 14, 1975, as R.1975 d.203 to become effective August 1, 1975.

Thomas F. Kistner  
Director of Administrative Procedure  
Department of State

(b)

## INSTITUTIONS AND AGENCIES

### DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

#### Rule on Reimbursement Of Third-Party Claims

On July 7, 1975, Ann Klein, 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 new rule, cited as N.J.A.C. 10:52-1.15, concerning reimbursement of third-party claims substantially as proposed in the Notice published February 6, 1975, at 7 N.J.R. 57(b), with only inconsequential structural or language changes, in the opinion of the Department of Institutions and Agencies.

An order adopting this rule was filed and effective July 17, 1975, as R.1975 d.204.

Thomas F. Kistner  
Director of Administrative Procedure  
Department of State

(c)

## INSTITUTIONS AND AGENCIES

### DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

#### Rules Concerning Sterilization Procedures

On July 8, 1975, Ann Klein, 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 rules concerning sterilization procedures substantially as proposed in the Notice published May 8, 1975, at 7 N.J.R. 212(b), with only inconsequential structural or language changes, in the opinion of the Department of Institutions and Agencies.

Such rules may be cited as N.J.A.C. 10:52-1.1, 10:52-1.7(a)14., 10:53-1.1, 10:53-1.2(a)19., 10:53-1.6(a)14., 10:54-1.20 and 10:66-1.20.

An order adopting these rules was filed and effective July 17, 1975, as R.1975 d.205.

Thomas F. Kistner  
Director of Administrative Procedure  
Department of State

(a)

## INSTITUTIONS AND AGENCIES

### DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

#### Rule on Reduction in Reimbursement For Laboratory Services

On July 9, 1975, Ann Klein, 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 an emergency rule on the reduction in reimbursement for laboratory services.

Full text of the emergency rule follows:

10:49-1.26 Reduction in reimbursement for laboratory services

The New Jersey Medicaid Program will reduce by 40 per cent the present maximum allowable laboratory fees for all services processed on or after August 1, 1975.

—  
An order adopting this rule was filed July 18, 1975, as R.1975 d.206 (Exempt, Emergency Rule) to become effective August 1, 1975.

Thomas F. Kistner  
Director of Administrative Procedure  
Department of State

(b)

## INSTITUTIONS AND AGENCIES

### DIVISION OF PUBLIC WELFARE

#### Revision on Effective Date on Rules On Child Support and Paternity Program

On July 21, 1975, Robert E. Mulcahy, Acting Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:7-6, 44:10-3 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, revised the effective date from July 1, 1975, to August 1, 1975, concerning the rules on child support and paternity program, the full text of which appeared in the July 10, 1975, issue of the New Jersey Register at 7 N.J.R. 329(d).

The substantive text of those rules as they now appear in Appendix D of Chapter 81 in Title 10 of the New Jersey Administrative Code remains the same; only the effective date is changed as indicated above. This change in effective dates is due to Congressional action.

An order adopting this change in effective dates was filed July 23, 1975, as R.1975 d.208 (Exempt, Emergency Rule) to become effective August 1, 1975.

Thomas F. Kistner  
Director of Administrative Procedure  
Department of State

(c)

## INSURANCE

### THE COMMISSIONER

#### Proposed Standards for Prompt, Fair And Equitable Settlement of Motor Vehicle Physical Damage Claims

James J. Sheeran, Commissioner of Insurance, pursuant to the authority delegated to him under N.J.S.A. 17:1-8.1, 1C-6(e), 29B-4 and Chapter 100, Laws of 1975, and in accordance with applicable provisions of the Administrative Procedure Act of 1968, proposes to adopt new rules, N.J.A.C. 11:3-10 et seq., concerning standards for prompt, fair and equitable settlement of automobile physical damage claims.

Full text of the proposed rules follows:

#### SUBCHAPTER 10. AUTO PHYSICAL DAMAGE CLAIMS

##### 11.3-10.1 Application

This regulation is applicable to claims arising under motor vehicle collision and comprehensive coverages.

##### 11.3-10.2 Definitions

The following words and terms, when used in this Section, shall have the following meanings.

"Agreed price" or "figure" means the amount agreed to by the insurer and the insured, or their representatives, as the reasonable cost to repair damages to the automobile resulting from the loss, without considering any deductible or deductions.

"Designated representative" means a person designated by the insured to represent him in negotiations with the insurer in an attempt to settle the claim. Such designated representative may be any person named by the insured or claimant to legally act in his behalf.

"Automobile" or "auto" shall have the meaning ascribed in N.J.S.A. 39:6A-2.

"Substantially similar auto" means an auto of the same make, model, year and condition, including all major options of the insured auto. Mileage must not exceed that of the insured auto by more than 4,000 miles.

"Auto repairer" means the incorporated business or unincorporated individual repairing the damaged automobile.

##### 11.3-10.3 Adjustment of partial losses

(a) If the insurer intends to exercise its right to inspect damages prior to repair, it shall have seven calendar days following receipt of notice of loss to inspect the insured's damaged automobile, which is available for inspection, at a place and time reasonably convenient to the insured. In addition, negotiations will commence and a good faith offer of settlement shall be made within the aforesaid seven-day period.

(b) Negotiations must be conducted in good faith, with the

basic goal of promptly arriving at an agreed price. Early in negotiations, the insurer must inform and confirm in writing to the insured or his designated representative all deductions that will be made from the agreed price.

(c) If the insurer inspects the damaged auto, it shall promptly upon completing the inspection furnish the insured or his representative with a detailed written estimate of the cost of repairing the damage resulting from the loss, specifying all appropriate deductions.

(d) The insurer shall promptly furnish the insured, at the express request of the insured, with the name and address of a qualified automobile repairer, at a location reasonably convenient to the insured, who will repair the damaged automobile at the insurer's estimated cost of repair.

(e) The insurer shall promptly inform the insured that if the insured wants, the insurer will furnish the insured with the name(s) of a reasonably convenient repair shop which will do the required work at the insurer's estimated cost of repair.

(f) If the insured's automobile is repaired at a repair shop recommended by the insurer, for a sum estimated by the insurer as the reasonable cost to repair the auto, the insurer:

1. Shall select a repair shop that issues written guarantees that any work performed in repairing damaged automobile meets generally accepted standards for safe and proper repairs;

2. Shall, if the repair shop it recommended does not replace the damaged automobile in accordance with generally accepted standards for a safe and proper repair, the insurer shall cause the damaged automobile to be restored to the condition it was in prior to the loss, at no additional cost to the insured and within a reasonable time in such manner as to meet generally accepted standards for a safe and proper repair.

(g) Whenever an insurer elects to repair its insured's automobile, the election must be in writing, addressed to the insured, and contain a reasonable estimate of the time period within which the auto will be repaired. The insurer shall guarantee, in writing, that the work performed meets generally accepted standards for safe and proper repairs.

(h) Deductions for betterment and/or depreciation are permitted only for parts normally subject to repair and replacement — tires and batteries — during the useful life of the insured's automobile. Deductions for betterment and/or depreciation shall be limited to the lesser of an amount equal to the proportion that the expired life of the part to be repaired or replaced bears to the normal useful life of that part, or the amount by which the resale value of the automobile is increased by the repair or replacement. Calculations for betterment, depreciation and normal useful life must be included in the insurer's claim file.

(i) Deductions for previous damage or prior condition of the automobile must be measurable, discernable, itemized and specific as to dollar amount, and such deductions must be detailed in the claim file. Such deductions shall be limited to the amount by which the resale value of the automobile is increased by the elimination of the previous damage or the correction of the prior condition.

(j) The insurer must mail or hand deliver to the insured or his designated representative its proof of loss or payment within five working days after the insured has accepted the insurer's offer.

(k) The insured shall have the right to receive the proceeds of any settlement in accordance with policy provisions.

(l) The insured may elect to have the insurer pay the auto repairer directly in order to expedite recovery of the automobile.

1. In the event of such an election, the insured must provide the insurer with signed direction to pay and proof of loss forms. The insured may then pay the auto repairer directly, provided the auto repairer has guaranteed the insurer in writing that all repairs made meet generally accepted standards for safe and proper repairs and having been done in accordance with the agreed upon estimate of repairs to be done. The insured must countersign the guarantee without any assurance as to the adequacy of the repairs.

2. In the case where an automobile is encumbered and a third party is a named insured, no direct payment shall be made to the auto repairer unless the automobile repairer has guaranteed completion of all work as aforesaid and the insurer accepts responsibility for any failure to have completed such repairs.

(m) If the insurer does not perform its own physical inspection, it is nevertheless bound by all the applicable requirements of this regulation.

(n) In any recovery, all taxes, transfer fees and licensed cost resulting from this loss shall be the obligation of the insurer.

#### 11:3-10.4 Adjustment of total losses

(a) If the insurer elects to make a cash settlement, it must bear in mind at all times that the insured's position is that of a retail customer and that the settlement value arrived at must be reasonable for a person in that position. If the insured elects to make a cash settlement, its offer, subject to applicable deductions, must be one of the following:

1. The average of the retail values for a substantially similar automobile as listed in two valuation manuals current at the date of loss and approved by this Department. The average figure arrived at may be reduced when considering all factors, such as condition, mileage tables, presence or absence of extras and so forth.

2. Manuals approved for use on and after December 1, 1975, are—**The Redbook**, published by National Market Reports Inc., and **The N.A.D.A. Official Used Car Guide**, published by the National Automobile Dealers Used Car Guide Company. The use of other manuals may be approved by this Department upon demonstration of need, suitability and accuracy.

3. A quotation obtained by the insurer for a substantially similar available auto, obtained from a qualified dealer located within a reasonable distance from the principal place of garagement of the insured vehicle. The insured must be able to purchase the substantially similar auto at the quoted dealer for the insurer's cash offer, plus applicable deductions.

4. If it is not possible to value the damaged automobile by using alternative methods 1 through 3 above, the insurer must determine the retail value by the best available method and must fully explain in writing to the insured how its offer was calculated.

(b) If the insurer elects to replace the auto, the insured must be given the option to accept a replacement or money value. The replacement auto must be an immediately available, substantially similar auto that is both furnished and paid for by the insurer, subject to the deductible, if any.

(c) If the insured auto is a private passenger automobile of the current model year, meaning that it has not been superseded in the marketplace by an officially introduced succeeding model, the insurer shall utilize one of the following methods in the settlement of the loss, except where the method used would be detrimental to the interests of the insured as compared with utilization of the methods described in this Section:

1. The insurer shall pay to the insured the reasonable purchase price to the insured on the date of loss of a new identical auto, less any applicable deductible and an allowance for depreciation in accordance with the schedule below: or

2. The insurer shall furnish the insured with a new identical replacement auto, and charge the insured for any applicable deductible and for depreciation in accordance with the schedule below:

Depreciation Schedule	
Purchase Price	Depreciation Per Mile
\$2,101 - \$ 2,750	5 ¢
2,751 - 3,700	6½¢
3,701 - 5,000	9 ¢
5,001 - 6,500	11½¢
6,501 - 10,000	16½¢
more than - 10,000	20 ¢

(d) In the event of a declaration of total loss and in the interest of the public safety, the auto and any recovered proceeds shall become the property of the insurer and it shall be the insurer's obligation to pay all storage and tow charges. It is the insurer's responsibility to process salvage through qualified salvage buyers.

(e) In the event of a total loss, any parts of the auto included in its valuation, which are removed by the insured or his representative shall have their value deducted from the final settlement figure.

(f) All applicable provisions of Section 3 of this Subchapter ("Adjustment of Partial Losses") also shall apply to the adjustment to total losses, except that the insurer shall be allowed twelve calendar days to comply with the requirements of Section 2 of this Subchapter.

(g) This Section does not prohibit an insurer from issuing a stated value policy insuring against physical damage, where the amount of damages to be paid in the event of a total loss is a specified dollar amount.

(h) In any recovery, all taxes, transfer fees and license costs resulting from this loss shall be the obligation of the insurer.

#### 11:3-10.5 Unreasonable delay

(a) Unless clear justification exists, physical damage claims must have a payment period of 25 days. A payment period is the period between the date of receipt of notice of loss by the insurer and

1. The date the settlement check is mailed; or
2. The date on which the damaged automobile is returned to use, when the insurer elects to repair; or
3. The date on which the damaged automobile is replaced by the insurer.

(b) If any element of a physical damage claim remains unresolved more than 25 calendar days from the date of receipt of notice of loss by the insurer, the insurer shall provide the insured with a written explanation of the specific reasons for delay in the claim settlement. An updated letter of explanation shall be sent every 30 calendar days thereafter until all elements of the claim are either honored or rejected.

(c) Any letter of explanation or rejection of any element of a claim shall contain in the upper right hand corner the date of receipt of notice of loss by the insurer and identified as such. This letter also shall contain the identity and claim processing address of the insurer and the insured's policy number and claim number.

1. The second update letter and all thereafter shall contain the following statement:

"Should you wish to take this matter up with the New Jersey Insurance Department, you may write to or call the Consumer Services Division, at 201 East State Street, Trenton, New Jersey, 08625, phone number 609/292-5374."

(d) A copy of the second up-date letter and all thereafter sent to any New Jersey insured shall be mailed simultaneously to the insured and the Assistant Commissioner for Consumer Services, New Jersey Insurance Department, 201 East State Street, Trenton, New Jersey 08625.

#### 11:3-10.6 Repair estimates

If an insurer requires that its insured obtain an estimate or estimates of auto damage, the reasonable cost, if any, of such estimates shall be borne by the insurer, unless the estimator does the work.

#### 11:3-10.7 Loss of use

All policyholders are entitled to and must be given all of their contractual rights in the event of a casualty or other insured loss.

#### 11:3-10.8 Subrogation agreements

(a) Where an insured has received payment under his physical damage coverage that is subject to a deductible, the insured shall share, pro rata, with the insurer any net recovery received by the insurer from third parties.

(b) Net recovery shall be the total recovery less the insurer's allocated loss adjustment expenses attributable to such recovery. The formula for computing net recovery and the insured's share of recovery of the deductible may be stated as follows:

$$1. \text{ TOTAL RECOVERY} - \text{ALLOCATED LOSS ADJUSTMENT EXPENSES} = \text{NET RECOVERY}$$

$$\frac{\text{DEDUCTIBLE}}{\text{TOTAL LOSS}} \times \text{NET RECOVERY} = \text{INSURED'S SHARE OF RECOVERY}$$

2. Application of Formula: Assume a loss of \$500.00 subject to a \$100.00 deductible with \$50.00 in allocated loss adjustment expenses:

i. If there is full recovery of \$500.00:

Computation of net recovery:

$$\$500 - \$50 = \$450$$

Computation of insured's share of recovery:

$$\$100 \times \$450 = \$90$$

$$\$500$$

ii. If there is a partial recovery of \$300.00:

Computation of net recovery:

$$\$300 - \$50 = \$250$$

Computation of insured's share of recovery:

$$\$100 \times \$250 = \$50$$

$$\$500$$

(c) Unless the insurer returns its insured's full deductible, it shall attempt to effect full recovery in clear liability cases and shall not enter into any inter-company agreements that provide for the acceptance of lesser amounts on a formula basis.

(d) If an insurer has paid a physical damage claim that is subject to a deductible and it elects not to pursue its subrogation claim where the possibility of recovery exists, the insurer shall so notify its insured in writing within 60 calendar days after it has paid the claim, except that the notification shall be given at least 30 days prior to the running of any applicable statute of limitations or period required for notice of claim. If an insurer does not notify its insured within the time periods

prescribed above and the statute of limitations or period required for notice of claim has expired, the insurer shall forthwith remit to its insured the full amount of the insured's deductible.

#### 11:3-10.9 Referral of insured to the "at fault" party

There shall be no attempt to discourage an insured from filing a physical damage claim nor shall an insurer encourage its insured to assert a claim against a third party in lieu of filing a physical damage claim under the insured's policy.

#### 11:3-10.10 Examinations by the New Jersey Insurance Department

To insure compliance with this regulation, Insurance Department personnel will review the files of insurers. To enable Department personnel to reconstruct an insurer's activities pursuant to the provisions of this regulation, each insurer must maintain a complete file on each claim settled pursuant to this regulation. The file shall contain all communications, transactions, notes and work papers relating to the claim. All papers in the file must be accurately dated by the insurer.

A public hearing concerning this regulation will be held at 10:00 A.M. on August 27, 1975, in the hearing room of the New Jersey Insurance Department, 201 East State Street, Trenton, New Jersey 08625.

Interested persons may present statements or arguments relevant to the proposed regulation at the hearing or in writing on or before September 15, 1975 to:

Dr. Eleanor J. Lewis  
Assistant 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.

James J. Sheeran  
Commissioner  
Department of Insurance

(a)

## INSURANCE

### THE COMMISSIONER

#### Proposed Revisions to New Jersey Property-Liability Insurance Guaranty Association Charge

James J. Sheeran, Commissioner of Insurance, pursuant to authority of N.J.S.A. 17:1-8.1, 17:1C-6(e), 17:29A-1 et seq. and Chapter 17, Laws of 1974 as amended by Chapter 107, Laws of 1975, proposes to revise N.J.A.C. 11:1-6.1 concerning the New Jersey Property-Liability Insurance Guaranty Association charge.

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

#### 11:1-6.1 New Jersey Property-Liability Insurance Guaranty Association charge

(a) Pursuant to the provisions of Section 16 of Chapter 17,

New Jersey Laws of 1974 as amended by Chapter 107 New Jersey Laws of 1975, I hereby order that insurers **may** add a surcharge of one-half of one per cent of direct net written premiums on all policies for all kinds of insurance except life insurance, accident and health insurance, workman's compensation insurance, title insurance, annuities, surety bonds, ocean or wet marine insurance, inland marine and transportation insurance, subject to the following:

1. The surcharge [shall] **may** apply to all new and renewal policies with an effective date on or after August 1, 1975.

2. The surcharge shall be identified to the insured as "Guaranty Fund" by either of the following two methods:

i. The surcharge is shown as a separate item [on the bill] in dollars and cents **on the document stating the policy premium**. The surcharge amount is not to be treated as premium for accounting purposes, but must be coded and reported in accordance with instructions issued by the statistical agents under the directive of the Commissioner of Insurance.

ii. The surcharge is added to the premium for each item of coverage and the total is treated as premium for accounting and reporting purposes. If this method is used, [every billing to an insured must carry] **appropriate notice must be given to the insured, at least annually, by** a notation calling attention to the inclusion of the surcharge of one-half of one per cent.

