

**CHAPTER 12D**

**DEPARTMENT OF LABOR CARNIVAL-  
AMUSEMENT RIDE REVOCATION  
OF PERMIT APPEALS**

**Authority**

N.J.S.A. 52:14F-5(e), (f) and (g).

**Source and Effective Date**

R.1998 d.247, effective May 18, 1998.  
See: 30 N.J.R. 754(a), 30 N.J.R. 1777(a).

**Executive Order No. 66(1978) Expiration Date**

Chapter 12D, Department of Labor Carnival-Amusement Ride Revocation of Permit Appeals, expires on May 18, 2003.

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**SUBCHAPTER 1. APPLICABILITY**

**1:12D-1.1 Applicability**

The special rules in this chapter shall apply to matters transmitted to the Office of Administrative Law (OAL) by the Department of Labor (DOL) wherein the DOL has revoked a carnival amusement ride permit. Any aspect of the hearing not covered by these rules of special applicability shall be governed by the Uniform Administrative Procedure Rules (U.A.P.R.) contained in N.J.A.C. 1:1. To the extent that these special rules are inconsistent with the U.A.P.R., these rules shall apply.

**SUBCHAPTERS 2 THROUGH 8. (RESERVED)**

**SUBCHAPTER 9. SCHEDULING**

**1:12D-9.1 Scheduling of proceedings**

Upon transmittal of a revocation of permit appeal, a plenary hearing shall be scheduled to commence within three business days following the appeal filing date as determined by N.J.A.C. 12:195-1.10(a), unless a longer period is requested by the appellant.

**SUBCHAPTERS 10 THROUGH 13. (RESERVED)**

**SUBCHAPTER 14. CONDUCT OF CASES**

**1:12D-14.1 Conduct of hearing**

There shall be no proposed findings of fact, conclusions of law, briefs, forms of order or other post hearing submissions permitted after the final argument except if permitted by the judge for good cause.

**SUBCHAPTERS 15 THROUGH 17. (RESERVED)**

**SUBCHAPTER 18. INITIAL DECISION;  
EXCEPTIONS; FINAL DECISION;  
EXTENSIONS OF TIME LIMITS**

**1:12D-18.1 Initial decision**

Upon conclusion of the hearing, the Administrative Law Judge shall issue an initial decision within three business days. The parties shall provide the OAL with a telephone number for receipt of a facsimile transmission. The initial decision shall be faxed to the agency and the parties on the day it is issued.

**1:12D-18.2 Exceptions**

(a) If a party wishes to take exception to the initial decision, such exception shall be made to the Commissioner of Labor by telephone by no later than Noon of the first business day following the issuance of the initial decision.

(b) No replies or cross exceptions shall be permitted.

**1:12D-18.3 Final decision**

The Commissioner of Labor shall adopt, reject or modify the recommended decision of the Administrative Law Judge on the next business day following receipt of the Administrative Law Judge's decision; provided, however, that the final decision shall not issue before expiration of the exception period. The Commissioner of Labor's decision shall be final.

**1:12D-18.4 Extensions of time limits**

Time limits for filing an initial decision and for issuing a final decision may be extended for extraordinary cause.