

or within 30 days following the date of license expiration, whichever is later.

(c) Licensees may renew their license by choosing inactive status. Licensees electing to renew as inactive shall not engage in the practice of medicine or surgery or podiatry or hold themselves out as eligible to engage in the practice of medicine or surgery or podiatry in New Jersey until such time as the license is returned to active status.

(d) (No change in text.)

(e) A licensee who fails to submit a renewal application within 30 days of license expiration shall have the license suspended without a hearing.

(f) A licensee who continues to engage in the practice of medicine or surgery or podiatry with a suspended license shall be deemed to be engaging in the unlicensed practice of medicine or surgery or podiatry and shall be subject to action consistent with N.J.S.A. 45:1-14 et seq., even if no notice of suspension has been provided to the individual.

13:35-3.14A License reactivation

(a) A licensee who holds an inactive license pursuant to N.J.A.C. 13:35-3.14(c) may apply to the Board for reactivation of an inactive license. A licensee seeking reactivation of an inactive license shall submit:

1. A renewal application;
2. A certification of employment listing each job held during the period of inactive license which includes the name, address, and telephone number of each employer;
3. The active renewal fee set forth at N.J.A.C. 13:35-6.13;
4. Evidence of having completed all continuing education credits for the current biennial registration period, consistent with the requirements set forth at N.J.A.C. 13:35-6.15; and
5. A completed Criminal History Certification of Authorization form.

(b) An applicant seeking reactivation of an inactive New Jersey license who holds a valid, current license in good standing issued by another state to engage in the practice of medicine or surgery or podiatry and submits proof of having satisfied that state's continuing education requirements, shall be deemed to have satisfied the requirements at (a)4 above. If the other state does not have any continuing education requirements, the requirements at (a)4 above shall apply.

(c) If the Board's review of an application establishes a basis for concluding that there may be practice deficiencies in need of remediation prior to reactivation, the Board may require the applicant to submit to and successfully pass an examination or an assessment of skills, or other requirements as determined by the Board prior to reactivation of the license. If that examination, assessment, or other requirement identifies deficiencies or educational needs, the Board may require the applicant as a condition of reactivation of licensure to take and successfully complete education or training, or to submit to supervision, monitoring, or limitations, as the Board determines necessary, to ensure that the applicant practices with reasonable skill and safety. In making its determination whether there are practice deficiencies requiring remediation, the Board may consider the following:

1. Length of time license was inactive;
2. Employment history;
3. Professional history;
4. Disciplinary history and any action taken against the applicant's license or registration by any professional or occupational board;
5. Actions affecting the applicant's privileges taken by any institution, organization, or employer related to the practice of medicine or surgery, podiatry, or other professional or occupational practice in New Jersey, any other state, the District of Columbia, or any other jurisdiction;
6. Pending proceedings against a professional or occupational license issued to the licensee by a professional or occupational board in New Jersey, any other state, the District of Columbia, or any other jurisdiction; and
7. Civil litigation related to the practice of medicine or surgery, podiatry, or other professional or occupational practice in New Jersey, any other state, the District of Columbia, or any other jurisdiction.

13:35-3.14B License reinstatement

(a) A licensee who has had a license suspended pursuant to N.J.A.C. 13:35-3.14(e) who seeks reinstatement shall submit:

1. A reinstatement application;

2. A certification of employment listing each job held during the period of suspended license that includes the name, address, and telephone number of each employer;

3. The renewal fee set forth at N.J.A.C. 13:35-6.13 for the biennial period for which reinstatement is sought;

4. The past due renewal fee for the biennial period immediately preceding the renewal period for which reinstatement is sought;

5. The reinstatement fee set forth at N.J.A.C. 13:35-6.13;

6. Evidence of having completed all continuing education credits for the current biennial registration period, consistent with the requirements set forth at N.J.A.C. 13:35-6.15; and

7. A completed Criminal History Certification of Authorization form.

(b) An applicant who holds a valid, current license in good standing issued by another state to engage in the practice of medicine or surgery or podiatry and submits proof of having satisfied that state's continuing education requirements, shall be deemed to have satisfied the requirements at (a)6 above. If the other state does not have any continuing education requirements, the requirements at (a)6 above shall apply.