3. On policies not subjected to audit where the method in N.J.A.C. 11:1-6.1 (a) 2i is used, no additional surcharge [shall] **need** be made for endorsements increasing the premium and no return [shall] **need** be made for an endorsement decreasing the premium, **provided the elected procedure is used consistently within a sub-division of business as to increases and decreases**. Where the method in N.J.A.C. 11:1-6.1 (a) 2ii is used, and on all policies subject to audit, any change in premium by endorsement subsequent to the effective date shall reflect also an appropriate change in the surcharge. On [flat] cancellations, the [entire] surcharge must be returned regardless of procedure used. **The calculation of the portion of the surcharge to be returned may be on the same basis as the calculation of the return premium.**

4. Three-year policies with an effective date on or after August 1, 1975, shall be treated by the same procedure as set forth in this subsection. On three-year policies with effective dates prior to August 1, 1975, the surcharge shall be applied only if such policies are subject to rerating after the effective date and only as of the effective date of such rerating.

5. The surcharge is not considered a taxable premium for the purpose of determining taxes under N.J.S.A. 54:18A-1 et seq.

6. All amounts [collected] **collectible** under this surcharge as of September 30, 1975 shall be remitted not later than December 1, 1975, and all surcharges [collected] **collectible** thereafter as of December 31 and June 30 each year shall be remitted on or before March 1 and September 1 each year, pursuant to directives and forms to be issued by the Commissioner.

7. The surcharge established herewith will provide reimbursement to the companies for any assessments levied in accordance with Section 8 (3) of the Guaranty Fund Act. Consequently, such assessments should not be considered "obligations" within the context of retaliatory tax provisions.

Interested persons may present statements or arguments relevant to the proposed action in writing on or before August 27, 1975, to:

Naomi LaBastille  
Hearing Officer  
Department of Insurance  
201 East State St.  
Trenton, N.J. 08625

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

James J. Sheeran  
Commissioner  
Department of Insurance

(a)

## INSURANCE

### THE COMMISSIONER

#### Notice of Suspension Regarding Title Insurance

Take notice that James J. Sheeran, Commissioner of Insurance, pursuant to authority of Section 63, Chapter 106, Laws of 1975, has suspended the operation of Section 41(d) of that enactment for 60 days. Compliance with the rate filing requirements of Section 41(d) is therefore mandated as of 150 days from May 29, 1975, the effective date of the Act, instead of 90 days from that date.

This Notice is published as a matter of public information.

Thomas F. Kistner  
Director of Administrative Procedure  
Department of State

(b)

## INSURANCE

### THE COMMISSIONER

#### Rule on New Jersey Special Joint Underwriting Association Charge

On July 22, 1975, James J. Sheeran, Commissioner of Insurance, pursuant to authority of N.J.S.A. 17:1-8.1, 17:1C-6(e), 17:29A-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted a new rule on the New Jersey Special Joint Underwriting Association charge substantially as proposed in the Notice published June 5, 1975, at 7 N.J.R. 273(a), with only inconsequential structural or language changes, in the opinion of the Department of Insurance.

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

11:1-5.3 New Jersey Special Joint Underwriting Association Charge

(a) Pursuant to the provisions of Section 10 of Chapter 106, New Jersey Laws of 1974 as amended by Chapter 76 New Jersey Laws of 1975, I hereby order that insurers add a surcharge of one quarter of one per cent of direct net written premiums on all policies of automobile insurance subject to the following:

1. The surcharge shall apply to all new and renewal policies with an effective date on or after August 1, 1975.

2. The surcharge shall be identified to the insured by either of the following two methods:

i. The surcharge is shown as a separate item [on the bill] in dollars and cents **on the document stating the policy premium**. The surcharge amount is not to be treated as premium for accounting purposes, but must be coded and reported in accordance with instructions issued by the statistical agents under the directive of the Commissioner of Insurance.

ii. The surcharge is added to the premium for each item of coverage and the total is treated as premium for accounting and reporting purposes. If this method is used, [every billing to an insured must carry] **appropriate notice must be given to the insured, at least annually, by** a notation calling attention to the inclusion of the surcharge of one quarter of one per cent.

iii. The surcharge shall be identified as "Joint Underwriting Fund"; it may be combined with the surcharge for the Guaranty Association to be applied under N.J.A.C. 11:1-6.1 and such combined surcharges shall be identified to the insured as "Guaranty Underwriting Funds".

3. Changes in premium by endorsement: On policies not subject to audit where the method in N.J.A.C. 11:1-5.3 (a) 2i is used, no additional surcharge [shall] **need** be made for endorsements increasing the premium and no return [shall] **need** be made for an endorsement decreasing the premium, **provided the elected procedure is used consistently within a sub-division of business as to increases and decreases**. Where the method in N.J.A.C. 11:1-5.3 (a) 2ii is used, and on all policies subject to audit, any change in premium by endorsement subsequent to the effective date shall reflect also an appropriate change in the surcharge. On [flat] cancellations, the [entire] surcharge must be returned regardless of procedure used. **The calculation of the surcharge to be returned may be on the same basis as the calculation of the return premium.**

4. Three year policies with an effective date on or after August 1, 1975 shall be treated by the same procedures as set forth above. On three year policies with effective dates prior to August 1, 1975, the surcharge shall be applied only if such policies are subject to rerating after the effective date and only as of the effective date of such rerating.

5. The surcharge is not considered a taxable premium for the purpose of determining taxes under N.J.S.A. 54:18A-1 et seq.

6. All amounts collected under this surcharge as of September 30, 1975 shall be remitted not later than December 1, 1975, and all surcharges collected thereafter as of December 31 and June 30 each year shall be remitted on or before March 1 and September 1 each year, pursuant to directives and forms to be issued by the Commissioner.

7. The surcharge established herewith will provide reimbursement to the companies for any assessments levied in accordance with Section 5B of the Special Joint Underwriting Act. Consequently, such assessments should not be considered "obligations" within the context of retaliatory tax provisions.

An order adopting this rule was filed and effective July 23, 1975, as R.1975 d.210.

Thomas F. Kistner  
Director of Administrative Procedure  
Department of State

(a)

# INSURANCE

## THE COMMISSIONER

### Rule on Reporting Expense Experience

On July 22, 1975, James J. Sheeran, Commissioner of Insurance, pursuant to authority of N.J.S.A. 17:1-8.1, 17:1C-6(e), 17:29A-5 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted a new rule, now cited as N.J.A.C. 11:4-10.1, on reporting expense experience substantially as proposed in the Notice published June 5, 1975, at 7 N.J.R. 275(a), with only inconsequential structural or language changes, in the opinion of the Department of Insurance.

Take notice that this rule was initially proposed to be cited as N.J.A.C. 11:1-6.1 in the Notice of Proposal previously cited but now will be cited as N.J.A.C. 11:4-10.1.

Full text of the adopted rule follows:

#### 11:4-10.1 Reporting of expense experience

(a) The portion of the publication cited below shall serve as the basis for recording and reporting of expense experience as contemplated in N.J.S.A. 17:29A-5 for use in examination of and rate-making by property-liability insurers:

1. National Association of Insurance Commissioners Examination Handbook, Part C pages C1-C54 and any amendments thereto:

"Instructions for Uniform Classifications of Expenses" and Interpretations of Uniform Accounting Instructions

(b) This rule has been known as Regulation 30 since the National Association of Insurance Commissioners adopted the uniform classification of expenses.

An order adopting this rule was filed and effective July 23, 1975, as R.1975 d.211.

Thomas F. Kistner  
Director of Administrative Procedure  
Department of State

(b)

# INSURANCE

## THE COMMISSIONER

### Rules on Insurance Of Municipal Bonds

On July 22, 1975, James J. Sheeran, Commissioner of Insurance, pursuant to authority of N.J.S.A. 17:1-8.1, 17:1C-6(e) and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted new rules on insurance of municipal bonds, to be cited as N.J.A.C. 11:7-1.1 et seq., as proposed in the Notice published June 5, 1975, at 7 N.J.R. 272(b).

An order adopting these rules was filed and effective July 23, 1975, as R.1975 d.212.

Thomas F. Kistner  
Director of Administrative Procedure  
Department of State

(c)

# LABOR AND INDUSTRY

## THE COMMISSIONER

### Rules on Carnival-Amusement Rides

On June 26, 1975, Joseph A. Hoffman, Commissioner of Labor and Industry, pursuant to authority of N.J.S.A. 5:3-31 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted new emergency rules governing carnival-amusement rides.

Full text of the adopted rules follows:

#### CHAPTER 195. CARNIVAL-AMUSEMENT RIDES

##### SUBCHAPTER 1. GENERAL PROVISIONS

###### 12:195-1.1 Title and citation

This regulation shall be known and may be cited as Chapter 195, Carnival-Amusement Rides, of Title 12, N.J.A.C.

###### 12:195-1.2 Purpose

The purpose of this Chapter is to provide reasonable standards for the design, construction and operation of amusement rides for the safety of the public.

###### 12:195-1.3 Scope

(a) This Chapter shall apply to amusement rides subject to the Carnival-Amusement Rides Safety Act, P.L. 1975, Chapter 105.

(b) This Chapter shall not apply to any single-passenger manually, mechanically or electrically operated, coin-operated ride, which is customarily placed, singly or in groups, in a public location and which does not normally require the supervision or services of an operator.

###### 12:195-1.4 Effective date

This Chapter shall take effect immediately.

###### 12:195-1.5 Validity

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

###### 12:195-1.6 Existing installations

(a) Amusement rides subject to the Carnival-Amusement Rides Safety Act, which were installed on or before the effective date of this Chapter, may be continued in service if found by the Division to be in a safe condition and in accordance with this Chapter.

(b) Maintenance of existing equipment shall be in accordance with this Chapter; and any replacements thereof shall be in conformance with this Chapter.

###### 12:195-1.7 Compliance

(a) Every owner, ride operator and the public using an amusement ride shall comply with this Chapter.

(b) An amusement ride which is not in compliance with this Chapter shall not be used or occupied, except as provided in subsection (c) of this Section.

(c) Where only individual units of a ride, such as cars, seats or other carriers are defective and not in compliance with this Chapter, such units shall be taken out of service and clearly marked with a sign reading "Out of Service"; provided, however, such defects do not jeopardize the safety of the entire ride.

#### 12:195-1.8 Inspection fee and permit

(a) Before commencing operations and in each year thereafter, an owner shall apply for an application form furnished by the Division and containing such information as the Division may require. The application shall be accompanied by a certificate of insurance, bond or other security indicating that the owner has complied with Section 12 of this Subchapter.

(b) No amusement ride shall be operated without a permit, except that a ride covered by a valid permit to operate for the preceding year may continue to operate for the current year, until reinspected. This carry-over permit shall be known as a temporary permit.

(c) All amusement rides shall be inspected before they are originally put into operation for the public use and thereafter at least once every year, unless authorized to operate on a temporary permit.

(d) Upon application for a permit, the Division shall inspect the amusement ride for which a fee shall be charged at the rate of \$50.00 for each adult ride and \$25.00 for each kiddie ride.

(e) After inspection, if the amusement ride is found to comply with this Chapter, the Division shall authorize the ride for use by the public provided the inspection fee has been paid. The permit to operate shall not be issued until the inspection fee has been paid.

(f) Annual permits shall be issued for a period commencing July 1, expiring June 30, the following year.

(g) A copy of the permit issued by the Division shall be continuously displayed at the entrance to the ride when the ride is in use. The permit shall be encased in such a manner as to be protected from weather conditions. Duplicates of such permits shall be issued by the Division at a cost of \$10.00 for each permit.

(h) The Division shall order in writing, a temporary cessation of operation of an amusement ride, if it has been determined after inspection to be hazardous or unsafe. Operation shall not be resumed until such conditions are corrected.

#### 12:195-1.9 Filing of notice of intent to operate

The owner of a new amusement ride or the owner of an amusement ride which changes the structure, mechanism, classification or its capacity or changes the physical spacing between rides shall file with the Division a notice of his intentions.

#### 12:195-1.10 Maintenance and inspection records

(a) The owner shall retain at all times up-to-date maintenance and inspection records for each amusement ride.

(b) These records shall contain the following information:

1. Date and nature of all inspections, whether by the Division or the owner;
2. Any violation of the rules and type of action taken to rectify the violation;
3. All break-downs or repairs of any major mechanical part.

#### 12:195-1.11 Serious injury or death of the public

(a) No ride that directly or indirectly resulted in a death to the public shall be permitted to resume operation until the ride has passed a full mechanical and safety inspection made by the Division.

(b) All accidents and resulting injuries or fatalities incurred during the operation of any amusement ride shall be immediately reported to the Division by the owner on a form provided by the Division.

#### 12:195-1.12 Insurance, bond or other security

(a) No person shall operate a ride unless at all times there is in existence:

1. A policy of insurance in an amount of not less than \$100,000 insuring the owner or operator against liability for injury suffered by persons riding the amusement ride; or

2. A bond in a like amount; provided, however, that the appropriate liability of the surety under such bond shall not exceed the face amount thereof; or

3. Cash or other security acceptable to the Board.

(b) The policy shall be procured from one or more insurers acceptable to the State Commissioner of Insurance, and either:

1. Licensed to transact insurance in the State of New Jersey; or

2. Approved as surplus line insurers pursuant to Section 11 of P.L. 1960, c.32 (N.J.S.A. 17:22-6.45).

### SUBCHAPTER 2. DEFINITIONS

#### 12:195-2.1 Definitions

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

"Adult ride" means a ride designed primarily for use by adults and children over 12 years of age.

"Amusement ride" means any mechanical device or devices which carry or convey passengers along, around or over a fixed or restricted route or course for the purpose of giving its passengers amusement, pleasure, thrills or excitement.

"Approved" means acceptable to the Commissioner. Any product certified, or classified, or labeled, or listed by a nationally recognized testing agency may be deemed to be acceptable, unless specifically banned by order of the Commissioner.

"Carnival ride". See Amusement ride.

"Commissioner" means the Commissioner of Labor and Industry of the State of New Jersey or his authorized representative.

"Containing device" means a strap, belt, bar, gate or other safety device designed to prevent accidental or inadvertent dislodgement of a passenger from a ride which does not actually provide physical support.

"Division" means the Division of Workplace Standards, New Jersey Department of Labor and Industry, P.O. Box 709, Trenton, New Jersey 08625.

"Kiddie ride" means a ride designed primarily for use by children 12 years of age and under.

"Nationally recognized testing agency" means a laboratory, such as the Underwriters' Laboratories, Inc., or the Factory Mutual Engineering Corporation or any similar testing organization acceptable to the Commissioner.

"Owner" means a person who owns, leases, controls or manages the operations of a carnival or amusement ride, including the State or any of its subdivisions.

"Permit" means a permit to operate issued annually by the Division to an owner for authorization to operate an amusement ride.

"Qualified person" means an individual assigned by the owner who has the degree of competence necessary to perform the work on an amusement ride so that the ride will be safe.

"Restraining device" means a safety belt, harness, chair, bar or other device which affords actual physical support, retention or restraint to the passenger of a ride.

"Ride operation" means any person or persons actually engaged in or directly controlling the operations of a carnival or amusement ride.

"Serious injury" means an accident to the public for conditions requiring treatment by a doctor, such as a fracture, or conditions requiring admittance to a hospital for at least 24 hours.

"Shall" means a mandatory requirement.

"Temporary permit". See N.J.A.C. 12:195-1.8(b).

### SUBCHAPTER 3. DESIGN AND CONSTRUCTION

#### 12:195-3.1 Design

(a) All structures used in connection with amusement rides shall be so designed and constructed as to carry safely all loads to which such structures may normally be subjected.

(b) All amusement rides shall be designed, constructed and installed so as to withstand any normal stresses to which they may be subjected.

(c) Before being used by the public, amusement rides shall be so placed or secured with blocking, cribbing, outriggers, guys or other means as to be stable under all operating conditions.

#### 12:195-3.2 Means of egress

(a) Safe and adequate means of access and egress from amusement rides shall be provided.

(b) At least two exits remote from each other shall be provided from each floor, tier, room or balcony in structures which house amusement rides.

(c) No exit shall be less than 22 inches in width.

(d) The width of a stairway shall be taken as the length of the treads between stringers. The width of a doorway shall be taken as the width of the door.

(e) The maximum travel distance from the most remote point in any room or enclosed space to an open exterior space shall be not greater than that listed below:

1. 100 feet in unsprinklered construction;
2. 150 feet in sprinklered construction; and
3. 25 feet in dead ends.

(f) Means of access and egress shall have protection from adjacent hazards and protection from falling by use of rails, enclosures, barriers or similar means.

(g) Means of access and egress shall be free from debris, obstructions, projections and slipping, tripping and other hazards.

(h) The width of passageways shall be not less than the exit doors or stairs to which they lead but in either case not less than 44 inches.

(i) The head clearance in passageways shall not be less than seven feet.

(j) Means of access or egress shall have either stairways or ramps and connecting landings or platforms where the public enter or leave an amusement ride that is above or below grade.

(k) Stairways, ramps, landings or platforms shall be not less than 22 inches in width for single lane passage or 44 inches for double lane passage. Landings or platforms shall not be less than three feet long measured in the direction of travel.

(l) Stair treads shall be at least nine inches deep exclusive of nosing, and the height of rise shall not exceed eight inches. Between any two connecting levels the treads shall be of uniform depth and the risers shall be of uniform height. The slope of ramps shall not exceed one foot rise in four feet of run.

(m) Handrails shall be provided on both sides of all stairways of more than two risers connecting adjoining levels whose difference in elevation exceeds 15 inches.

(n) Handrails shall be provided on both sides of landings or platforms or ramps more than 15 inches above grade.

(o) Handrails shall be at least 30 inches above the ramp surface or nose of steps and 42 inches above the landings.

(p) The distances between handrails shall not be less than 18 inches for single lane passage and 36 inches for a double lane passage.

(q) Two intermediate rails spaced equally apart shall be provided with all handrails.

(r) Stairways and ramps more than eight feet wide shall be provided with railings dividing the widths into not more than eight feet, and not less than the widths of subsection (k) of this Section.

#### 12:195-3.3 Emergency brakes and anti-roll back devices

(a) If cars or other components of an amusement ride may collide upon failure of normal controls, emergency brakes sufficient to prevent such collisions shall be provided.

(b) On rides which make use of inclined tracks, automatic anti-roll back devices shall be installed to prevent backward movement of the passenger-carrying units in case of failure of the propelling mechanism.

#### 12:195-3.4 Signal system

(a) Signal systems for the starting and stopping of amusement rides shall be provided where the operator of the ride does not have a clear view of the point at which passengers are loaded or unloaded.

(b) Any code of signals adopted for the operation of any amusement ride shall be printed and kept posted at both the operator's and signalman's stations. All persons who may use these signals shall be carefully instructed in their use.

(c) Signals for the movement or operation of an amusement ride shall not be given until all passengers and other persons who may be endangered are in a position of safety.

#### 12:195-3.5 Protection against moving parts

(a) An amusement ride shall not be used or operated while any person is so located as to be endangered by it. Areas in which persons may be so endangered shall be fenced, barricaded or otherwise guarded against public intrusion.

(b) Machinery used in or with an amusement ride shall be enclosed, barricaded or otherwise effectively guarded against contact. Guards removed for maintenance purposes shall be replaced before normal operation is resumed.