(c) If the Board's review of an application establishes a basis for concluding that there may be practice deficiencies in need of remediation prior to reinstatement, the Board may require the applicant to submit to and successfully pass an examination or an assessment of skills, or other requirements as determined by the Board prior to reinstatement of the license. If that examination, assessment, or other requirement identifies deficiencies or educational needs, the Board may require the applicant, as a condition of reinstatement of licensure to take and successfully complete education or training requirements, or to submit to supervision, monitoring, or limitations, as the Board determines necessary to ensure that the applicant practices with reasonable skill and safety. In making its determination whether there are practice deficiencies requiring remediation, the Board may consider the following:

1. Length of time the license was suspended;
2. Employment history;
3. Professional history;
4. Disciplinary history and any action taken against the applicant's license by any professional or occupational board;
5. Actions affecting the applicant's privileges taken by any institution, organization, or employer related to the practice of medicine or surgery, podiatry, or other professional or occupational practice in New Jersey, any other state, the District of Columbia, or any other jurisdiction;
6. Pending proceedings against a professional or occupational license issued to the licensee by a professional or occupational board in New Jersey, any other state, the District of Columbia, or any other jurisdiction; and
7. Civil litigation related to the practice of medicine or surgery, podiatry, or other professional or occupational practice in New Jersey, any other state, the District of Columbia, or any other jurisdiction.

(a)

**BOAT REGULATION COMMISSION
MOTOR VEHICLE COMMISSION
Boating Regulations**

Readoption with Amendments: N.J.A.C. 13:82

Proposed: June 19, 2023, at 55 N.J.R. 1268(a).

Adopted: August 28, 2023, by the New Jersey Boat Regulation Commission, Edward Harrison, Jr., Acting Chair, with the approval of Matthew J. Platkin, Attorney General, and Latrecia Littles-Floyd, Acting Chair and Chief Administrator, Motor Vehicle Commission.

Filed: August 29, 2023, as R.2023 d.114, **without change**.

Authority: N.J.S.A. 12:7-34.40, 12:7-34.49, and 12:7A-28.

Effective Dates: August 29, 2023, Readoption;
October 2, 2023, Amendments.

Expiration Date: August 29, 2030.

Summary of Public Comment and Agency Response:

The official comment period ended August 19, 2023. **No comments were received.**

Federal Standards Statement

A Federal standards analysis is not necessary because the rules readopted with amendments do not exceed Federal boating standards promulgated by the United States Coast Guard to the extent that those standards are applicable to the waters of the State. The Code of Federal Regulations, Title 33, Subchapter 175, regulates the personal flotation devices, that must be approved by the United States Coast Guard.

Full text of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C. 13:82.

Full text of the adopted amendments follows:

SUBCHAPTER 1. GENERAL PROVISIONS

13:82-1.4 Personal flotation devices

(a)-(c) (No change.)

(d) The following classes of vessels shall be exempt from the requirements at (b) above and (f) below:

1.-4. (No change.)

(e) (No change.)

(f) No owner or operator of a recreational vessel less than 26 feet, including rowboats, canoes, kayaks, and stand-up paddleboards shall permit its operation between November 1st and May 1st, unless each person on board such vessel is wearing a securely fastened United States Coast Guard-approved wearable personal flotation device of an appropriate size while such vessel is underway. A person inside the cabin of a cabin vessel shall be exempt from this requirement.

13:82-1.7 Speed

(a) (No change.)

(b) All vessels shall reduce speed to slow speed/no wake when passing:

1. Any marina, pier, dock, wharf, or abutment at a distance of 200 feet or less, except on Lake Hopatcong, in accordance with N.J.A.C. 13:82-3.11;

2. Work barges, platforms, or floats while actually engaged in work related activity;

3. (No change.)

4. Through lagoons, canals, and confined areas of less than 200 feet in width;

5.-7. (No change.)

(c) (No change.)