#### 12:195-3.6 Speedlimiting devices

An amusement ride capable of exceeding its maximum safe operating speed shall be provided with a maximum speed-limiting device.

#### 12:195-3.7 Passenger carrying rides

(a) The interior and exterior parts of all passenger-carrying amusement rides with which a passenger may come in contact shall be smooth and rounded, free from sharp, rough or splintered edges and corners, with no protruding studs, bolts, screws or other projections which might cause injury.

(b) Interior parts upon which a passenger may be forcibly thrown by the action of the ride shall be adequately padded.

(c) Rides which are self-powered and which are operated by a passenger shall have the driving mechanism so guarded and the guards so secured in place as to prevent passengers from gaining access to the mechanism.

(d) Belts, bars, footrests and other equipment as may be necessary for safe entrance and exit and for support while the ride is in operation shall be provided and maintained in a safe condition. Such equipment and the fastenings shall be of sufficient strength to retain the passengers.

(e) Passenger restraining or containing devices shall be provided and used on any ride where centrifugal and other forces or mechanical malfunction could unseat or dislodge a passenger.

(f) Passenger restraining or containing devices used on tubs, cars, chairs, seats, gondolas and other carriers or a ride where the forces generated by the action of the ride require retention, restraint or actual physical support of the passenger shall be designed, constructed, installed and maintained to support the passenger safely. The fastenings shall be of a type which cannot be inadvertently released by the passenger or by any accidental means.

(g) Anchorages for the required restraining devices shall have strength at least equal to the strength of the restraining device.

#### 12:195-3.8 Electrical equipment

(a) All electrical wiring and equipment used for amusement rides or for lighting shall be properly installed, operated and maintained.

(b) The outlets of electrical power lines carrying more than 120 volts shall be clearly marked to show their voltage.

(c) All electrical transformer substations shall be properly enclosed and proper warning signs shall be posted.

(d) Electrical wiring and equipment located outdoors shall be of such quality and so constructed or protected that exposure to weather will not interfere with its normal operation.

(e) Elevated power lines crossing access or other roads within the grounds of a carnival, or amusement park shall be so suspended as to provide minimum vertical clearance of 12 feet from the road surface and the minimum horizontal clearance of three feet on each side of the normal passage space of vehicles.

(f) Temporary electric wiring, if suspended, shall be so supported that its protective installation will not be damaged.

(g) Electric installations shall be properly grounded.

(h) Bare wires and other uninsulated current-carrying parts shall be guarded against inadvertent contact by means of proper location or by a fence or other barrier.

(i) Conductors shall be provided with overcurrent protective devices according to load. No such device shall be installed in neutral or grounding conductors.

(j) Where electrical power is supplied for an amusement ride by a privately operated generating system, the generator and all equipment shall be properly grounded if the system incorporates a ground.

(k) All receptacles and attachment caps shall be of the grounding type.

(l) Each electrically powered amusement ride shall be effectively grounded. The grounding shall be made effective as to all noncurrent carrying metal parts which may become energized and which are exposed to contact by any person. An effective ground shall be one having a resistance of 25 ohms or less.

(m) Wiring laid on surfaces traversed by vehicular or pedestrian traffic shall be adequately protected against wear and abrasion.

(n) Each electrically operated amusement ride not designed to be controlled directly by the passenger shall be provided with a disconnect power switch placed within easy reach of the operator.

#### 12:195-3.9 Air compressors

(a) Air compressors, air compressor tanks and equipment used in connection therewith shall be constructed, equipped and maintained to insure safe operation at all times. They shall be inspected and tested at least once a year by a qualified person and a record of each inspection shall be kept. Air compressor tanks and other air receivers used in connection with air compressors shall have the maximum allowable working pressure conspicuously marked thereon.

(b) Air compressors shall comply with Chapter 90, Boilers, Pressure Vessels and Refrigeration, of this Title.

#### 12:195-3.10 Fire prevention

(a) Fabrics constituting part of an amusement ride shall be fire-resistant to meet the following standard; two strips or test sections either of the fabric used or of other fabric identical therewith shall be tested. Each strip shall be not less than six inches wide and 12 inches long. Each strip shall be thoroughly dry and shall then be subjected to an open flame applied to the lower edge while the strip is held vertically for 12 seconds. Neither strip shall flame for more than two seconds after the test flame is removed from contact nor shall the average length of char exceed two and one-half inches. Such test is not required by subsection (b) of this Section if other evidence of the required degree of fire resistance is accepted by the Commissioner as sufficient.

(b) Approved fire extinguishers shall be provided where necessary to secure reasonable and adequate protection from fire hazards.

(c) Flammable waste such as oily rags and other flammable materials shall be placed in covered metal containers which shall be kept in easily accessible locations. Such containers shall not be kept at or near exits.

(d) Gasoline and other flammable liquids and flammable gases when stored shall be kept in reasonably cool and ventilated places. Such liquids shall be in approved safety cans. Smoking and the carrying of lighted cigars, cigarettes or pipes is prohibited in any area where such liquids or gases are stored or are transferred from one container to another.

#### 12:195-3.11 Load tests

(a) No passenger-carrying amusement ride of the following types shall be used or put into normal operation until it has withstood an annual load test without failure in any material respect:

1. Rides having suspended passenger seats or spaces;
2. Rides normally operated at speeds or with movements creating severe centrifugal forces;
3. Rides so elevated that structural failure is likely to cause passengers to be injured by falling;

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# INTERIM INDEX FOR NEW JERSEY ADMINISTRATIVE CODE

This regular monthly listing provides an interim service for subscribers to the New Jersey Administrative Code, as a check-list of rules most recently adopted.

The index is current, covering all rules adopted through last month. It is adjusted in the month during which a mailing of

Code update pages is being made.

Since the most recent update, the various State Departments have adopted the following rules — which have been printed in the Register but are not yet included in current pages of the Code:

## RULES NOT YET PRINTED IN CODE

<u>N.J.A.C. Citation</u>		<u>Document Citation</u>	<u>Adoption Notice (N.J.R. Citation)</u>
<b>AGRICULTURE — TITLE 2</b>			
2:3-2.5	Revisions on equidae entering New Jersey	R. 1975 d.83	7 N.J.R. 190(d)
2:3-2.11	Revisions on quarantine of imported breeding swine	R. 1975 d.80	7 N.J.R. 190(a)
2:3-3.6	Revisions on quarantine of imported feeder swine	R. 1975 d.80	7 N.J.R. 190(a)
2:5-2.1(f)	Revisions for quarantining and branding of infectious anemia horses	R. 1974 d.256	6 N.J.R. 386(c)
2:5-2.2	Horses consigned from out-of-State to horse auction markets	R. 1974 d.255	6 N.J.R. 386(b)
2:7-1.1	Fees for inspections on State holidays	R. 1974 d.300	6 N.J.R. 462(a)
2:33-1.1	Agricultural fairs	R. 1974 d.254	6 N.J.R. 386(a)
2:48-6.3	Sales of milk in three-quart containers	R. 1975 d.82	7 N.J.R. 190(c)
2:54-3.4	Amendment on handling of milk in New Jersey marketing areas	R. 1974 d.283	6 N.J.R. 422(a)
2:54-3.5	Amendment to milk handling order	R. 1975 d.44	7 N.J.R. 126(a)
2:54-3.6	Milk handling order for various New Jersey areas	R. 1975 d.125	7 N.J.R. 246(b)
2:69-1.11	Revised commercial values	R. 1975 d.188	7 N.J.R. 290(b)
2:71-5.1 et seq.	Revisions on marking open and closed packages of potatoes	R. 1975 d.81	7 N.J.R. 190(b)
2:71-5.7(b)	Amend rule on interpretation of persons	R. 1975 d.126	7 N.J.R. 247(a)
<b>BANKING — TITLE 3</b>			
3:1-1.1	Revised interest rate	R. 1974 d.247	6 N.J.R. 387(b)
3:1-1.1	Revisions concerning interest rates	R. 1975 d.21	7 N.J.R. 94(b)
3:1-2.26	Fees; conversion from mutual to capital stock association	R. 1974 d.298	6 N.J.R. 463(c)
3:1-2.27	Officially recognized data sources	R. 1975 d.155	7 N.J.R. 292(a)
3:1-6.1 et seq.	Rules on fees	R. 1974 d.221	6 N.J.R. 342(a)
3:1-7.1 et seq.	Miscellaneous fees	R. 1975 d.120	7 N.J.R. 247(c)
3:1-8.1	Required information for loan applications	R. 1975 d.146	7 N.J.R. 291(b)
3:6-8.1	Registrar and transfer agents filings	R. 1974 d.177	6 N.J.R. 297(a)
3:6-8.1	Rescind rule on registrars and transfer agents	R. 1974 d.314	6 N.J.R. 464(a)
3:7-2.1 et seq.	Revisions on safe and sound methods of banking	R. 1975 d.71	7 N.J.R. 128(d)
3:7-4.1 et seq.	Delete entire text and reserve	R. 1975 d.71	7 N.J.R. 128(d)
3:7-4.1 et seq.	Rules on notice of maturity on long-term time deposits	R. 1975 d.165	7 N.J.R. 292(b)
3:7-5.1 et seq.	Rules on statements of interest	R. 1975 d.185	7 N.J.R. 293(c)
3:8-3.1	Revisions on reserves of banks not members of Federal Reserve System	R. 1974 d.350	7 N.J.R. 45(b)
3:8-3.1(a)4.	Revision on required reserves for banks not members of Federal Reserve System	R. 1975 d.40	7 N.J.R. 128(c)
3:8-5.1	Revisions on reserve required by savings banks	R. 1974 d.357	7 N.J.R. 45(a)
3:8-5.1	Revisions on reserves required by savings banks	R. 1975 d.39	7 N.J.R. 128(b)
3:11-7.7	Exclusion of time balances on deposit from ten per cent limitation	R. 1975 d.115	7 N.J.R. 247(b)
3:12-1.1 et seq.	Rules on registrars and transfer agents	R. 1974 d.314	6 N.J.R. 464(a)
3:17-6.1 et seq.	Revisions to small loan law regulations	R. 1975 d.147	7 N.J.R. 291(c)
3:18-9.1 et seq.	Interest rate regulation Number 1	R. 1974 d.199	6 N.J.R. 298(a)
3:18-9.1	Revised interest rate Regulation 2 for secondary mortgages	R. 1975 d.53	7 N.J.R. 128(a)
3:19-1.6	License number	R. 1975 d.148	7 N.J.R. 291(d)
3:27-5.1 et seq.	Revisions on limitations and excludable loans	R. 1975 d.106	7 N.J.R. 198(a)
3:30-1.3	Notice of maturity of fixed-term savings accounts	R. 1975 d.169	7 N.J.R. 293(a)
3:40-1.1 et seq.	Rules of State Cemetery Board	R. 1975 d.184	7 N.J.R. 293(b)
<b>CIVIL SERVICE — TITLE 4</b>			
4:1-17.24	Payments to State employees for unused sick leave	R. 1974 d.257	6 N.J.R. 388(a)
4:1-17.24 (h) & (i)	Retirees' payment concerning unused sick leave	R. 1975 d.2	7 N.J.R. 46(a)
4:1-17.24 (j)	Employees of A. Harry Moore School and unused sick leave payments	R. 1975 d.1	7 N.J.R. 45(c)

## COMMUNITY AFFAIRS — TITLE 5

5:10-1.1 et seq.	Revisions for construction and maintenance of hotels	R. 1974 d.206	6 N.J.R. 301(a)
5:21-2.1(a)2.	Revisions to Uniform Standard Code for mobile homes	R. 1974 d.275	6 N.J.R. 427(b)
5:21-3.3 et seq.	Revisions in Uniform Standards Code of Mobile Homes	R. 1975 d.166	7 N.J.R. 305(a)
5:30-1.7	Implementation of Housing and Community Development Act of 1974	R. 1974 d.342	7 N.J.R. 2(c)
5:30-1.8	Emergency resolutions exceeding three per cent limitation	R. 1975 d.168	7 N.J.R. 306(a)
5:30-13.3	Tax sale certificates for unpaid municipal liens	R. 1975 d.107	7 N.J.R. 201(b)
5:71-1.1 et seq.	Rules on county offices on aging	R. 1975 d.192	7 N.J.R. 355(a)

## EDUCATION — TITLE 6

6:3-1.1	Amendment on acting administrators	R. 1975 d.98	7 N.J.R. 203(a)
6:3-1.3	Delete in its entirety and mark Reserved	R. 1975 d.124	7 N.J.R. 251(b)
6:3-2.1 et seq.	New rules on pupil records	R. 1975 d.124	7 N.J.R. 251(b)
6:4-1.1 et seq.	Equality in educational programs	R. 1975 d.137	7 N.J.R. 252(a)
6:8-1.1 et seq.	Repeal rules on nonpublic school secular education	R. 1974 d.246	6 N.J.R. 390(b)
6:11-12.7	Revisions for professional librarians	R. 1975 d.198	7 N.J.R. 359(a)
6:11-12.21	Educational media specialist	R. 1975 d.123	7 N.J.R. 251(b)
6:11-12.22	Associate educational media specialist	R. 1975 d.123	7 N.J.R. 251(b)
6:11-12.23	Policies governing issuance of certificates in educational media	R. 1975 d.123	7 N.J.R. 251(b)
6:20-4.1 et seq.	Revisions to rules concerning determination of tuition formula	R. 1974 d.241	6 N.J.R. 390(a)
6:20-4.1 et seq.	Revisions on nonpublic school tuition	R. 1975 d.196	7 N.J.R. 358(b)
6:20-6.1 et seq.	Purchase and loan of textbooks	R. 1974 d.240	6 N.J.R. 389(a)
6:21-1.4	Retirement of school buses	R. 1974 d.176	6 N.J.R. 302(c)
6:21-2.2	Registration revisions	R. 1975 d.5	7 N.J.R. 46(b)
6:21-2.6	Registration procedures	R. 1975 d.5	7 N.J.R. 46(b)
6:21-6.31(f)	Stanchions and guardrails	R.1975 d.6	7 N.J.R. 46(c)
6:21-18.25(3)	Stanchions and handrails	R. 1975 d.6	7 N.J.R. 46(c)
6:22-2.9	New rule on master plans	R. 1975 d.197	7 N.J.R. 358(c)
6:22-5.1(d)	Revised general provisions	R. 1975 d.7	7 N.J.R. 47(a)
6:22-9.1	Revisions on mechanical air supply	R. 1975 d.7	7 N.J.R. 47(a)
6:37-1.1 et seq.	Educational centers of research and demonstration	R. 1974 d.173	6 N.J.R. 301(e)
6:39-1.2 and			
6:39-1.3	Revisions to educational assessment program	R. 1975 d.122	7 N.J.R. 251(a)
6:39-1.3(e)	Rescind rule on evaluation and interpretation of data	R 1974 d.304	6 N.J.R. 470(b)
6:47-1.2(h)	Vocational-management services	R. 1974 d.174	6 N.J.R. 301(c)
6:68-4.1 et seq.	State library assistance programs	R. 1974 d.175	6 N.J.R. 302(a)
6:79-1.1 et seq.	Revised policies for free and reduced-price meals and/or free milk	R. 1975 d.161	7 N.J.R. 307(a)
6:79-1.8	Guidelines for free and reduced-price lunches	R. 1974 d.198	6 N.J.R. 302(e)

## ENVIRONMENTAL PROTECTION — TITLE 7

7:2-2.13	Revised charges at State parks	R. 1975 d.75	7 N.J.R. 151(b)
7:2-14.1 et seq.	Revised rules on Round Valley and Spruce Run Reservoirs	R. 1975 d.134	7 N.J.R. 261(c)
7:2-15.1 et seq.	Delete entire current text and mark Subchapter as Reserved	R. 1975 d.134	7 N.J.R. 261(c)
7:7A-1.1(a)14.	Extend wetland order to portions of Salem County	R. 1974 d.188	6 N.J.R. 306(a)
7:7A-1.1(a)15.	Extend Wetlands Order to parts of Cumberland County	R. 1975 d.32	7 N.J.R. 103(a)
7:9-4.1 et seq.	Revise surface water quality standards	R. 1974 d.310	6 N.J.R. 470(c)
7:9-4.2	Revised rules on construction and practice where rules do not govern	R. 1975 d.132	7 N.J.R. 261(a)
7:9-4.3	Delete current text and mark this Section as Reserved	R. 1975 d.132	7 N.J.R. 261(a)
7:9-4.8(d)6 iv.	Delete text on tidal portions of Morses Creek	R. 1975 d.200	7 N.J.R. 360(c)
7:9-4.9	New rules on tidal portions of Morses Creek	R. 1975 d.200	7 N.J.R. 360(c)
7:9-5.1 et seq.	Current text deleted in its entirety	R. 1974 d.310	6 N.J.R. 470(c)
7:9-6.1 et seq.	Current text deleted in its entirety	R. 1974 d.310	6 N.J.R. 470(c)
7:9-7.1 et seq.	Current text deleted in its entirety	R. 1974 d.310	6 N.J.R. 470(c)
7:9-8.38 et seq.	Transfer treatment standard rules formerly cited as N.J.A.C. 7:9-7.29 - .34	R. 1974 d.310	6 N.J.R. 470(c)
7:11-2.1 et seq.	Revised general rate schedule for Delaware and Raritan Canal water	R. 1974 d.362	7 N.J.R. 49(a)
7:11-3.1 et seq.	Revised rules on use of water from Delaware and Raritan canal	R. 1974 d.363	7 N.J.R. 50(a)
7:12-1.1	Revised rules on shellfish beds	R. 1975 d.116	7 N.J.R. 260(a)
7:12-1.2(a)39.	Condemn shellfish beds in portion of Atlantic Ocean	R. 1974 d.336	7 N.J.R. 6 (b)
7:12-1.2(a)40.	Condemnation of certain shellfish beds	R. 1975 d.51	7 N.J.R. 152(a)
7:12-1.2(a)39.	Revised condemnations of shellfish beds in Atlantic Ocean	R. 1975 d.18	7 N.J.R. 102(a)
7:12-1.3	Opening of certain shellfish beds	R. 1975 d.27	7 N.J.R. 102(c)
7:13-1.1 et seq.	Land use rules applicable to all delineated floodways	R. 1975 d.105	7 N.J.R. 206(b)
7:15-1.1 et seq.	Guidelines under N.J. Industrial Pollution Control Financing Law	R. 1974 d.268	6 N.J.R. 394(b)

7:20-6.1	Criteria for floodway and flood hazard area delineation	R. 1975 d.104	7 N.J.R. 207(a)
7:25-5.1 et seq.	1975-76 Game Code	R. 1975 d.178	7 N.J.R. 310(c)
7:25-6.1 et seq.	1975 Fish Code	R. 1974 d.253	6 N.J.R. 394(a)
7:25-7.10	Oyster seed beds for 1975 season	R. 1975 d.74	7 N.J.R. 151(a)
7:25-7.11	Rule on mussels	R. 1975 d.133	7 N.J.R. 261(b)
7:25-11.1	List of endangered species	R. 1974 d.348	7 N.J.R. 6 (c)
7:25-11.1	List of endangered species	R. 1975 d.164	7 N.J.R. 311(a)
7:26-2.5 et seq.	Revisions on rules of Bureau of Solid Waste Management	R. 1974 d.234	6 N.J.R. 343(c)
7:26-2.5	Amend effective date of rule	R. 1975 d.190	7 N.J.R. 360(b)
7:26-2.6(d)4.	Revised effective date for solid waste facilities	R. 1975 d.66	7 N.J.R. 149(b)
7:26-4.1 et seq.	Revised fee schedule	R. 1975 d.136	7 N.J.R. 259(a)
7:27-15.4(b)	Postponement of Phase II of auto emission inspection standards	R. 1975 d.22	7 N.J.R. 102(b)
7:27B-1.1 et seq.	Sampling and analytical procedures	R. 1974 d.360	7 N.J.R. 48(a)
7:27B-1.1 et seq.	Emissions from particles from manufacturing processes	R. 1975 d.136	7 N.J.R. 261(d)
7:27B-2.1 et seq.	Procedures for visual determination of emissions from sources	R. 1975 d.76	7 N.J.R. 144(a)
7:27B-3.1 et seq.	Emissions of solid particle from combustion of fuel	R. 1975 d.135	7 N.J.R. 261(d)
7:35-1.1 et seq.	Rules on tax exemption on real property owned by certain nonprofit corporations	R. 1975 d.179	7 N.J.R. 310(b)

## HEALTH — TITLE 8

8:2-1.1	Revisions on birth certificates	R. 1975 d.194	7 N.J.R. 362(c)
8:8-1.2 et seq.	Revisions for processing, storage and distribution of blood	R. 1974 d.334	7 N.J.R. 7(a)
8:13-1.1 et seq.	Sanitation, handling, shipping and shucking of shellfish	R. 1974 d.185	6 N.J.R. 310(b)
8:21-2.38	Bacteriological standards for potentially hazardous foods	R. 1974 d.204	6 N.J.R. 311(a)
8:21-4.44	Amend rule on expiration dates for fluid milk products	R. 1974 d.361	7 N.J.R. 56(b)
8:21-9.3(a)	Delete exemption for wholesale handling of raw shellfish	R. 1974 d.184	6 N.J.R. 310(a)
8:31-10.1	Licensing of drug-related facilities	R. 1974 d.193	6 N.J.R. 310(c)
8:31-11.1	Voluntary discontinuance of regular service in any health care facility	R. 1974 d.195	6 N.J.R. 310(e)
8:31-14.1 et seq.	1975 hospital rate review	R. 1975 d.54	7 N.J.R. 152(b)
8:31-16.1	Hospital long range plans	R. 1975 d.201	7 N.J.R. 362(d)
8:32-1.1 et seq.	1974-75 State Plan for hospitals and related health care services	R. 1974 d.196	6 N.J.R. 310(f)
8:32-1.1 et seq.	1975 State Plan for hospitals and related health care services	R. 1975 d.183	7 N.J.R. 314(a)
8:32-1.18	Definition of rehabilitation services	R. 1975 d.77	7 N.J.R. 164(f)
8:32-3.1	Procedures for adjustment of State Plan for hospitals	R. 1974 d.260	6 N.J.R. 397(b)
8:32-3.1	Revisions for adjustment of State Plan	R. 1974 d.318	6 N.J.R. 472(d)
8:33-1.11	Continuation of mixing skilled nursing facilities and intermediate care beds, levels A and B	R. 1974 d.315	6 N.J.R. 472(a)
8:33-1.11	Revised policy on skilled nursing and intermediate care beds	R. 1974 d.317	6 N.J.R. 472(c)
8:33-1.11(b)	Revisions on extension of program of multiple levels of care	R. 1975 d.61	7 N.J.R. 164(e)
8:33-1.12	Processing of certificate of need applications	R. 1974 d.194	6 N.J.R. 310(d)
8:33-1.13	Scheduling and completing hearings for certificate of need applicants	R. 1974 d.269	6 N.J.R. 397(d)
8:34-1.18(a)3	Delete part of rule on refusal of licenses	R. 1975 d.193	7 N.J.R. 362(b)
8:35-1.1 et seq.	Revised criteria on mixed obstetric and gynecologic floors	R. 1975 d.60	7 N.J.R. 164(c)
8:38-1.1 et seq.	Rules concerning HMOs	R. 1974 d.320	6 N.J.R. 473(a)
8:40-4.1 et seq.	Interim regulations for abortion facilities with temporary license	R. 1974 d.215	6 N.J.R. 345(c)
8:40-5.1	Reporting abortions performed in hospitals	R. 1974 d.316	6 N.J.R. 472(b)
8:43-1.1 et seq.	Boarding home for sheltered care	R. 1974 d.319	6 N.J.R. 472(e)
8:57-4.1 et seq.	Immunization of pupils in school	R. 1975 d.121	7 N.J.R. 264(a)
8:64-3.1	Definition of soap	R. 1975 d.103	7 N.J.R. 211(b)
8:65-2.4(c)	Revisions concerning other security controls for nonpractitioners	R. 1974 d.261	6 N.J.R. 397(c)
8:65-6.8(a)4.	Amendment on persons entitled to fill order forms	R. 1975 d.56	7 N.J.R. 164(a)
8:65-7.3(c)	Amendment on persons entitled to issue prescriptions	R. 1975 d.58	7 N.J.R. 164(b)
8:65-7.6	Revisions on persons entitled to fill prescriptions	R. 1975 d.55	7 N.J.R. 155(a)
8:65-10.1 et seq.	Revised schedules of controlled dangerous substances	R. 1975 d.209	7 N.J.R. 363(a)
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9:2-7.6(c)	Revised functions of Committee on Appeals	R. 1975 d.36	7 N.J.R. 104(a)
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10:35-1.1 et seq.	Revised standards	R. 1975 d.108	7 N.J.R. 272(a)
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10:35-60.3(b)	Revised fee schedules	R. 1974 d.356	7 N.J.R. 59(b)
10:35-60.5	Waiver of payment by court order	R. 1974 d.356	7 N.J.R. 59(b)
10:35-63.1 et seq.	Inmate responsibility for personal property of substantial value	R. 1974 d.273	6 N.J.R. 432(b)
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10:35-65.1 et seq.	Volunteers in parole program	R. 1974 d.356	7 N.J.R. 59(b)
10:35-66.1 et seq.	Probable cause hearing	R. 1974 d.356	7 N.J.R. 59(b)
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10:51-1.1 et seq.	Revisions to Pharmacy Manual	R. 1975 d.182	7 N.J.R. 333(b)
10:51-1.2	Definition of eligible pharmacies in New Jersey	R. 1974 d.297	6 N.J.R. 477(c)
10:51-1.10	Revisions concerning pharmacy providers	R. 1974 d.312	6 N.J.R. 478(c)
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10:52-1.2(a) 18.	Revisions on hospital services	R. 1974 d.296	6 N.J.R. 478(a)
10:52-1.4	Revisions in special provisions for general hospitals	R. 1974 d.339	7 N.J.R. 8(a)
10:52-1.15	Reimbursement of third-party claims	R. 1975 d.204	7 N.J.R. 364(b)
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10:54-1.1	Define office visits	R. 1975 d.86	7 N.J.R. 226(d)
10:54-1.2(f)	Revisions on long-term care facilities	R. 1975 d.42	7 N.J.R. 166(a)
10:54-1.19	Revisions concerning specialist recognition	R. 1974 d.201	6 N.J.R. 313(a)
10:54-1.19	Revisions concerning specialists	R. 1974 d.311	6 N.J.R. 478(b)
10:54-1.20	Sterilization procedures	R. 1975 d.205	7 N.J.R. 364(c)
10:55-1.2	Revisions concerning eligible providers; prosthetic, orthotic manual	R. 1974 d.187	6 N.J.R. 312(e)
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10:57-1.4	Revisions on noncovered services	R. 1975 d.162	7 N.J.R. 329(a)
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10:59-1.7(a)6.	Revised prior authorization and medical supply services	R. 1975 d.31	7 N.J.R. 105(b)
10:63-3.1 et seq.	1975 cost study and instructions long-term care facilities	R. 1975 d.149	7 N.J.R. 328(c)
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10:63-1.10(a)5.	Revisions on long-term care facilities	R. 1975 d.42	7 N.J.R. 166(a)
10:63-1.13	Plans of correction of deficiencies	R. 1974 d.343	7 N.J.R. 9(a)
10:63-1.14	Skilled nursing and intermediate care services	R. 1975 d.87	7 N.J.R. 227(a)
10:64-1.2 et seq.	Revisions to hearing aid manual	R. 1975 d.14	7 N.J.R. 58(b)
10:65-1.2	Plans of correction for deficiencies	R. 1974 d.343	7 N.J.R. 9(a)
10:66-1.3	Out-of-State clinics	R. 1974 d.295	6 N.J.R. 477(b)
10:66-1.20	Sterilization procedures	R. 1975 d.205	7 N.J.R. 364(c)
10:67-2.1 et seq.	Revised procedure for Administrative Code numbers	R. 1974 d.245	6 N.J.R. 399(b)
10:81	Revise effective date to August 1, 1975	R. 1975 d.208	7 N.J.R. 365(b)
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10:81-1.1 et seq.	New Public Assistance Manual	R. 1975 d.29	7 N.J.R. 105(c)
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10:81-28.3	Recoupment of overpayments	R. 1974 d.287	6 N.J.R. 435(b)
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10:82-1.1 et seq.	Assistance Standards Handbook	R. 1975 d.93	7 N.J.R. 227(b)
10:82-3.2	AFDC program	R. 1974 d.205	6 N.J.R. 312(b)
10:82-10.1	Overpayments, underpayments	R. 1974 d.287	6 N.J.R. 435(b)
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10:84-1.1 et seq.	Delete entire Chapter and mark it Reserved	R. 1975 d.29	7 N.J.R. 105(c)
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10:109-1.1 et seq.	Revisions concerning public assistance staff development program	R. 1974 d.179	6 N.J.R. 312(e)
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10:109-2.1 et seq.	Ruling Number 11; classification and compensation plan	R. 1974 d.211	6 N.J.R. 351(a)

10:121-3.1 et seq.	Adoption complaint investigation fees	R. 1975 d.15	7 N.J.R. 58(c)
10:122-2.1 et seq.	AFDC foster care plan	R. 1975 d.99	7 N.J.R. 227(c)
10:123-1.1 et seq.	Revised State Plan for services to families and children	R. 1974 d.232	6 N.J.R. 351(b)
10:123-1.1 et seq.	Revised State Plan for families and children	R. 1974 d.355	7 N.J.R. 59(a)
10:123-1.14	Establishing paternity and securing support for AFDC children	R. 1975 d.35	7 N.J.R. 105(a)
10:123-4.1	Amendment concerning community planning	R. 1975 d.57	7 N.J.R. 166(b)
10:123-5.3(a)4	Revise maximum income level eligibility	R. 1975 d.181	7 N.J.R. 333(a)

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11:1-2.1 et seq.	Amend rules on filings regarding property liability insurance	R. 1975 d.34	7 N.J.R. 115(a)
11:1-4.2	Sex and/or marital status discrimination	R. 1975 d.128	7 N.J.R. 276(b)
11:1-5.1	Deduction of exhaustion of Motor Vehicle Liability Security Fund	R. 1974 d.237	6 N.J.R. 351(d)
11:1-5.2	New Jersey Special Joint Underwriting Association	R. 1974 d.259	6 N.J.R. 407(a)
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11:5-1.2	Amendment concerning salesmen applications	R. 1974 d.307	6 N.J.R. 478(e)
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12:15-1.3	Revised maximum weekly benefits rates	R. 1974 d.236	6 N.J.R. 352(b)
12:17-2.1(g)	Revisions on registration for work and benefit claims	R. 1975 d.72	7 N.J.R. 169(b)
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12:18-3.1(f) and (g)	Revisions of fees under State Plan for temporary disability benefits	R. 1974 d.284	6 N.J.R. 437(b)
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12:122-1.1 et seq.	Repeal rules on local exhaust systems	R. 1974 d.136	6 N.J.R. 267(a)
12:146-1.1 et seq.	Repeal rules on machinery with rolls	R. 1974 d.138	6 N.J.R. 267(c)
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12:195-1.1 et seq.	Rules on carnival-amusement rides	R. 1975 d.189	7 N.J.R. 370(c)
12:235-1.1 et seq.	Revised rules of the Division of Workmen's Compensation	R. 1975 d.43	7 N.J.R. 169(a)

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13:2-31.8	Revised trading areas for malt alcoholic beverages	R. 1974 d.349	7 N.J.R. 13(b)
13:2-31.9	Revised inspection of price schedules	R. 1974 d.349	7 N.J.R. 13(b)
13:2-34.2	Revisions concerning schedule filing dates and contents	R. 1974 d.239	6 N.J.R. 410(b)
13:2-37.1	Revised definitions	R. 1974 d.239	6 N.J.R. 410(b)
13:20-28.6	Revisions on new car decals	R. 1975 d.174	7 N.J.R. 343(b)
13:20-28.8	Revisions on new car evidence of compliance	R. 1975 d.174	7 N.J.R. 343(b)
13:27-3.13	Board of architects revised fee schedule	R. 1975 d.171	7 N.J.R. 342(a)
13:27-3.13	Revised fees for architects	R. 1975 d.171	7 N.J.R. 342(a)
13:29-1.7(b)	Revisions on conditional credit	R. 1975 d.33	7 N.J.R. 115(d)
13:33-1.38	Minimum standards and tolerances	R. 1974 d.262	6 N.J.R. 411(a)
13:33-1.41	Fee schedules	R. 1974 d.309	6 N.J.R. 487(a)
13:34-1.1	Fees for Board of Marriage Counselor examinations	R. 1975 d.100	7 N.J.R. 236(a)
13:35-3.6	Board of Medical Examiners fee schedule	R. 1975 d.172	7 N.J.R. 343(a)
13:35-3.6	Revised fees for medical examiners	R. 1975 d.172	7 N.J.R. 343(a)
13:35-5.1	Minimum standards for eyeglasses	R. 1974 d.353	7 N.J.R. 61(c)
13:35-6.10	Countersigning of orders and prescriptions of unlicensed physicians	R. 1974 d.337	7 N.J.R. 12(a)
13:35-6.11	Prohibiting kickbacks or rebates for services not rendered	R. 1974 d.280	6 N.J.R. 451(a)

13:36-1.6	Revised fees and charges	R. 1974 d.281	6 N.J.R. 451(b)
13:37-12.1	Fee schedule; Board of Nursing	R. 1974 d.189	6 N.J.R. 324(b)
13:38-2.10	Minimum standards for eyeglasses	R. 1975 d.19	7 N.J.R. 115(b)
13:38-5.1	Fee schedule	R. 1975 d.23	7 N.J.R. 115(c)
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13:41-3.1	Use of the terms planners or planning	R. 1975 d.102	7 N.J.R. 236(b)
13:44-4.1	Revised fees for veterinarians	R. 1975 d.173	7 N.J.R. 342(b)
13:44-4.1	Veterinary medical examiners fee schedule	R. 1975 d.173	7 N.J.R. 342(b)
13:46-4.6(c)	Revised license fee	R. 1974 d.331	7 N.J.R. 12
13:47A-1.1(a) 3.	Revised fee for application for registration	R. 1974 d.333	7 N.J.R. 12(b)
13:47A-3.1(c)	Revised fee for application	R. 1974 d.333	7 N.J.R. 12(b)
13:47A-5.2	Revised fee for application renewal	R. 1974 d.333	7 N.J.R. 12(b)
13:47A-6.1	Revisions on qualification of issue	R. 1974 d.278	6 N.J.R. 450(c)
13:47A-9.1	Repeal rule on requirements for qualification	R. 1974 d.277	6 N.J.R. 450(b)
13:47A-9.14	Repeal rule on number of offers for exemption restriction	R. 1974 d.350	7 N.J.R. 13(d)
13:47A-10.2	Repeal rule on claims for exemption	R. 1974 d.277	6 N.J.R. 450(b)
13:47A-10.3	Effective date of initial applications	R. 1974 d.352	7 N.J.R. 14(a)
13:47A-15.1	Revisions concerning prospectuses	R. 1974 d.279	6 N.J.R. 450(d)
13:47A-18.1	Revisions concerning prefiling materials and contents	R. 1974 d.351	7 N.J.R. 13(c)
13:70-1.1 et seq.	Revised rules on horse racing	R. 1975 d.37	7 N.J.R. 170(a)
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16:28-1.14	Revised rules on rates of speed on Route 33	R. 1975 d.17	7 N.J.R. 118(b)
16:28-1.25 et seq.	Revise rules on rates of speed along certain State highways	R. 1974 d.197	6 N.J.R. 325(a)
16:28-1.35	Revised speed limits on portions of Route 18	R. 1974 d.340	7 N.J.R. 32(d)
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16:28-1.51	Revised speed limits on parts of Route 55	R. 1975 d.167	7 N.J.R. 346(a)
16:28-1.63	Revise rates of speed on Route U.S. 22	R. 1974 d.326	7 N.J.R. 32(c)
16:28-1.67	Revisions to rates of speed on parts of U.S. 202	R. 1974 d.325	7 N.J.R. 32(b)
16:28-1.68	Revised rates of speed on parts of Route 17	R. 1975 d.153	7 N.J.R. 344(d)
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16:28-1.77	Revised rates of speed on parts of Route 29	R. 1975 d.144	7 N.J.R. 344(c)
16:28-1.96	Revise rates of speed on Route N.J. 45	R. 1974 d.326	7 N.J.R. 32(c)
16:28-1.100	Revised speed limits on Route 439	R. 1975 d.50	7 N.J.R. 178(c)
16:28-1.111	Speed limits on Route 179 in Hunterdon County	R. 1974 d.249	6 N.J.R. 414(a)
16:28-1.122	Revisions to rates of speeds on U.S. 46, U.S. 1, 9 and 46	R. 1974 d.291	6 N.J.R. 493(a)
16:28-1.148	Revised speed limits on Route I-295	R. 1975 d.24	7 N.J.R. 118(c)
16:28-1.157	Rates of speeds on Route 173	R. 1974 d.291	6 N.J.R. 493(a)
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16:28-3.20 et seq.	Restricted parking on Routes 70, 73, U.S. 22 and U.S. 130	R. 1974 d.216	6 N.J.R. 359(b)
16:28-3.24	Route number U.S. 40	R. 1974 d.226	6 N.J.R. 359(d)
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16:28-3.26	No parking; Route 35	R. 1974 d.292	6 N.J.R. 493(b)
16:28-3.27	No parking; Route 27	R. 1974 d.292	6 N.J.R. 493(b)
16:28-3.28	Restricted parking rules on various State highways	R. 1974 d.359	7 N.J.R. 74(a)
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16:28-3.63	Rules on restricted parking on various State highways	R. 1975 d.143	7 N.J.R. 344(b)
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16:28-4.3	One-way traffic along Route 79	R. 1974 d.293	6 N.J.R. 493(c)
16:28-5.1	Designation of stop intersections	R. 1974 d.250	6 N.J.R. 414(b)
16:28-6.1	No left turn rules on parts of Route U.S. 206	R. 1974 d.324	7 N.J.R. 32(a)
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16:41-2.3 et seq.	Revised fee schedules	R. 1975 d.207	7 N.J.R. 387(d)
16:50-2.6	Rule on emergency hearings	R. 1975 d.199	7 N.J.R. 387(b)
16:51-4.1 et seq.	Delegation of powers for seniors half-fare bus program	R. 1975 d.113	7 N.J.R. 280(b)
16:54-6.1 et seq.	Take-off or landing by balloons	R. 1974 d.308	6 N.J.R. 494(a)
16:54-6.1 et seq.	Revised rules on ballooning	R. 1975 d.131	7 N.J.R. 281(a)
16:65-2.1 et seq.	Revisions on distribution of standard specifications	R. 1975 d.195	7 N.J.R. 387(a)