(d) State Police, on the recommendation of the Commission, or on its own initiative, may designate a specific area not included at (b)1 through 6 above as a temporary slow speed/no wake area based on congestion, visibility, safety, or other good cause. All vessels moving through these areas shall reduce their speed to slow speed/no wake within a 200-foot radius of the sign or buoy, in addition to any restriction pursuant to (b) above.

(e) No person shall place, anchor, or construct any buoy that states or implies that an area is a "Slow Speed/No Wake" area except as provided at (a), (b), (c), or (d) above. The State Police may remove or have removed any such unauthorized buoy.

13:82-1.9 Anchoring near aid to navigation

No person shall anchor or cause to be anchored, tie, or cause to be tied any power vessel, rowboat, sailboat, canoe, or any other vessel to or within a radius of 50 feet of any light, beacon, buoy, or any other aid to navigation, except in an emergency. This section shall not apply to vessels operated by the State or Federal Government for the maintenance, replacement, or survey of navigation aids.

13:82-1.11 Interference with marine events

No vessel shall move across the course or around the course of any marine event as defined at N.J.A.C. 13:82-1.20, so as to create a water condition, which shall unnecessarily endanger the life, limb, or craft of those competing in the marine event.

13:82-1.13 Riders

(a) The operator of a vessel shall not allow any person to ride in any position that would endanger life or limb nor allow passengers or cargo in excess of the maximum capacity stated on the manufacturer's or U.S. Coast Guard capacity label.

1.-2. (No change.)

3. For purposes of this section, waterskiers as defined at N.J.A.C. 13:82-3.1 shall be included in the number of persons in the vessel.

(b) The owner or certified operator of a personal watercraft (PWC) shall not allow any person or persons to ride between the certified operator and the steering controls of the personal watercraft (PWC).

13:82-1.14 Altered motor numbers

Any person who shall have in his or her possession any motor, whether inboard or outboard, the motor number of which has been altered or mutilated, or who shall come into possession of such a motor, shall at once file, in writing, with the State Police a statement setting forth all circumstances in connection with his or her possession of such motor.

13:82-1.16 Exclusion of marine events

The provisions of this subchapter shall not apply to any vessel or to any operator while actually competing in a marine event for which a permit has been issued pursuant to N.J.A.C. 13:82-1.20, except as may be otherwise provided in the permit.

13:82-1.17 Finding

(a) Any person finding, recovering, or coming into possession of any vessel other than through normal purchase, loan, rental, charter, or gift shall notify the State Police within 24 hours. Any person finding an unoccupied vessel on the waters of the State or under circumstances that indicate an emergency shall notify the State Police without delay by the quickest means available.

(b) (No change.)

13:82-1.20 Marine events

(a) For the purposes of this section, "marine event" means an organized water event of limited duration that takes place on a predetermined schedule. A marine event shall include, but is not limited to, vessel parades, regattas, contests that use speed, acceleration, distance, time, and/or destination, retrieval of any object(s), obstacle courses, or maneuvering as a measure of competition involving more than five vessels (sail and/or power) underway at any time, and swimming events. A marine event shall not include events of public entertainment on wholly owned private lakes.

(b) (No change.)

(c) The organizer or sponsor of the marine event shall submit a request, in writing, to the Station Commander of the State Police marine station responsible for patrolling the area in which the event is intended to take place. The request shall state the nature of the intended activity and shall include the name, address, and telephone number of the person or organization sponsoring the event, the date, start and anticipated finish time, route of travel, number of vessels, and estimated number of persons, and any other information requested by the Station Commander. This request shall be submitted at least 45 days prior to the event. If the event encompasses more than one State Police marine station area, the Station Commander of the area in which the event starts shall process the request, after consultation with the Station Commanders of any other State Police stations affected by the event, and determine whether or not to issue the permit. The Station Commander shall notify the United States Coast Guard district of any request for a permit affecting waters subject to the jurisdiction of the United States. The Station Commander may consult with other law enforcement agencies or governmental bodies with jurisdiction in the affected area.

(d)-(f) (No change.)

13:82-1.21 Waiver of the Boat Regulation Commission rules

(a) Any person or entity desiring a waiver from the provisions of a rule or rules at N.J.A.C. 13:82-1 through 7 shall submit a formal written request to the Commission, in accordance with this section. Any such request shall set forth, in detail, all facts that support the necessity of the requested relief and identify all persons or entities who might be affected

if the relief were granted. Any waiver granted pursuant to this section shall only be valid for one year.

(b) (No change.)

(c) The Commission may waive application of any rule in an individual circumstance on its own motion upon finding that such relief is warranted by the factors set forth at (b) above.

(d)-(h) (No change.)

SUBCHAPTER 2. REPORTING OF BOATING ACCIDENTS

13:82-2.1 Reporting of boating accidents

(a) Pursuant to N.J.S.A. 12:7-34.46 and 33 CFR Part 173, when, as a result of an occurrence that involves a vessel or its equipment, a person dies or disappears from a vessel the operator shall, without delay, by the quickest means available, notify the nearest State Police station of the following:

1. The date, time, and exact location of the occurrence;

2.-4. (No change.)

(b) (No change.)

(c) If, as a result of an occurrence that involves a vessel or its equipment, a person dies; a person is injured and requires medical treatment beyond first aid; damage to the vessel and other property totals more than the Federal standard for filing an accident report as established pursuant to 33 CFR 173.55, or there is the complete loss of any vessel; or a person disappears from a vessel under circumstances that indicate death or injury, the operator or operators shall file a written report on forms furnished by the State Police within:

1. (No change.)

2. Within 10 days of the occurrence or death if an earlier report is not required pursuant to (c)1 above.

(d) The written report required at (c) above shall include the following information:

1.-2. (No change.)

3. The name of the nearest city or town, the county, the State, and the body of water;

4.-5. (No change.)

6. The visibility, weather, and water conditions;

7.-20. (No change.)

21. The type of vessel operation (cruising, drifting, fishing, hunting, skiing, racing, or other), and the type of accident (capsizing, sinking, fire, explosion, or other);

22.-26. (No change.)

(e) When the operator of a vessel cannot submit the casualty or accident report required at (d) above, the owner of the vessel shall submit the casualty or accident report.

SUBCHAPTER 3. OPERATIONAL REGULATIONS

13:82-3.1 Waterskiing and wake surfing

(a) (No change.)

(b) All power vessels (including vessel, towline, and skier) conducting waterskiing operations, including wake surfing, shall, while underway, keep at least 200 feet distant from any wharf, marina, dock, pier, bridge structure, abutment, persons in the water, other vessels, any shore, approved aid to navigation, or mooring, except specifically provided otherwise in this chapter.

(c)-(i) (No change.)

13:82-3.3 Deal Lake, Monmouth County

(a)-(c) (No change.)

(d) Barefoot skiing, kite flying, parasailing, and ski jumping are prohibited, except for specific exhibitions requiring a permit from the State of New Jersey.

13:82-3.4 Lake Grinnell, Sussex County

(a)-(f) (No change.)

(g) Barefoot skiing, kite flying, para-sailing, and ski-jumping are prohibited, except for specific exhibitions requiring a permit from the State of New Jersey, as required by law.

(h) (No change.)

13:82-3.5 Indian Lake, Morris County

(a)-(c) (No change.)

(d) Barefoot skiing, kite flying, parasailing, and ski jumping are prohibited, except for specific exhibitions requiring a permit from the State of New Jersey, as required by law.

13:82-3.6 Paulinskill Lake, Sussex County

(a) Waterskiing shall be permitted on Paulinskill Lake only within the designated ski course, as described below.

1. (No change.)

2. The ski course described at (a)1 above, including the start, stop, and turning areas, shall be identified by marker buoys.

(b) Skiing hours are designated as follows:

1. (No change.)

2. Saturday, Sunday, and holidays—12:00 Noon to sunset.

(c)-(l) (No change.)

13:82-3.8 Lake Mohawk, Sussex County

(a) No waterskiing shall be permitted in Tamarack Cove, Turtle Cove, Three Finger Cove, or the South End Cove of the lake.