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17:9-2.3	Revisions on annual enrollment period	R. 1974 d.228	6 N.J.R. 360(c)
17:9-2.15	Major medical; separate plans	R. 1975 d.68	7 N.J.R. 181(a)
17:9-4.2	Revised definition of State; full time	R. 1975 d.68	7 N.J.R. 181(a)
17:9-5.4	Revisions on local employer payment of dependent charges	R. 1974 d.229	6 N.J.R. 360(d)
17:9-5.5	Revisions concerning local employer resolution	R. 1975 d.65	7 N.J.R. 180(c)
17:9-5.6	Health maintenance organization premiums	R. 1974 d.228	6 N.J.R. 360(c)
17:9-5.10	Retroactive premiums; payment due	R. 1975 d.159	7 N.J.R. 349(b)
17:9-6.3	Amend retired coverage limitations	R. 1975 d.159	7 N.J.R. 349(b)
17:10-3.1	Revised computation of benefits	R. 1974 d.335	7 N.J.R. 34(a)
17:10-5.7	Revised employer disability application; employee notice	R. 1974 d.335	7 N.J.R. 34(a)
17:16-5.4	Revised demand group	R. 1975 d.11	7 N.J.R. 76(b)
17:16-5.5(a)14.	Delete from temporary reserve group housing development	R. 1974 d.192	6 N.J.R. 328(c)
17:16-6.1(a)8.	Add Federal Financing Bank to approved list	R. 1974 d.323	6 N.J.R. 496(a)
17:16-6.1	Revised rules on U.S. Treasury and government agency obligations	R. 1975 d.97	7 N.J.R. 241(a)
17:16-7.3	Delete from revolving housing development grant fund	R. 1974 d.191	6 N.J.R. 328(b)
17:16-8.1(a)6.	Amend permissible investment rules concerning corporate securities — industrial obligations	R. 1974 d.321	6 N.J.R. 495(b)
17:16-9.1(a)5.	Revision concerning finance companies — senior debt	R. 1974 d.322	6 N.J.R. 495(c)
17:16-13.5	Revisions on legal papers; commercial paper	R. 1974 d.218	6 N.J.R. 361(c)
18:16-36.7 et seq.	Revisions concerning Common Pension Fund B	R. 1974 d.265	6 N.J.R. 416(b)
17:16-37.1(a)6.	Addition of Federal Financing Bank to approved list	R. 1974 d.264	6 N.J.R. 416(a)
17:16-38.1 et seq.	Common Pension Fund C	R. 1974 d.266	6 N.J.R. 416(c)
17:16-39.1 et seq.	Rules on bankers' acceptances	R. 1974 d.263	6 N.J.R. 415(b)
17:16-39.1 et seq.	Collateralized notes and mortgages	R. 1975 d.67	7 N.J.R. 180(d)
17:20-5.10	Revise agent's compensation rule	R. 1974 d.329	7 N.J.R. 33(b)
17:21-1.4(b)	Revisions on special lotteries	R. 1974 d.224	6 N.J.R. 360(b)
17:21-2.3 et seq.	Revised rules concerning weekly lottery	R. 1974 d.329	7 N.J.R. 33(b)

## TREASURY — TAXATION — TITLE 18

18:2-1.1	Reproduction of forms	R. 1974 d.182	6 N.J.R. 328(a)
18:5-3.10(d)	Revised rule on decalcomania revenue stamps on cigarettes	R. 1975 d.28	7 N.J.R. 122(b)
18:6-1.1	Revised definition of cost of doing business	R. 1974 d.243	6 N.J.R. 414(d)
18:12A-1.6 et seq.	Revisions concerning County Boards of Taxation	R. 1975 d.46	7 N.J.R. 180(b)
18:12A-1.16	Electronic Data processing and tax assessment lists	R. 1974 d.242	6 N.J.R. 414(c)
18:16-1.1 et seq.	Revisions in realty transfer fee law	R. 1975 d.84	7 N.J.R. 240(b)
18:22-7.6	Gross receipts from transactions; municipal electric supply operations	R. 1975 d.45	7 N.J.R. 180(a)
18:24-1.14	Effective date of exemption organization permit	R. 1975 d.187	7 N.J.R. 350(b)
18:24-10.4	Acceptance in good faith	R. 1974 d.244	6 N.J.R. 414(e)
18:24-10.5	Disclosure of proper exemption basis	R. 1974 d.244	6 N.J.R. 414(e)
18:24-11.2	Filing of monthly and quarterly returns	R. 1975 d.4	7 N.J.R. 77(a)
18:24-24.1 et seq.	Sale and installation of gasoline service station equipment	R. 1974 d.252	6 N.J.R. 415(a)

(Continued from page 21)

4. Rides as to which the Commissioner has ordered such a test upon finding it necessary to assure safety.

(b) Each passenger seat or space shall be weighted with at least 150 pounds dead weight, except that in a ride intended only for small children, each seat or space shall be weighted with at least 75 pounds. While so loaded the ride shall be operated at maximum normal speed as to test the full operation of all control devices, rides, speed limiting devices, brakes and other equipment provided for safety.

(c) Unless a load test is made in the presence of the Commissioner, the manager of the ride shall cause to be filed with the Commissioner on a form provided by him a statement by either the manufacturer of the ride, or an insurance carrier lawfully doing business in this State and carrying public liability insurance on the ride, or a qualified licensed professional engineer showing whether the ride withstood the test without failure in any material respect and setting forth such other relevant information as the Commissioner may require. Until such a statement is so filed it shall be presumed that the ride has not withstood the test as required.

(d) If the ride fails to withstand a load test it shall be deemed unsafe and shall not be used until and unless it has withstood a subsequent load test without failure in any material respect. If the ride has withstood a load test without failure in any material respect, it shall be required to be so tested again only if rebuilt or modified or if there are reasonable grounds to believe that a further test is necessary to assure safety and the Commissioner orders such test to be made.

#### 12:195-3.12 Identification and rating plates

(a) Every amusement ride shall be identified by the name and address of the manufacturer, if known; a trade or descriptive name; an identification number; the maximum safe number of passengers and the maximum safe speed.

(b) The required information shall be legibly impressed on a metal plate or equivalent and readily visible and legible at all times.

#### 12:195-3.13 Rebuilt and modified rides

(a) If an amusement ride which has withstood a performance test as required is thereafter materially rebuilt or so modified as to change its original action;

1. The ride shall be reidentified by a different name or identification number or both;

2. The ride shall be subject to all other provisions of this Chapter as it is were a new ride not previously used.

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18:26-6.16	No fault insurance rules	R. 1975 d.186	7 N.J.R. 350(a)
18:26-8.7	Preaudit payment of inheritance tax	R. 1975 d.85	7 N.J.R. 240(c)
18:26-8.25	Certificates of deposits, savings certificates and special savings accounts	R. 1975 d.177	7 N.J.R. 349(c)

### OTHER AGENCIES — TITLE 19

19:1-1.1 et seq.	Revisions pertaining to making of loans to mortgage lenders	R. 1974 d.233	6 N.J.R. 370(b)
19:1-1.3	Revised definition of Mortgage Finance Agency collateral	R. 1974 d.251	6 N.J.R. 418(b)
19:3A-2.1	Required land use and control meadows; flood insurance	R. 1974 d.213	6 N.J.R. 369(b)
19:3A-2.2	Securing coverage under National Flood Insurance Program	R. 1974 d.212	6 N.J.R. 361(d)
19:7-1.1(a)1.	Revisions on permitted sites and sanitary landfills	R. 1974 d.214	6 N.J.R. 369(a)
19:8-1.1	Garden State Arts Center defined	R. 1975 d.145	7 N.J.R. 350(d)
19:8-2.11	Rules on Garden State Arts Center	R. 1975 d.145	7 N.J.R. 350(d)
19:8-3.1(b)	Revised toll schedule for new Union County interchange	R. 1974 d.290	6 N.J.R. 496(c)
19:9-1.1	Revised Turnpike definitions	R. 1974 d.227	6 N.J.R. 370(c)
19:9-1.9	Revised limitations on use of Turnpike	R. 1974 d.227	6 N.J.R. 370(c)
19:9-1.9(a)26.	Delete rule 19:9-1.9 (a) 26.	R. 1975 d.41	7 N.J.R. 185(a)
19:9-1.18	Noise limits on Turnpike	R. 1974 d.227	6 N.J.R. 370(c)
19:9-1.18(e) and (f)	Revised citations for noise limit rules	R. 1975 d.25	7 N.J.R. 122(d)
19:11-1.6	Revisions in number of copies to be filed	R. 1974 d.347	7 N.J.R. 36(a)
19:11-1.13	Revisions concerning intervention	R. 1974 d. 346	7 N.J.R. 35(d)
19:11-2.7	Rule on election eligibility lists	R. 1974 d.344	7 N.J.R. 35(b)
19:12-1.1	Revisions in filing of notice of impasse	R. 1974 d.347	7 N.J.R. 36(a)
19:12-1.1 et seq.	Negotiations and impasse procedures	R. 1975 d.10	7 N.J.R. 78(a)
19:12-2.1	Revisions in invocation of fact-finding	R. 1974 d.347	7 N.J.R. 36(a)
19:12-3.1	Revisions concerning arbitration	R. 1974 d.345	7 N.J.R. 35(c)
19:13-1.1 et seq.	Scope of negotiations proceedings	R. 1975 d.10	7 N.J.R. 78(a)
19:14-1.1 et seq.	Unfair practice proceedings	R. 1975 d.10	7 N.J.R. 78(a)
19:14A-1.1 et seq.	Hearings	R. 1975 d.10	7 N.J.R. 78(a)
19:14-1.5 et seq.	Revisions concerning processing of unfair practice cases	R. 1975 d.89	7 N.J.R. 243(a)
19:14-9.1 et seq.	Interim relief	R. 1975 d.90	7 N.J.R. 242(a)
19:25-1.1 et seq.	Initial rules of Election Law Enforcement Commission	R. 1974 d.267	6 N.J.R. 418(a)
19:30-1.1 et seq.	Administrative rules of Economic Development Authority	R. 1974 d.332	7 N.J.R. 34(c)
19:30-2.1	Revised application fees	R. 1975 d.26	7 N.J.R. 122(c)
19:30-2.2	Delete text on fees	R. 1975 d.26	7 N.J.R. 122(c)
19:35-1.1	Rules on FM noncommercial radio stations	R. 1975 d.118	7 N.J.R. 285(a)

#### 12:195-3.14 Assembly and disassembly

(a) The assembly and disassembly of an amusement ride shall be done by or under the immediate supervision of a qualified person.

(b) Assembly work shall be performed in a proper and workmanlike manner. Parts shall be properly aligned, and shall not be bent, distorted, cut or otherwise injured to force a fit. Parts requiring lubrication shall be lubricated in course of assembly. Fastening and locking devices, such as bolts, cap screws, cotter pins and lock washers shall be installed where required for safe operation. Nuts shall be drawn tight, cotter pins shall be spread and lock nuts firmly set.

(c) Parts which are excessively worn or which have been materially damaged shall not be used. Close visual inspection of parts shall be made during assembly to discover such wear or damage and immediate inspection of fastening devices shall be made after assembly to assure that they have been properly installed.

(d) Persons engaged in the assembly or disassembly of amusement rides shall be provided with and shall use tools of proper size and design to enable the work to be done in a proper manner. Broken, damaged and unsuitable tools shall not be used.

(e) Assembly and disassembly of amusement rides shall be done under light conditions sufficient to permit the work to be properly performed and inspected.

(f) A sufficient number of persons to do the work properly shall be engaged for the assembly or disassembly of amusement rides. Persons not so engaged shall be prevented from entering the area in which the work may create a hazard.

(g) The owner of an amusement ride shall comply with the manufacturer's construction manual for the assembly and disassembly of the ride. The manufacturer's construction manual shall be kept with the amusement ride and shall be available for use by the Division.

#### 12:195-3.15 Lighting

Amusement rides, access thereto, and exits therefrom, shall while in operation or occupied, be provided with illumination by natural or artificial means sufficient to guard against injuries to the public.

#### 12:195-3.16 Proximity to high voltage lines

Amusement rides shall be located so that they conform to the requirements of the High Voltage Proximity Act, P.L. 1948, C.249 as amended by P.L. 1966, C261. (N.J.S.A. 34:6-47.1 et seq.)

### SUBCHAPTER 4. OPERATION

#### 12:195-4.1 Notice

(a) No amusement ride shall be used at any time or location unless prior notice of intent to use the same has been given to the Commissioner.

(b) Notice of planned schedules shall be in writing, identify the ride, state the intended dates and locations of use, and be mailed to the Division of Workplace Standards, New Jersey Department of Labor and Industry, P.O. Box 709, Trenton, New Jersey 08625, at least five days before the first intended date of use.

(c) Notice of unscheduled or emergency use shall be given to the Commissioner immediately by telephone or wire.

#### 12:195-4.2 Daily inspection and test

(a) An amusement ride shall be inspected and tested on each day when it is intended to be used. The inspection and test shall be made by a qualified person experienced and instructed in the proper assembly and operation of the device and shall be performed before the ride is put into normal operation.

(b) The inspection and test shall include the operation of control devices, speed-limiting devices, brakes and other equipment provided for safety.

(c) A record of each inspection and test shall be made at once upon completion of the test, and shall be kept with the device and available to the Commissioner for at least one year.

#### 12:195-4.3 Inspection after assembly and disassembly

Amusement rides shall be inspected in accordance with N.J.A.C. 12:195-3.14 by a qualified person each time the rides are assembled and disassembled.

#### 12:195-4.4 Prohibited use

No person shall knowingly use or suffer or permit to be used, an amusement ride which is not properly assembled or which is defective or unsafe in any of its parts, components, controls or safety equipment.

#### 12:195-4.5 Control of operation

(a) The ride operator shall be at least 16 years of age.

(b) The ride operator shall operate no more than one ride at any given time.

(c) The ride operator shall be properly trained before he is assigned the duties of operating a ride.

(d) The ride operator shall have knowledge of the use and function of all normal and emergency operating controls and the proper use of the ride.

(e) The ride operator shall be in the immediate vicinity of the operating controls during operation and no other person shall be suffered or permitted to handle such controls during normal operations. This provision shall not apply to amusement rides designed to be operated or controlled safely by a passenger.

(f) The ride operator shall not operate any ride when under the influence of alcohol or drugs.

(g) The ride operator shall operate the ride in accordance with the manufacturer's operating manual. The manufacturer's operating manual shall be kept with the amusement ride and shall be available for use by the Division.

#### 12:195-4.6 Overload and overspeed

(a) An amusement ride shall not be overcrowded, or loaded in excess of its safe carrying capacity.

(b) Amusement rides shall not be operated at an unsafe speed or at any speed beyond that recommended by the manufacturer.

#### 12:195-4.7 Wind and storm hazards

An amusement ride which is exposed to wind or storm shall not be operated under dangerous weather conditions except to release or discharge occupants.

#### 12:195-4.8 Imminent danger

(a) If the Commissioner finds that an amusement ride presents an imminent danger he may attach to such ride a notice warning all persons against the use of the ride. Such notice

shall not be removed until the ride is made safe, and then only by the Commissioner.

(b) The amusement ride shall not be used while the Commissioner's notice is posted.

#### 12:195-4.9 Cleanliness

(a) A suitable number of metal containers for refuse shall be provided in and around amusement rides. Excessive accumulations of trash or refuse shall be promptly removed.

(b) All parts of amusement devices and temporary structures used by passengers or customers shall be maintained in a clean condition.

#### 12:195-4.10 Passenger conduct

(a) The owner shall have the right to refuse any member of the public admission to a ride if his bearing or conduct will endanger himself or other members of the public.

(b) The owner shall have the right to refuse admittance to any ride if the intended passenger's health or physical condition makes it unsafe for him to use the ride.

(c) Children 12 years of age and under shall not be permitted on adult rides unless accompanied by an adult. Legible signs to this effect shall be posted in full view of the public seeking admission to adult rides.

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An order adopting these rules was filed and effective June 26, 1975, as R.1975 d.189 (Exempt, Emergency Rule).

Thomas F. Kistner  
Director of Administrative Procedure  
Department of State

(a)

## LAW AND PUBLIC SAFETY

### DIVISION OF ALCOHOLIC BEVERAGE CONTROL

#### Proposed Revisions on Wholesale Prices of Alcoholic Beverages

Leonard D. Ronco, Director of the Division of Alcoholic Beverage Control, in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 33:1-39, proposes to adopt a revised rule concerning wholesale prices of alcoholic beverages.

**Full text** of the proposed revised rule is as follows (additions indicated in bold face **thus**, deletions in brackets [thus]):

#### 13:2-34.8 Wholesale prices and maximum rebates; free goods, allowances and other inducements

(a) Any manufacturer or wholesaler who has filed with the Director prices for alcoholic beverages to be sold to wholesalers may, for the calendar month of February or March, reduce the price listing of any alcoholic beverage theretofore filed by him for the [quarter-annual] **calendar quarter** period beginning the first day of January; for the calendar month of May or June, reduce the price listing of any alcoholic beverage theretofore filed by him for the [quarter-annual] **calendar quarter** period beginning the first day of April; for the calendar month of August or September, reduce the price listing of any alcoholic beverage theretofore filed by him for the [quarter-annual] **calendar quarter** period beginning the first day of July; for the calendar month of

November or December, reduce the price listing of any alcoholic beverage theretofore filed by him for the [quarter-annual] **calendar quarter** period beginning the first day of October; by complying with the procedure hereinafter set forth in this subdivision (a) and in subdivision (b) of this rule.