(b) No waterskiing shall be permitted to the west of Manitou Island north and south of Manitou Bridge, between Manitou Island and Echo Island, or in any other indicated slow speed/no wake area as defined at N.J.A.C. 13:82-1.7(c).

(c)-(i) (No change.)

13:82-3.11 Lake Hopatcong, Sussex and Morris Counties

(a) From May 15 through September 15 of each calendar year, no person shall waterski on Saturdays, Sundays, or holidays between the hours of 11:00 A.M. and 5:00 P.M. in the following areas:

1.-6. (No change.)

(b) No vessel shall pull more than two skiers at any one time on Saturdays, Sundays, or holidays from May 15 through September 15 of any year, except when participating in an exhibition or race sanctioned by the State Police or the Division of Parks and Forestry.

(c) (No change.)

(d) While towing a skier, the operator of the vessel shall maintain a distance from any shore, structure, buoy, person in the water, vessel, or other object, of not less than the length of the tow line plus 100 feet.

(e)-(g) (No change.)

(h) No vessel shall be operated upon Lake Hopatcong on Saturdays, Sundays, or legal holidays between May 15 and September 15 at a speed in excess of 30 miles per hour.

(i)-(k) (No change.)

13:82-3.14 Operation on Cranberry Lake

(a) Subject to the restrictions imposed at (b) below, vessels operating on Cranberry Lake shall not exceed a speed of 25 miles per hour.

(b) No person shall operate a vessel at a speed in excess of five miles per hour between sunset and sunrise or at any time in the following areas:

1.-3. (No change.)

4. Within 100 feet of any shore, any wharf, pier, bridge, dock structure, buoy, or person in the water or designated bathing area which is marked by buoys.

(c) Any person swimming or using a raft, tube, or other floatation device shall be accompanied by a boat escort unless such person is not more than 75 feet from the shore or is in an area in which vessel speed is limited to five miles per hour.

13:82-3.15 Seven Presidents Park, Long Branch, Monmouth County

(a) Between Memorial Day weekend and Labor Day, no person shall operate a personal watercraft, power vessel, or any other type of vessel (hereinafter referred to as "watercraft") on waters within the boundaries of Seven Presidents Oceanfront Park designated as bathing, surfing, or boogie board use areas. Those watercraft entering and exiting the ocean shall utilize the boat launch area and watercraft access lane as designated on site, and shall maintain a speed no faster than that which is necessary to safely navigate the surf until clear of the watercraft access area. The riding of waves by personal watercraft within the watercraft access lane is prohibited.

(b) After Labor Day and before Memorial Day weekend, personal watercraft may utilize the boat launch area to ride waves, except as

provided at N.J.S.A. 12:7-63. Power vessels shall give right of way to sailboats when required by the International Steering and Navigation Rules, Rule 18. A copy of the rule may be obtained from the State Police.

(c) (No change.)

13:82-3.16 Upper Greenwood Lake

(a) No waterskiing is permitted around Blueberry Island, Carters Island, and Snake Island at the northeast end of the lake or in the Mount Laurel section cove in the southeast section of the lake.

(b) (No change.)

(c) All vessels shall maintain slow speed no wake around Blueberry Island, Carters Island, and Snake Island at the northeast end of the lake, and in the Mount Laurel section cove in the southeast section of the lake.

(d) No vessel shall be operated on Upper Greenwood Lake on Saturdays, Sundays, and legal holidays at a speed in excess of 30 miles per hour. Between sunset and sunrise, no vessel shall be operated at a speed in excess of 10 miles per hour.

13:82-3.17 Diving and swimming

(a) General provisions with respect to diving and swimming are as follows:

1. (No change.)

2. Any person while diving shall mark his or her position with a buoyed flag:

i. Such flag shall be displayed so that it is visible all around the horizon from a buoy, float, boat, or other floating object; and

ii. (No change.)

3.-4. (No change.)

5. No person shall swim or dive in a narrow, confined, or improved channel or in a marked fairway, under a bridge, or impede, obstruct, or interfere with passage of watercraft therein; and

6. (No change.)

(b) (No change.)

(c) Provisions for Barnegat Inlet are as follows:

1. Except as provided in this subsection, no person or persons shall, while engaged in gogglefishing, spearfishing, or skin diving, enter into any navigable channel or approach within 200 feet of any boat anchored or underway within the water adjacent to the land areas of the Borough of Barnegat Light;

2.-4. (No change.)

5. A diver shall mark his or her position with a float and skin diver's flag as provided at (a) above;

6.-8. (No change.)

(d) Provisions for Shark River Inlet are as follows:

1.-2. (No change.)

3. A diver shall mark his or her position with a float and skin diver's flag as provided at (a) above;

4.-5. (No change.)

13:82-3.18 Mandatory wearing of personal flotation device (PFD) on Round Valley Reservoir

All persons on board vessels under 14 feet in length or a canoe, kayak, inflatable, or windsurfer, regardless of power, while on Round Valley Reservoir shall wear a serviceable United States Coast Guard-approved personal flotation device (PFD).

13:82-3.21 Point Pleasant Canal, Ocean County

No person shall operate a canoe, kayak, rowboat, or other non-motorized vessel in the confines of the Point Pleasant Canal, except in an emergency.

SUBCHAPTER 4. POWER VESSEL NOISE CONTROL

13:82-4.1 Definitions

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

"Person" means any corporation, company, association, society, firm, partnership, and joint stock company, as well as individuals, and shall include the State and all its political subdivisions and any agencies and instrumentalities thereof.

...

13:82-4.2 Noise limitation provisions

(a)-(c) (No change.)

(d) Any member of the State Police or other law enforcement officer certified by the Office of Noise Control with a reason to suspect that a vessel is exceeding the noise limitation may require the operator to submit to a noise emissions test as described at (b) and (c) above.

(e) (No change.)

(f) The noise limitation provisions of this section shall not apply to vessels registered and actually participating in racing events or tune-up periods for such racing events, when authorized by the State Police or by any other public authority with the approval of the State Police. Tune-up periods approved pursuant to this section shall be limited as follows:

1.-8. (No change.)

9. The provisions at (f)3, 6, 7, and 8 above shall not apply on a body of water in the three-day period immediately preceding a race on that body of water. Subject to such restrictions as may be imposed by the U.S. Coast Guard or the State Police, testing on days of sanctioned races may begin two hours before the start of the first race.

10. (No change.)

13:82-4.3 Muffling device

Every outboard motor, inboard motor, or inboard/outboard motor in use or attached to a vessel operating on the waters of this State shall be equipped with a muffling system as supplied by the manufacturer or installed by the owner. The muffling system shall be maintained in good working order at all times. An exception to this requirement will be allowed for operation during authorized races sanctioned by the United States Coast Guard, the State Police, or operation with a race test permit.

13:82-4.6 Racing events

(a) (No change.)

(b) Application for such permit shall be made, in writing, to the State Police at least 45 days prior to the race or regatta, and no such race or regatta shall be conducted unless a permit has been received.

(c) Any such permit shall include such requirements as will tend to ensure the safety of those competing and the safety of other craft, during such regatta or race, including the tuning-up period before, as shall be prescribed by the State Police. All boats not competing, except official boats, shall remain anchored during the running of the events of the race or regatta.

SUBCHAPTER 6. PARASAILING

13:82-6.1 Scope

Parasailing, as defined at N.J.A.C. 13:82-6.2, is permitted on the waters of the State, except where prohibited by this chapter or by local ordinance.

13:82-6.3 Operation and equipment

(a)-(c) (No change.)

(d) All parasail riders shall wear a United States Coast Guard-approved personal flotation device of the proper size and must be connected to the towline and secured in a seat harness attached to an ascending type of parachute.

(e)-(l) (No change.)

(m) Parasail operators shall maintain a parasail log on the vessel to document inspections and maintenance of the tow line, including trimming, as required at (l) above, winch, and other parasail equipment.

(n)-(s) (No change.)