(b) By filing with the Director, on or before the [fifteenth] **fifth** day of the month preceding the month in which the reduction is to be effective, in the form prescribed in Rule 2 hereof, an amended price listing for such alcoholic beverage with a statement that the amended price therein is to become effective only for the calendar month immediate following the date of filing thereof. Such manufacturer or wholesaler shall file with the Director, on or before the [fifteenth] **fifth** day of the month preceding the month in which the reduction is to be effective, an affidavit stating that on or before the [fifteenth] **fifth** day of said month a copy of said amended price listing and statement was served upon each wholesaler to whom such manufacturer or wholesaler sold alcoholic beverages during the preceding three months or, that on or before the [twelfth] **second** day of said month such a copy was mailed to each such wholesaler. Upon compliance with the provisions hereinabove set forth and with the provisions of subdivision (b) of this Rule, the listings previously filed with the Director for the then current calendar quarter period shall be deemed amended for the calendar month only in which the amended prices are effective and shall otherwise remain in full force and effect.

(c) Any manufacturer or wholesaler filing such amended price listing as provided in subdivision (a) of this rule shall also file with the Director simultaneously therewith a statement that he will grant and, pursuant to said statement, shall grant to each of his wholesale customers a depletion credit or rebate in the same amount as the price reduction filed, as hereinabove provided, for each case of the brand and size of alcoholic beverage, upon which the price listing was reduced, sold by the wholesaler to retailers during the month in which the price reduction is in effect, but such depletion credit or rebate shall be limited to and shall not exceed the prescribed credit or rebate multiplied by the number of cases sold by such wholesaler to retailers out of inventory which the wholesaler had on hand at the beginning of the month in which the reduction is effective.

(d) Any manufacturer or wholesaler, instead of filing an amended price listing as provided in subdivision (a) of this rule, may file with the Director a statement that he will grant and, pursuant to said statement, shall grant to each of his wholesale customers a depletion credit or rebate (stating the amount) for each case of the brand and size of alcoholic beverage to which said depletion credit or rebate is to be applicable, sold by the wholesaler to retailers during the month in which the depletion credit or rebate is to be in effect.

(e) A manufacturer or wholesaler may not reduce the price of or allow a depletion credit or rebate on the same brand and type of alcoholic beverage in more than one month or any [quarter-annual] **calendar quarter** period, regardless of alcoholic content or size of container.

(f) No manufacturer or wholesaler shall require a wholesaler to whom a purchase price reduction or depletion credit or rebate is granted as provided in this rule, to accept any brand, type or size of alcoholic beverage in satisfaction of said purchase price reduction or depletion credit or rebate.

Interested persons may present statements or arguments in writing relevant to the proposed revisions on or before August 28, 1975 to:

Leonard D. Ronco, Director  
Division of Alcoholic Beverage Control  
25 Commerce Drive  
Cranford, New Jersey 07016

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

Leonard D. Ronco  
Director, Division of Alcoholic Beverage Control  
Department of Law and Public Safety

(a)

## LAW AND PUBLIC SAFETY

### DIVISION OF CONSUMER AFFAIRS

### BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS

#### Proposed Rules on Preparation Of Property Surveys

Anthony J. Del Mastro, President of the Board of Professional Engineers and Land Surveyors in the Division of Consumer Affairs in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 45:8-27 et seq., proposes to adopt new rules concerning the preparation of property surveys.

**Full text** of the proposed rules follows:

#### SUBCHAPTER 5. LAND SURVEYORS: PREPARATION OF LAND SURVEYS

##### 13:40-5.1 Contractual arrangements

(a) A licensed land surveyor shall not perform survey, mapping, computation or other work permitted within the practice of land surveying, as defined by N.J.S.A. 45:8-28(e), unless bonafide contractual arrangements have been mutually agreed upon by the surveyor and owner.

(b) The ordinary contractual obligations and respective responsibilities of the land surveyor and owner should be set forth either by a letter of authorization from the owner or formal contract between the land surveyor and owner.

(c) The surveyor must define specifically the services to be rendered to an owner. Thereafter, work would be performed in accordance with such descriptions, but written authorization would not be required for each item of work.

(d) Letters of authorization and formal contracts may be omitted in special cases when delays due to receipt of formal authorization from the owner would be detrimental to the completion of prospective project. In such special cases, the land surveyor or owner should confirm contractual arrangement in writing as soon as practical after beginning work on the project.

##### 13:40-5.2 Requirements

(a) The licensed land surveyor shall comply with the following requirements subject to contractual conditions agreed upon with the owner:

1. The owner should provide the licensed land surveyor with pertinent information and documentation in his possession. Such information may include, but not be limited to, earlier surveys, record deeds, title reports, original tract maps, public records and state, county or municipal maps. When such information provided is not sufficient to meet the owner's needs, the surveyor shall make all reasonable efforts to obtain all information and documentation needed to render an accurate survey.

2. When a property survey is to be performed, a field survey must be made of the property in question and such field survey shall include all measurements and recording of all data as may be necessary to perform an accurate survey. The licensed land surveyor shall either perform the field survey or exercise sufficient supervision of the work as necessary to adequately fulfill all professional responsibilities.

3. Appropriate corner markers, such as stakes, iron pipes, cut crosses, monuments and so forth, shall be set either by the licensed land surveyor or under the supervision of the licensed land surveyor. Such markers should be set at each property corner not previously marked by a property marker, unless the actual corner is not accessible, or unless contractual arrangements specify otherwise.

4. A plat, also referred to as a plan of survey shall be prepared either by the licensed land surveyor or under the supervision of the licensed land surveyor. Such plat shall show all matter relevant to a complete and clear exposition of the property. Subject to contractual arrangements, the plat may omit certain matter, provided such omissions are not prohibited by law or required as a matter of professional integrity.

5. The items which must always be shown are as follows:

- i. Title block complying with N.J.A.C. 13:40-2;
- ii. The State, county and municipality in which the property is located and specific data as provided by the owner identifying the property or other pertinent identifying data as deemed appropriate by the surveyor;
- iii. North arrow (with reference used) and scale;
- iv. The point of beginning;
- v. Metes and bounds of the property in question: All measurements to be indicated in feet and decimals of a foot except when legal requirements or professional custom and usage require another form of measurement.
- vi. Property corner markers, both found and set or the relation of existing markers to the true property corner;
- vii. Street and street names and widths when such streets abut or adjoin the property in question. If the street is not open, the survey should so indicate;
- viii. Encroachments of structures both on the premises in question and/or adjoining properties;
- ix. Fences, tree rows, hedges, streams, ditches and any physical occupation influencing property line determination;
- x. In all cases, survey work shall be performed in accordance with currently accepted accuracy standards, but such accuracy standards may be limited by contractual arrangements. Such limitations shall be appropriately noted on the final drawing.

6. The items which may be omitted because of contractual arrangements with the owner are as follows:

- i. Areas of established city lots or recorded subdivision map lots, unless the area is recited in the record deed of the property in question;
- ii. Fences and streams and ditches, unless such fences, streams and ditches are on or in close proximity to the property lines and affect the property in question;

- iii. Sidewalks, driveways, walkways or other traveled ways, unless such ways affect the property in question;
- iv. Utility lines, easements or right of way lines except when recited in the record deed or when such utility lines, easements or right of way lines affect the use of adjacent properties or the property in question;
- v. Location and type of buildings and other structures on the property in question.

7. When any of the various items listed hereinabove are omitted, the plat or plan of survey should indicate in a factual way that such omissions are made.

8. Upon completing the plat or plan of survey, the licensed land surveyor shall provide the client an agreed upon number of print copies of the survey drawing. Such print copies of the plat or plan of survey shall bear the signature and impression seal of the licensed land surveyor. Certification by the licensed land surveyor may be given when requested by the client.

9. Reproduction or photographic copies of the plat or plan or survey shall not be deemed legal evidence unless such copies bear the impression seal of the licensed land surveyor.

#### 13:40-5.3 Topographic surveys

(a, Topographic surveys shall be performed in accordance with the accuracy specified by contractual arrangements. The finished drawing shall indicate at least the following:

- 1. The elevation datum reference;
- 2. A minimum of two permanent bench marks;
- 3. Any limitation of accuracy not consistent with current national map accuracy standards.

#### 13:40-5.4 Tax assessment maps

Tax assessment maps must be prepared by a licensed land surveyor, who is obligated to prepare such maps in full compliance with the legal requirements pertaining to such maps.

#### 13:40-5.5 Other special mappings and assignments

Various other special mapping and all other special assignments must be completed in accordance with contractual arrangements agreed upon by the licensed land surveyor and the owner.

#### 13:40-5.5 Conduct; disciplinary actions

(a) The licensed land surveyor shall faithfully maintain a professional posture at all times and shall act with complete integrity in all cases. The licensed land surveyor will discharge all contractual obligations with fidelity to the public, employers and owners with fairness and impartiality to all. The licensed land surveyor shall be fair and tolerant with all other surveyors.

(b) Failure to comply with the provisions of the foregoing rule may subject a licensed land surveyor to disciplinary action in accordance with N.J.S.A. 45:8-38.

Interested persons may present statements or arguments in writing, orally in person or by telephone relevant to the proposed action on or before August 31, 1975, to:

Carl E. Kastner  
 Executive Secretary  
 Board of Professional Engineers and  
 Land Surveyors  
 1100 Raymond Boulevard  
 Newark, N.J. 07102  
 Telephone: (201) 648-2660

The Board of Professional Engineers and Land Surveyors upon its own motion or at the instance of any interested party, may thereafter adopt these rules substantially as proposed without further notice.

Anthony J. Del Mastro  
 President, Board of Professional  
 Engineers and Land Surveyors  
 Department of Law and Public Safety

(a)

## LAW AND PUBLIC SAFETY

### DIVISION OF CRIMINAL JUSTICE

#### POLICE TRAINING COMMISSION

#### Proposed Revisions to Commissioner Rule

Leo A. Culloo, executive secretary of the Police Training Commission in the Division of Criminal Justice in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 52:17B-66 et seq., proposes to revise the rule on police officer certification-basic training.

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

13:1-4.1(a)3. [A trainee must achieve an overall minimum average score of not less than 70 per cent in written examinations and demonstrate an acceptable degree of proficiency in any physical skill training.] **Rules concerning examinations and physical skill training are:**

i. **The school director is responsible for the examination process in his school. While the tasks of formulating examination items, reviewing items, constructing examinations, posting and reviewing of examination results may be delegated to staff members, it is the school director's responsibility to supervise these operations so that they are faithfully and efficiently executed.**

ii. **The construction and review of items to be included in written examinations is the responsibility of the school director.**

iii. **Examinations will be designed so that a minimum of two items and a maximum of four items will be included for each hour of instruction. The subjects that are reported to the Commission under the category "physical skills" will be excepted from this rule. The college-level subjects, psychology and sociology, will also be excepted from this rule.**

iv. **Examinations will be designed so that all examination items will have an equal weight in determining the trainee's final average.**

v. A trainee must achieve an overall minimum average score of not less than 70 per cent in written examinations and demonstrate an acceptable degree of proficiency in any physical skill training. Written examinations in psychology and sociology will be excepted from this rule. Scores on written examinations in subjects in the category "physical skills," where given, will be included in computing the trainee's average score.

vi. A minimum grade of 70 per cent shall be attained in written examinations by the trainee in each of the subjects, "Criminal statutes" and "Arrest, search and seizure" before certification. If a trainee fails either written examination, the director will in a personal interview of the trainee:

- (1) Inform the trainee of the failure;
- (2) Review the examination with the trainee;
- (3) Seek the cause of the failure;
- (4) Decide on a remedial course of action;
- (5) Inform the trainee of this course of action;
- (6) Inform the trainee that a second examination will be administered.

(A) The director will decide on a reexamination date, notify the trainee in a reasonable time, and shall see that a second examination is administered.

(B) If the trainee scores 70 per cent or more in the reexamination, 70 per cent shall be used in computing the final average.

(C) If the trainee scores less than 70 per cent, the trainee shall be notified that he must successfully repeat the failed subject at a Commissioner-approved school before he receives Police Training Commission certification. The executive secretary of the Police Training Commission must be notified with this action.

(D) The director shall keep a written record of the interview specifying the failure notification to the trainee, review of the examination and the remedial course of action decided on. This record shall be signed by the school director and the trainee. Reexamination and final disposition shall also be made part of a written record.

(E) If a trainee repeats a subject and fails to meet the minimum requirements cited in the above paragraphs, the school director of the trainee's school shall use the unqualified trainee report and existing regulatory procedures to dismiss a trainee from the basic program.

(F) If a trainee repeats a subject at the school he is enrolled in or another approved school and meets or exceeds the minimum requirements as a result of retesting, the school director of the school in which the trainee was enrolled shall use 70 per cent as the mark for the subject repeated in computing the trainee's overall average.

(G) Nothing in this rule shall be deemed to contradict the attainment of an overall minimum average score of not less than 70 per cent in written examinations as stated in subparagraph v. above.

vii. The school director will schedule a personal interview with any trainee who is failing or who is in danger of failing the basic program, notify the trainee of his status and the consequences of continued failure, review any pertinent examinations, and counsel the trainee offering help within the school's resources. In the event that a student is failing, a written record will be kept of the interview.

viii. Any trainee shall have the right to review within a reasonable time with the school director the examination paper of any examination he has failed.

ix. The school director will maintain a confidential file of true copies of all examinations given to the trainees, which shall include their academic grades and firearms scores. The files will be open to inspection by Commission staff upon demand.

Interested persons may present statements or arguments relevant to the proposed action in writing, in person or by telephone on or before August 29, 1975, to:

Police Training Commission  
1100 Raymond Boulevard  
Newark, New Jersey 07102  
Telephone: (201) 648-3978

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

Leo A. Culloo  
Executive Secretary  
Police Training Commission  
Department of Law and Public Safety

(a)

## TRANSPORTATION

### THE COMMISSIONER

#### Proposed Rules Concerning Restricted Parking Along Certain State Highways

Alan Sagner, Commissioner of Transportation, pursuant to authority of N.J.S.A. 39:4-138.1 and 39:4-139, proposes to adopt rules establishing no parking zones along certain portions of various State highways.

Below is a listing of the State highways affected, together with the NJDOT Code and N.J.A.C. citations for each regulation.

Route NO.	NJDOT Code	N.J.A.C.
N.J. 79	RP-75-16	16:28-3.77
N.J. 77	RP-75-17	16:28-3.78
N.J. 179	RP-75-18	16:28-3.79
N.J. 27	RP-75-19	16:28-3.80
N.J. 31	RP-75-20	16:28-3.81
N.J. 34	RP-75-21	16:28-3.82
U.S. 206	RP-75-22	16:28-3.83

Copies of the full text of 25 pages or any parts thereof may be obtained from:

Robert J. Nolan  
Chief, Bureau of Traffic Engineering  
Department of Transportation  
1035 Parkway Avenue  
Trenton, N.J. 08625

Interested persons may present statements or arguments in writing relevant to the proposed action on or before August 27, 1975, to:

Robert R. Reed, Jr.  
Administrative Practice Officer  
Department of Transportation  
1035 Parkway Avenue  
Trenton, N.J. 08625

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

Alan Sagner  
Commissioner  
Department of Transportation

(a)

## TRANSPORTATION

### THE COMMISSIONER

#### Revisions on Distribution Of Standard Specifications

On July 1, 1975, Alan Sagner, Commissioner of Transportation, pursuant to authority of N.J.S.A. 27:1A-6 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to N.J.A.C. 16:65-2.1 et seq. concerning the distribution of standard specifications as proposed in the Notice published June 5, 1975, at 7 N.J.R. 279(a).

An order adopting these revisions was filed and effective July 2, 1975, as R.1975 d.195.

Thomas F. Kistner  
Director of Administrative Procedure  
Department of State

(b)

## TRANSPORTATION

### THE COMMISSIONER

#### Rule on Emergency Hearings

On July 8, 1975, Alan Sagner, Commissioner of Transportation, pursuant to authority of N.J.S.A. 27:1A-18 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted an emergency rule concerning emergency hearings regarding railroad transportation.

Full text of the adopted rule follows:

16:50-2.6 Emergency hearings

Whenever the public health, safety or welfare so requires, an emergency mandatory advisory hearing may be held on fewer than ten days notice at a convenient location of the agency's choosing. The hearing shall be conducted by the agency or its designated representative. At the emergency hearing, the agency may make known the terms and conditions of one or more contracts to interested parties and the general public. The emergency hearing shall be authorized, if necessary, prior to acceptance by one or more rail carriers of the agency's determination pursuant to N.J.S.A. 27:1A-17. The public will be notified by the most expeditious means practicable under the circumstances. Commuter groups, the Public Advocate and rail carriers whose contracts are the subject of the hearing shall be notified directly. Exhibits, if any, must accompany each speaker's presentation and six copies thereof shall be filed. Except as hereinabove indicated, an emergency mandatory advisory hearing held pursuant to this rule shall be conducted in accordance with this Subchapter.

An order adopting this rule was filed and effective July 9, 1975, as R.1975 d.199 (Exempt, Emergency Rule).

Thomas F. Kistner  
Director of Administrative Procedure  
Department of State

(c)

## TRANSPORTATION

### THE COMMISSIONER

#### Rules on Restricted Parking On Certain State Highways

On July 7, 1975, Alan Sagner, Commissioner of Transportation, pursuant to authority of N.J.S.A. 39:4-138.1 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted new rules on restricted parking on portions of Routes 168, U.S. 46, 73, 166 and 31 as proposed in the Notice published June 5, 1975, at 7 N.J.R. 280(a).

Such rules may be cited as N.J.A.C. 16:28-3.72 through 16:28-3.76.

An order adopting these rules was filed and effective July 11, 1975, as R.1975 d.202.

Thomas F. Kistner  
Director of Administrative Procedure  
Department of State

(d)

## TRANSPORTATION

### THE COMMISSIONER

#### Revisions on Application And Permit Fees

On July 17, 1975, Alan Sagner, Commissioner of Transportation, pursuant to authority of N.J.S.A. 27:7-44.1 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to various Sections in Chapter 41 of Title 16 in the New Jersey Administrative Code substantially as proposed in the Notice published June 5, 1975, at 7 N.J.R. 278(b), but with substantive changes not detrimental to the public, in the opinion of the Department of Transportation.

The substantive changes concern the text in N.J.A.C. 16:41-3.3 and involve the new application fee of **\$2.00** for installation within a standard manhole, the new application fee of **\$120.00** for areas over 200 sq. ft., and the new permit fee of **\$20.00** each additional 400 sq. ft. concerning installation within the shoulder and main travelled way.

An order adopting these revisions was filed July 18, 1975, as R.1975 d.207 to become effective July 21, 1975.

Thomas F. Kistner  
Director of Administrative Procedure  
Department of State

(a)

# TREASURY

## DIVISION OF PENSIONS

### STATE HEALTH BENEFITS COMMISSION

#### Notice of Criteria on Acceptance Of Health Maintenance Organizations

Take notice that the State Health Benefits Commission in the Division of Pensions in the Department of the Treasury has established criteria concerning the acceptance of health maintenance organizations of the Vineland and Mercer type organizations, thereby permitting public employees in these areas to participate in such alternatives to their traditional health insurance plan.

Full text of these criteria follows:

A health maintenance organization (Vineland type) can be accepted under the State health benefits program, but subject to the following conditions:

1. It is certified by the State Health and Insurance Departments.
2. Its rates are approved by the State Health and Insurance Departments.
3. Coverage includes supplemental coverage providing for major medical benefits.
4. The Commission approves a waiver of the annual enrollment periods to give the organization full opportunity to contact all State and local government employers and eligible employees in the area covered by the HMO in order to present them with the information concerning the HMO alternative. It must be understood, however, that coverage will not be extended to any employee in any specific HMO area until such time as this educational program has been completed, so that all employees in the area will be enrolled on the same effective date. This will also allow for the establishment of the necessary administrative machinery in order to certify the rates, the additional deductions from salary, where necessary, and explain to employers, personnel officers and payroll clerks the necessary administrative machinery to make the option available not only to all present employees but to new employees in the future. After the initial educational program, the annual enrollment period will again become the opportunity to alter coverage from the traditional program to the HMO option, or vice versa, and this will encompass the 30-day period during which an educational program can be activated for all eligible employees.
5. During the presentation to groups of employees, no management or union representative should appear in order to coerce or influence employees into or out of HMOs. Employees must be able to make an informed decision on their own.
6. The office of the secretary of the Health Benefits Commission shall review and approve the material to be used in each HMO area and this will therefore require that the booklet be tailored to the particular HMO, as distinguished from groups of HMOs. We want the rates to become part of the booklet (and if a separate sheet is necessary, such sheet must accompany each booklet) so that it is clear what the employer State or local, will be paying and what the employee will be required to pay based on the different types of coverage. The employee's deductions should be stipulated

as biweekly (State employers) or monthly (local employers).

7. The rates will be subject to change only once a year and at the same time each year coincident with the change in rates for the traditional program.

8. Retired as well as active employees will be solicited with respect to this option.

9. All members of the family must have the same coverage so that the employee's decision pertains not only to his own coverage but to those of his family.

10. With respect to the Medicare problem, all employees, regardless of age or Medicare status, must have the opportunity to enroll in the designated HMO in their area. At present such individuals shall be permitted to pay on a fee-for-service basis covered by the traditional program, pending the issuance of final regulations by the Federal government which will permit the use of a capitation rate. The rate structure in this interim period will reflect capitation for other members of the family not covered by Medicare.

This Notice is published for informational purposes only. It is **not** to be considered a regulation of the State Health Benefits Commission.

Thomas F. Kistner  
Director of Administrative Procedure  
Department of State

(b)

# TREASURY

## DIVISION OF TAXATION

### Revised List of Holders Direct Payment Permits

Take notice that Sidney Glaser, Director of the Division of Taxation in the Department of the Treasury, has issued a revised list of holders of direct payment permits under the New Jersey Sales Tax Act as of July 1, 1975.

This list supersedes the previous list published on August 8, 1974, at 6 N.J.R. 328(d) and shall remain in effect until otherwise modified or revoked.

Following is the listing of holders of direct payment permits as of July 1, 1975:

DP-221-762-630/000  
Permit No. 00116  
A & A Oil Burner Service Corporation  
1636 Main Avenue  
Clifton, New Jersey 07011  
DP-221-416-017/000  
Permit No. 00168  
All Heat Service Co.  
35 Princeton Street  
East Orange, New Jersey 07019  
DP-130-430-890/000  
Permit No. 00138  
American Cyanamid Company  
Wayne, New Jersey 07470  
DP-221-663-460/000  
Permit No. 00188  
American Paterson Glass Co.  
168 Eighth Avenue  
Paterson, New Jersey 07514

DP-NJ2-000-019/000  
Permit No. 00202  
The Anaconda Co.  
Raritan Copper Works Division  
Elm St., P.O. Box 191  
Perth Amboy, New Jersey 08861  
DP-210-398-280/000  
Permit No. 00182  
Atlantic City Electric Company  
1600 Pacific Avenue  
Atlantic City, New Jersey 08404  
DP-042-438-732/000  
Permit No. 00153  
The Badger Company, Inc.  
One Broadway  
Cambridge, Massachusetts 02142  
DP-111-755-466/000  
Permit No. 00103  
Barney Schogel, Inc.  
13 Greenpoint Avenue  
Brooklyn, New York 11222  
DP-220-758-320/000  
Permit No. 00151  
Beach Electric Co., Inc.,  
18 Springdale Avenue  
East Orange, New Jersey 07017  
DP-134-949-130/000  
Permit No. 00139  
Bell Telephone Laboratories, Incorporated  
600 Mountain Avenue  
Murray Hill, New Jersey 07974  
DP-510-111-085/000  
Permit No. 00216  
Beneficial Management Corporation  
200 South Street  
Morristown, New Jersey 07960  
DP-380-341-261/001  
Permit No. 00173  
The Bendix Corporation  
Navigation & Control Division  
Hollister Road  
Teterboro, New Jersey 07608  
DP-221-422-798/000  
Permit No. 00166  
Bert B. Globus, Inc.  
1440 North Broad Street  
Hillside, New Jersey 07205  
DP-NJ9-002-028/000  
Permit No. 00147  
Bonland Sheet Metal Company, Inc.  
50 Newark Pompton Turnpike  
Wayne, New Jersey 07470  
DP-111-881-106/000  
Permit No. 00178  
Branch Motor Express Co.  
114 Fifth Avenue  
New York, New York 10011  
DP-130-523-620/000  
Permit No. 00187  
Brisk Waterproofing Co., Inc.  
720 Grand Avenue  
Ridgefield, New Jersey 07657

DP-210-419-870/000  
Permit No. 00132  
Campbell Soup Company  
Campbell Place  
Camden, New Jersey 08101  
DP-221-696-849/000  
Permit No. 00162  
Central Plumbing & Heating Co.  
2175 Hudson Boulevard  
Jersey City, New Jersey 07305  
DP-221-801-286/000  
Permit No. 00165  
Chambers Electric Co., Inc.  
23 Cindy Lane  
Ocean Twp., New Jersey 07712  
DP-221-733-428/000  
Permit No. 00219  
Chi Mechanical Contracting Corp.  
308 Elmer Street  
Vineland, New Jersey 08360  
DP-221-546-642/000  
Permit No. 00223  
Commonwealth Water Co.  
233 Canoe Brook Road  
Short Hills, New Jersey 07078  
DP-221-852-666/000  
Permit No. 00189  
Congoleum Industries, Inc.  
195 Belgrove Drive  
Kearny, New Jersey 07032  
DP-221-631-925/000  
Permit No. 00101  
Consolidated Steel & Aluminum Fence Co., Inc.  
316 North 12th Street  
Kenilworth, New Jersey 07033  
DP-210-437-260/000  
Permit No. 00183  
Deepwater Operating Company  
1600 Pacific Avenue  
Atlantic City, New Jersey 08404  
DP-210-721-607/000  
Permit No. 00146  
Delta Line Construction Co.  
R. D. 2 Box 106  
Pleasantville, New Jersey 00232  
DP-221-644-859/000  
Permit No. 00210  
De Vries, Inc.  
Highway #27  
North Brunswick, New Jersey 08902  
DP-221-964-364/000  
Permit No. 00158  
Dickman & Hansen, Inc.  
619 East Main Street  
Maple Shade, New Jersey 08052  
DP-220-888-120/001  
Permit No. 00122  
Elizabethtown Gas Company  
One Elizabethtown Plaza  
Elizabeth, New Jersey 07207  
DP-221-683-171/000  
Permit No. 00123  
Elizabeth Water Company  
One Elizabethtown Plaza  
Elizabeth, New Jersey 07207

DP-221-967-744/000  
Permit No. 00198  
Erco Interior System Inc.  
32 N. Delsea Drive  
Glassboro, New Jersey 08028  
DP-346-000-958/000  
Permit No. 00143  
Erie Lackawanna Railway Co.  
Midland Building  
Cleveland, Ohio 44115  
DP-221-577-490/000  
Permit No. 00163  
Farm Harvesting Company  
57 East Hanover Avenue  
Morris Plains, New Jersey 07950  
DP-135-067-490/000  
Permit No. 00177  
The Felsway Corporation  
994 Riverview Drive  
Totowa, New Jersey 07512  
DP-380-549-190/001  
Permit No. 00185  
Ford Motor Company  
Metuchen Assembly Plant  
U.S. Highway #1  
Edison, New Jersey  
DP-380-549-190/002  
Permit No. 00186  
Ford Motor Company  
New Jersey Assembly Plant  
State Highway #17  
Mahwah, New Jersey  
DP-221-777-882/000  
Permit No. 00214  
Garlock Bearings Division of Garlock, Inc.  
Division Street  
Palmyra, New York 14522  
DP-520-524-870/000  
Permit No. 00110  
General Elevator Co., Inc.  
P. O. Box 1702  
Baltimore, Maryland 21203  
DP-240-860-266/000  
Permit No. 00160  
George E. Tombler, Inc.  
1634 Ferry Street  
Easton, Pennsylvania 18042  
DP-210-668-616/000  
Permit No. 00106  
George W. Hagemann  
Oregon Avenue  
Moorestown, New Jersey 08057  
DP-135-349-600/000  
Permit No. 00157  
Geo. W. Rogers Construction Corporation  
33 Rector Street  
New York, New York 10006  
DP-221-659-917/000  
Permit No. 00209  
Glideaway Door & Construction Co., Inc.  
111 Highland Parkway  
Roselle, New Jersey 07203

DP-NJ5-025-702/000  
Permit No. 00127  
GM-DI Leasing Corporation  
3044 West Grand Boulevard  
Detroit, Michigan 48202  
DP-136-240-821/000  
Permit No. 00204  
Haband Company, Inc.  
265 North Ninth Street  
Prospect Park, New Jersey 07508  
DP-210-449-796/000  
Permit No. 00144  
The Henry R. Fell Co.  
42 Escher Street  
Trenton, New Jersey 08607  
DP-221-012-780/000  
Permit No. 00215  
Henry R. Isenberg Tile & Marble Co.  
575 McChesney Street  
Orange, New Jersey 07050  
DP-135-465-980/000  
Permit No. 00104  
Higgins Fire Protection, Inc.  
1528 Northern Boulevard  
Manhasset, New York 11030  
DP-148-284-718/000  
Permit No. 00218  
Hobbie Heat & Power Inc.  
Old Four Bridges Road  
Chester, New Jersey 07930  
DP-220-994-270/000  
Permit No. 00181  
Hoffman-La Roche Inc.  
340 Kingsland Street  
Nutley, New Jersey 07110  
DP-221-973-728/000  
Permit No. 00145  
H. Wolfer Co.  
83 Main Boulevard  
Trenton, New Jersey 08618  
DP-210-612-565/000  
Permit No. 00170  
I. Alper Co.  
N. 6th Street at Delaware River  
Camden, New Jersey 08102  
DP-013-087-985/000  
Permit No. 00133  
International Business Machines Corporation  
P.O. Box 218  
Dayton, New Jersey 08810  
DP-130-881-070/000  
Permit No. 00155  
Jacobson & Company, Inc.  
104 East 25th Street  
New York, New York 10010  
DP-210-716-338/000  
Permit No. 00205  
JAM Industries, Inc.  
413 Stokes Avenue  
Trenton, New Jersey 08638  
DP-210-485-010/000  
Permit No. 00118  
Jersey Central Power & Light Company  
Madison Avenue at Punch Bowl Road  
Morristown, New Jersey 07960

DP-130-889-680/000  
Permit No. 00108 & 00211  
Johns-Manville  
c/o Johns Manville Development Corp.  
DPC Building  
Manville, New Jersey 08835  
DP-221-658-254/000  
Permit No. 00111  
Jones Ceilings, Inc.  
1 Jones Avenue, Route 70  
Cherry Hill, New Jersey 08034  
DP-221-947-688/000  
Permit No. 00201  
Leisure Technology-Northeast, Inc.  
5 Airport Road  
Lakewood, New Jersey 08701  
DP-221-073-500/000  
Permit No. 00150  
Litzebauer Brothers, Inc.  
1550 Springfield Avenue  
Maplewood, New Jersey 07040  
DP-221-402-552/000  
Permit No. 00159  
Lyons Electric  
1130 Springtown Road  
Alpha, New Jersey 08865  
DP-118-287-036/001  
Permit No. 00191  
Mayer Electric  
3705 River Road  
Point Pleasant, New Jersey 08742  
DP-210-662-315/000  
Permit No. 00167  
M. Dubin Floors, Inc.  
3805 Atlantic Avenue  
Atlantic City, New Jersey 08401  
DP-221-109-110/000  
Permit No. 00137  
Merck & Co., Inc.  
Lincoln Avenue  
Rahway, New Jersey 07065  
DP-135-581-829/000  
Permit No. 00207  
Metropolitan Life Insurance Company  
1 Madison Avenue  
New York, New York 10010  
DP-153-268-401/000  
Permit No. 00225  
Microwave Semiconductor Corp.  
100 School House Road  
Somerset, New Jersey 08873  
DP-221-114-430/000  
Permit No. 00124  
Middlesex Water Company  
52 Main Street  
Woodbridge, New Jersey 07095  
DP-210-724-764/000  
Permit No. 00193  
Miller Masons, Inc.  
726 Adriatic Avenue  
Atlantic City, New Jersey 08401  
DP-210-663-994/000  
Permit No. 00222  
Monmouth Consolidated Water Co.  
661 Shrewsbury Avenue  
Shrewsbury, New Jersey 07701

DP-210-735-523/000  
Permit No. 00112  
Moran, Edward V.  
Hearnen Air Conditioning  
9 West Front Street  
Trenton, New Jersey 08608  
DP-221-692-930/000  
Permit No. 00169  
New Jersey Automatic Door, Inc.  
171 Twin Rivers Drive  
Hightstown, New Jersey 08520  
DP-210-621-680/001  
Permit No. 00121  
New Jersey Natural Gas Company  
601 Bangs Avenue  
Asbury Park, New Jersey 07712  
DP-210-610-162/000  
Permit No. 00221  
New Jersey Water Co.  
515 Grove Street  
Haddon Heights, New Jersey 08035  
DP-135-582-869/000  
Permit No. 00206  
New York Life Insurance Company  
51 Madison Avenue  
New York, New York 10010  
DP-221-601-124/000  
Permit No. 00195  
Nicholas Schwalje Inc.  
4 Leonard Street  
Metuchen, New Jersey 08840  
DP-NJ5-009-334/000  
Permit No. 00131  
Northeastern Products Company  
Campbell Place  
Camden, New Jersey 08101  
DP-221-702-863/000  
Permit No. 00115  
North Jersey Irrigation Supplies Corp.  
35 Charles Street  
Westwood, New Jersey 07675  
DP-131-872-319/000  
Permit No. 00129  
Olin Corporation  
120 Long Ridge Road  
Stamford, Connecticut 06904  
DP-221-665-021/000  
Permit No. 00192  
Olson Flooring Company, Inc.  
46 South Front Street  
Bergenfield, New Jersey 07621  
DP-135-583-389/000  
Permit No. 00203  
Otis Elevator Company  
260 Eleventh Avenue  
New York, New York 10001  
DP-221-514-331/000  
Permit No. 00114  
Petriella Tile & Terrazzo Co.  
737 Broad Street, Box 549  
Bloomfield, New Jersey 07003  
DP-236-000-765/000  
Permit No. 00140  
Penn Central Transportation Company  
Six Penn Center Plaza  
Philadelphia, Pennsylvania 19104

DP-236-000-766/000  
Permit No. 00141  
Pennsylvania-Reading Seashore Lines  
Six Penn Center Plaza  
Philadelphia, Pennsylvania 19104  
DP-131-607-658/002  
Permit No. 00107  
Phillip Morris  
100 Park Avenue  
New York, New York 10017  
DP-131-934-531/000  
Permit No. 00190  
Port Chester Electrical Company, Inc.  
354 North Main Street  
Port Chester, New York 10573  
DP-221-211-670/000  
Permit No. 00208  
Prudential Insurance Company of America  
Prudential Plaza  
Newark, New Jersey 01701  
DP-221-212-800/000  
Permit No. 00117  
Public Service Electric & Gas Company  
80 Park Place  
Newark, New Jersey 07001  
DP-221-130-000/000  
Permit No. 00179  
Purolator, Inc.  
970 New Brunswick Avenue  
Rahway, New Jersey 07065  
DP-236-000-773/000  
Permit No. 00142  
Reading Company  
12th & Market Streets  
Philadelphia, Pennsylvania 19107  
DP-221-233-260/000  
Permit No. 00213  
Rinbrand Well Drilling Co. Inc.  
14 Waldron Avenue  
Glen Rock, New Jersey 07452  
DP-210-673-061/000  
Permit No. 00226  
Sambol Construction Corporation  
430 North Maple Avenue  
Toms River, New Jersey 08753  
DP-221-896-529/000  
Permit No. 00227  
Samco Industries Ltd.  
430 North Maple Avenue  
Toms, River, New Jersey 08753  
DP-221-258-550/000  
Permit No. 00197  
Savary & Glaeser, Inc.  
998 Washington Avenue  
Green Brook, New Jersey 08812  
DP-221-671-137/000  
Permit No. 00109  
Max Sr. & Paul Schoenwalder - A Corp.  
464 Chestnut Street  
Union, New Jersey  
DP-221-773-350/000  
Permit No. 00220  
Seaboard Air Conditioning Co.  
2406 Fairmount Avenue  
Atlantic City, New Jersey 08401

DP-221-280-122/000  
Permit No. 00135  
Shulton, Inc.  
697 Route 46  
Clifton, New Jersey 07011  
DP-210-398-330/000  
Permit No. 00120  
South Jersey Gas Company  
Number One South Plaza, Route 54  
Folsom, New Jersey 08037  
DP-741-079-400/000  
Permit No. 00134  
Transcontinental Gas Pipe Line Corp.  
3100 Travis Street  
Houston, Texas 77001  
DP-630-577-065/000  
Permit No. 00148  
United States Pipe & Foundry Company  
3300 First Avenue, North  
Birmingham, Alabama 35202  
DP-250-996-816/000  
Permit No. 00180  
United States Steel Corporation  
600 Grant Street  
Pittsburgh, Pennsylvania 15230  
DP-221-549-428/000  
Permit No. 00161  
The Vestull Company  
Broad & 14th Streets  
Carlstadt, New Jersey 07072  
DP-221-807-042/000  
Permit No. 00156  
Wallace Bros., Inc.  
313 East Broad Street  
Palmyra, New Jersey 08065  
DP-344-101-341/000  
Permit No. 00217  
Warner Electric Brake & Clutch Company  
P.O. Box 118  
Pitman, New Jersey 08071  
DP-221-727-864/000  
Permit No. 00136  
Warner-Lambert Company  
201 Tabor Road  
Morris Plains, New Jersey 07950  
DP-250-877-540/000  
Permit No. 00172  
Westinghouse Electric Corporation  
Westinghouse Building, Gateway Center  
Pittsburgh, Pennsylvania 15222  
DP-341-158-012/000  
Permit No. 00224  
White-Westinghouse Corp.  
11770 Berea Road  
Cleveland, Ohio 44111  
DP-210-665-029/000  
Permit No. 00164  
Whitmyer Bros., Inc.  
P.O. Box 617  
Hammonton, New Jersey 08037  
DP-221-389-653/000  
Permit No. 00154  
Wollenberg Electric Company, Inc.  
164 Warburton Avenue  
Hawthorne, New Jersey 07506

DP-221-904-812/000  
Permit No. 00199  
Worthington Marine & Industrial Products, Inc.  
401 Worthington Avenue  
Harrison, New Jersey  
DP-221-933-847/000  
Permit No. 00200  
Worthington Standard Pump Corporation  
Ampere Station  
14 14th Avenue  
East Orange, New Jersey

This listing is not subject to codification and will not be published in Title 18 of the New Jersey Administrative Code. This Notice is published as a matter of public information.

Thomas F. Kistner  
Director of Administrative Procedure  
Department of State

(a)

## TREASURY

### DIVISION OF PENSIONS

### POLICE AND FIREMEN'S RETIREMENT SYSTEM

#### Revisions to Rules

On June 20, 1975, Elmer G. Baggaley, Secretary of the Police and Firemen's Retirement System in the Division of Pensions in the Department of the Treasury, pursuant to authority of N.J.S.A. 43:16A-13 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to various Sections in Chapter 4 of Title 17 in the New Jersey Administrative Code concerning the Police and Firemen's Retirement System as proposed in the Notice published May 8, 1975, at 7 N.J.R. 238(a).

An order adopting these revisions was filed and effective June 27, 1975, as R.1975 d.191.

Thomas F. Kistner  
Director of Administrative Procedure  
Department of State

## STATE NEWS OF PUBLIC INTEREST

Based on press releases from offices involved

### PUBLIC HEARING SET ON PROPOSED 1976 FISH CODE

The State Division of Fish, Game and Shellfisheries announced that the State Fish and Game Council has approved the proposed 1976 Fish Code and will submit it for final consideration at a public hearing in Trenton on September 9.

Under the tentative code the 1976 spring trout season would open on Saturday, April 10.

The daily creel limit on trout would be reduced from six to four trout during the period from June 1 through the remainder of the season.

Reason for this is to prolong trout stocks for fishing in the State's trout-maintenance waters which are dependent upon stocking for trout recruitment. Trout-maintenance waters are the backbone of the State's extended trout angling that continues after the stocking period.

A number of trout waters formerly with in-season closed dates for stocking would be stocked in-season without being closed. This would allow more days of fishing since the waters proposed for nonclosure are used appreciably for other types of fishing and are located in heavily populated areas.

The proposed fish code is printed in this issue of the Register. The public hearing will be in the Labor and Industry Building, Room 1308, John Fitch Way Plaza, Trenton, on September 9 at 8 p.m.

Copies of the proposed code may be obtained from the Division of Fish, Game and Shellfisheries, P.O. Box 1809, Trenton, New Jersey 08625.

Interested persons may present relevant oral or written statements at the public hearing or forward written statements to the Council in care of the Division before September 9.

### LIST OF STATE ACCEPTANCE DATES IS REPORTED BY BUILDING DIVISION

Further monthly listings of "final completion" dates on State projects have been issued by the Division of Building and Construction, Department of the Treasury.

By statute, a subcontractor or material supplier must file a claim with the contractor's surety at any time during the contract, but not later than 80 days after date of "final completion" and acceptance of the project by the State, or be forever barred against the surety. The creditor's right against the contractor directly is not affected, however, by this statute.

Listed below for the period May 12, 1975 to June 12, 1975 are project numbers, description, location, acceptance date, the trade and the contractor:

DBC 1016, wing #6, at Trenton Prison, June 2, general construction, Martell Construction Co.

DBC 1037, acoustical tile ceilings, at Montclair State College, June 11, general construction, R. A. Downs Construction Co.

DBC 1099, repairs and alterations, at Paterson Boys Community Center, May 29, electrical, D'Anna & Hoogendoorn.

DBC 1423, convert refrigerator room to freezer room, at Edison Manpower Center, June 6, general construction, Bader's Sales & Service.

DBC 5760-3, college center building, at Glassboro State College, June 6, plumbing, American Sanitary Sales & Service Co., Inc.

DBC 5760-4, college center building, at Glassboro State College, June 6, H & V American Sanitary Sales & Service Co., Inc.

DBC 6750-7, Phase 3, at Stockton State College, June 2, structural steel, Industrial Engineering Works.

DBC 7038, new guidance unit, at Jamesburg Home for Boys, May 30, H & V, Sarbo, Inc.

DBC 7122, day care facilities, at Morris County Community Center for Retarded Persons, May 16, electrical, Dean Electric Co., Inc.

DBC 7146-2, classroom building, at Trenton State College, May 15, electrical, Topas Electric.

DBC 7146-3, humanities building, at Trenton State College, May 1, general construction, Edward D. Lord, Inc.

DBC 7253, maintenance complex at Newark, May 13, electrical, N. Yeager, Inc.

DBC 7253, maintenance complex, at Newark, May 13, plumbing, E. J. Dobson, Jr., Inc.

DBC 7253, maintenance complex, at Newark, May 27, H & V, R. E. Dillon, Inc.

DBC 7573-6844, new toilet and refrigeration, at Bordentown Youth Correctional Institution, May 27, refrigeration, John G. Carr., Inc.

DBC 7750, water treatment plant, at Brisbane Child Treatment Center, May 15, plumbing, Sarbo, Inc.

DBC 7750, water treatment plant, at Brisbane Child Treatment Center, June 10, electrical, Adams Electric.

DBC 7910-3, children's residential center, at Cedar Grove, May 15, plumbing, Davidson & Howard Plumbing & Heating, Inc.

DBC 7971, alterations, food service building, at New Lisbon State Colony, May 27, plumbing, Pedrick & Berquist Co.

DBC 8017-1, phase A, at Kean College of New Jersey, June 3, electrical, John Schwarz, Inc.

DBC 8053, maintenance facility, at Montclair State College, May 20, H & V, Hubert T. Richardson Co., Inc.

DBC 8053, maintenance facility, at Montclair State College, May 22, structural steel, Arrow Iron Works, Inc.

DBC 8347-4, new conference committee suite, at Legislature, May 21, general construction, Campanella Construction Co.

DBC 8364, renovate region #2 office, Department of Transportation, May 16, plumbing, Fechtner Plumbing & Heating Co.

DBC 8750, electric service replacement, at Skillman Neuropsychiatric Institute, June 2, electrical, Kubiak Electric Co., Inc.

DBC 9029, pole-type salt storage building, at Buena Department of Transportation, May 13, general construction, Agway, Inc.

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A later listing covers the period June 12 to July 16:

DBC 5642-3, 5642-4, children's cottages and administration, Trenton Psychiatric Hospital, July 9, H & V, Superior Consolidated Construction.

DBC 7148-1, administration service building, Kean College, July 7, general, Michael Riesz & Co.

DBC 7148-2, laboratory furniture, Kean College, July 9, laboratory furniture, Nil Laboratory Furniture, Inc.

DBC 7900-3, kitchen refrigeration work, Martland Medical Center, July 2, general, Evanbow-Waldron J/V.

DBC 7900-4, demolition and alterations to services, Martland Medical Center, July 2, general, Evanbow-Waldron J/V.

DBC 7900-9, oxygen and vacuum piping, Martland Medical Center, June 23, plumbing, R. G. Maupai Co., Inc.

DBC 7971, alterations to food service building, New Lisbon Colony, July 16, H & V, Ever-Ready Refrigeration Co.

DBC 7971, alterations to food service building, New Lisbon Colony, June 16, general, B & W Construction Corp.

DBC 8262-2, food service, L Branch, Therapeutic Research School, June 12, food service, Devin Food Equipment.

DBC 8269, boat launching area, Round Valley Reservoir, June 23, general, Centrum Construction Corp.

DBC 8317B, new academic building, Kean College, June 6, structural steel, Vernon Fabricating Co.

DBC 8347-4, new conference suite, Legislature, June 23, electrical, Wright Electric Co., Inc.

DBC 8529, replace locking devices and electrical work, Rahway Prison, June 23, jail equipment, Folger Adam Co.

DBC 8588-1, bridge over Gold Run, School for the Deaf, June 23, plumbing, William F. Hindley Co., Inc.

DBC 8773, repair elevators, Marlboro Psychiatric Hospital, June 12, elevator, General Elevator Co., Inc.

DBC 8863, records storage building, Fernwood, Ewing Township, July 7, structural steel, Industrial Engineering Works.

DBC 8973-1, security improvements, Trenton Psychiatric Hospital, June 12, structural steel, Vernon Fabricating Co.

DBC 9043, new booster pump system, Jersey City State College, June 25, plumbing, John H. Cooney, Inc.

DBC 9120, planting, Trenton State College, July 11, general, Herman Panacek, Jr., Inc.

DBC 1032, paint water tank interior, Ancora Psychiatric Hospital, May 20, general, J. J. Sirianni, Inc.

DBC 1170, wire mesh guards, Jersey City State College, July 9, Bellis Wire Works, Inc.

DBC 1231-4, renovate Heritage Hall, William Paterson College, July 15, electrical, Parkway Power Corp.

DBC 1298, expand library space, Ramapo College, July 14, general, Three Brothers Construction Co.

### **A.B.C. EXPANDS RULING ALLOWING FREE DRINK WITH OR AFTER DINNER**

On July 17, 1975, Leonard D. Ronco, Director of the Division of Alcoholic Beverage Control in the State Department of Law and Public Safety, issued the following notice to alcoholic beverage licensees:

On January 14, 1974, former Director Robert E. Bower, ruled, in pertinent part, that retail consumption licensees were no longer prohibited, by Rule 20 of State Regulation No. 20, from including an "after-dinner drink" with a dinner at an overall price. (Bulletin 2127).

The ruling was based upon the conclusion that, by reason of recent social and economic changes, such pricing plans no longer constituted a "practice unduly designed to increase the consumption of alcoholic beverages" within the intent of Rule 20 of State Regulation No. 20. Licensees were also advised that they may advertise such practices, provided they did not refer to the size or price of alcoholic beverage drinks involved therein.

I have now been requested by licensees to expand this ruling to include drinks with a dinner, as well as "after-dinner drinks." After careful review, including consideration of the fact that the Division has not experienced any adverse results from the January 14, 1974 ruling, I have decided to expand the ruling as requested, and hereby do so, with one proviso, namely, that either the "after-dinner drink" or the drink with a dinner which may be part of a package dinner price may not be restricted to an alcoholic beverage drink, but may be a soft, non-alcoholic drink, at the option of the customer.

Licensees may also advertise these practices in dinner menus, newspapers and other media, provided there is no reference to the size or price of alcoholic beverage drinks.

It is to be understood that my ruling in this matter will be reviewed from time to time in the light of experience gained in observing the practice of licensees. Should such experience show abuses resulting in control or enforcement problems, I shall have no hesitancy in taking appropriate remedial action.

### **AUTO INSURANCE RATE INCREASES APPROVED FOR TWO MORE COMPANIES**

State Insurance Commissioner James J. Sheeran last month announced approval of immediate increases in the premium rates for private passenger care insurance written by two major companies. Rate adjustments were approved

for The Hartford to bring about an overall increase of 6.4 per cent, and for The Travelers, of 17.9 per cent.

Both companies applied last year for the rate increases but action was delayed because Commissioner Sheeran called public hearings so that the newly-created Department of the Public Advocate could provide rate counsel.

The increases are consistent with Commissioner Sheeran's action last November in approving, because of the impact of inflation on the cost of auto repair and replacement, rate increases for other companies which write about 70 per cent of the auto insurance in the State.

The Hartford adjustment includes a 7.6 per cent increase in the liability portion of the policy, a 14.1 per cent increase in collision but a 17.3 per cent decrease in the cost of comprehensive coverage. Hartford writes about 3.6 per cent of the auto insurance in New Jersey with premiums in 1973 of about \$21 million.

The Travelers adjustment provides a 36.6 per cent increase in property damage liability coverage, a 42.5 per cent increase in collision and a 0.4 per cent decrease in comprehensive insurance. Travelers has 3.3 per cent of the auto insurance market in the State.

### **NEW TURNPIKE AUTHORITY CHAIRMAN NAMED**

Governor Brendan Byrne last month designated Francis G. Fitzpatrick as Chairman of the New Jersey Turnpike Authority to succeed former Governor Alfred E. Driscoll, who served as Chairman until his death last March.

Fitzpatrick, a 72 year-old Bayonne attorney, has been a member of the authority since May, 1974. He is a former long-time Mayor of Bayonne, Hudson County Freeholder and served two years as Hudson County Democratic Chairman.

Fitzpatrick is a member of the Bayonne, Hudson County and New Jersey Bar Associations. He attended local schools and was graduated from John Marshall College of Law in 1939.

### **CONSUMER AFFAIRS DIRECTOR NAMED**

Virginia Long Annich was sworn in July 21 as Director of the State Division of Consumer Affairs of the Department of Law and Public Safety at a ceremony in the Governor's office. Mrs. Annich had filled the \$32,533 post in an acting capacity since last November 21.

Mrs. Annich served as a State deputy attorney general from 1966 to 1973, including two years as chief of the Health, Education and Welfare section and two years as counsel to the Office of Consumer Protection.

She was named an "Outstanding Young Woman of America" in 1968, and is listed in "Who's Who in American Women". She is a 1963 graduate of Dunbarton College, Washington, D.C., and received her law degree in 1966 from Rutgers University Law School where she was the first woman captain of the Rutgers Law Moot Court Team.

She lives at 152 East Delaware Avenue, Pennington.

### **MAYORS OFFER GUIDE TO LOBBYING**

The New Jersey Conference of Mayors has compiled a handbook for citizens outlining methods to prod the State Legislature into adopting bills.

Burlington Mayor Herman Costello, conference president, said the 220-page book is "an essential tool for individuals and organizations having a legitimate need to make their

### **NEW HOT LINE PHONE ANSWERS QUERIES OF STATE'S ELDERS**

Eligibility for food stamps, discounts on fuel, increased benefits under Social Security and Medicare, free fishing licenses and bus rides.

These are some of the questions on the minds of New Jersey's elderly—and now they have a place to call.

They may or may not find a program to help them, but they always get an answer on the Senior Hot-Line, a toll-free number, **(800) 792-8820**, run by the Department of Community Affairs' Division on Aging in Trenton.

Take the call from the senior citizen who wanted a free fishing license.

"Why can't I get a free license? I hear senior citizens don't have to pay!" the caller said.

One of the four persons who daily man the phones from 9 a.m. to 5 p.m. hadn't heard that query. But he made some calls himself and was soon back to the caller.

He explained: Senior citizens are indeed entitled to free fishing licenses. But they have to be at least 70 years old. (This caller was 65.)

The Hot-Line received about 3,000 calls in its first four months of operation. Senior citizens are given answers to their questions, or referred to an office that can help them. When the Hot-Line staff does not know the answer or where to refer the caller, research begins. The worker will track down the information the caller wants and get him an answer within a few hours.

Questions on food stamps account for many calls. Many senior citizens — paralyzed with fixed incomes and rising food costs — want to know if they are eligible.

Along with this, the senior citizens are asking about the Meals on Wheels program. This State program run through some county offices makes meals available to homebound senior citizens, and supplements the Hot Meals programs served in central locations by all county offices.

"Many programs available to senior citizens are not taken advantage of because our citizens do not know about them," said Community Affairs Commissioner Patricia Q. Sheehan.

"We hope, as news of the Hot-Line spreads, that we can eliminate this problem. Most important, by having a friendly and helpful ear, we can ease the way by untangling some of the red tape that can be so frustrating," she said.

And then there are the lonely people who call just to have somebody to talk to. Someone will be there to listen when they dial (800) 792-8820.

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wishes felt directly by the membership of the Assembly and Senate."

"Lobbying has become a refined art," Costello said. "If a person is not a legislator, lobbying is the only method of influencing legislation between elections."

The volume, "Reference Book for Lobbyists," will be distributed to all libraries in the state, according to Costello.

### **AUTO INSURANCE RATES COMPARED IN NEW BOOKLET FOR CONSUMERS**

New Jersey drivers who would like to shop for their auto insurance now have available a handy guide to premium rates that should aid them in choosing, State Insurance Commissioner James J. Sheeran announced.

The information is contained in a booklet prepared by the property-liability actuarial division of the Department of Insurance at the request of Dr. Eleanor J. Lewis, director of con-

## ADMINISTRATIVE CODE TITLES

Titles available in the New Jersey Administrative Code cover all State Departments, with Treasury broken into two Titles for Taxation and General rules.

Eight Departmental Titles involve such a number of rules as to require two or more volumes, with price based on a **per-volume**, rather than Title, basis.

Subscriptions may be for either the full 30-volume Set, for individual Titles, or for only the Code Index, which is included in the price for Set subscribers. Payment **must** accompany orders, using the form below.

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16. TRANSPORTATION
17. TREASURY-GENERAL
18. TREASURY-TAXATION—2 Volumes
19. OTHER AGENCIES

sumer services. It was compiled from data supplied by the companies.

The rates, given for all 27 rating territories into which the State is divided, are those that would be charged for a typical standard-make car used for pleasure driving only, with no operator under 30 and with no accident or conviction record.

The limits of liability are \$15,000 per person, \$30,000 per accident for bodily injury and \$10,000 per accident for property damage. The rates include basic personal injury protection (no-fault), including loss of wages to \$100 a week, and uninsured motorists coverage.

Entitled "Consumer Tips on Auto Insurance," the booklet offers a comparison of rates filed by the Insurance Services Office, a rating organization for about 230 companies, and by about 50 independent companies.

## OFFICIAL NOTICE

### All Code Titles Mailed

Mailings last month of update pages for the New Jersey Administrative Code completed all 19 Titles in the Code, with Title 10—Institutions and Agencies, being the separate final mailing.

If subscribers do not receive all Titles within the next several weeks, please notify this Division at the address or phone number listed on Page 2, for follow-up.

The interim index for the Administrative Code in the center pages of this issue has been adjusted to reflect the most recent effective dates, as printed in the Code.

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Full Set — \$300, which includes one year's updating initially; \$150 a year thereafter for updating services. Includes Index.

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