SUBCHAPTER 7. MOTOR VEHICLES ON ICE-COVERED WATERS

13:82-7.2 Definitions

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

...

"Snowmobile" means any motor vehicle designed primarily to travel over ice or snow, of a type which uses sled-type runners, skis, and endless belt, tread, cleats, or any combination of those or other similar means of contact with the surface upon which is operated, but does not include any farm tractor, highway, or other construction equipment or any military vehicle.

13:82-7.3 Prohibited operation

No person shall operate a motor vehicle, other than a snowmobile or all-terrain vehicle, upon the ice-covered waters of this State at any time. Operators and passengers on a snowmobile or all-terrain vehicle shall wear a Coast Guard-approved personal flotation device while on ice-covered waters.

SUBCHAPTER 8. REGISTRATION AND LICENSING

13:82-8.1 Definitions

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

“Register,” “registration,” and “registration certificate” as used in this subchapter are the equivalent of the terms “number,” “numbering,” and “certificate of number” which are used in the amended New Jersey Boat Act of 1962, which is found at N.J.S.A. 12:7-34.36 et seq.

13:82-8.2 Numbering pattern

(a) The following numbering pattern for boats pursuant to the New Jersey numbering pattern is hereby established:

- 1.-3. (No change.)

13:82-8.3 Display of numbers on vessels

(a) The identification number awarded to any vessel pursuant to the New Jersey numbering system shall be displayed thereon by being:

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

13:82-8.4 Application for number

(a) The application for a number shall include the following information:

- 1.-4. (No change.)
- 5. The type of application (new number, initial number, renewal of number, transfer of ownership, duplicate registration, duplicate decal, and so forth);
- 6.-12. (No change.)
- 13. The make, model, and year;
- 14.-15. (No change.)
- 16. The type of use (livery, commercial, or pleasure);
- 17.-18. (No change.)

13:82-8.9 Operation of vessel; certificate

- (a) (No change.)
- (b) In addition to any other requirement, whenever a vessel is in operation, the registration certificate, lease, or rental agreement shall be presented to any Federal, State, or local law enforcement officer at his or her request.
- (c) (No change.)

13:82-8.10 Registration certificate; validity

- (a) In addition to any other provision, specifically N.J.A.C. 13:82-8.9, a registration certificate is invalid after the date upon which:
 - 1. (No change.)
 - 2. The vessel is lost, destroyed, or abandoned; or
 - 3. (No change.)
- (b) (No change.)

13:82-8.11 Notification required

- (a) In addition to any other requirement, a person whose name appears as the owner of a vessel on a registration certificate shall within seven days notify the Commission, in writing, of:
 - 1.-4. (No change.)
- (b) A person whose name appears as the owner of a vessel on a registration certificate shall within two weeks notify the Commission of a change in name due to marriage, divorce, or by order of court.

13:82-8.12 Removal of numbers; removal of validation sticker

- (a)-(c) (No change.)
- (d) When a vessel is documented pursuant to Part 67 of Title 46, Code of Federal Regulations, the owner shall:
 - 1.-2. (No change.)

13:82-8.13 Display of validation sticker and fee for duplicate

- (a) (No change.)
- (b) Those vessels documented pursuant to Part 67 of Title 46, Code of Federal Regulations, and required to register with this State pursuant to N.J.S.A. 12:7-34.44a shall display a validation sticker on each side of the vessel in an area adjacent to the main steering station affixed to a vertical surface plainly visible at all times from both the port and starboard sides.
- (c) (No change.)

13:82-8.17 Change in address; name

Every licensed operator of a power vessel or motor shall notify the Commission within two weeks of a change in name due to marriage, divorce, or court order.

13:82-8.18 Renewal of registration

- (a) Any person, corporation, or firm, applying for the renewal of a registration after six months have elapsed beyond the renewal date, may be assigned a new expiration date, 12 months from the current date.
- (b) (No change.)

13:82-8.20 Operator license; proof of age and identity; expiration

(a) Each applicant for a boat operator license shall be required to furnish to the Commission, upon request, proof of identity and date of birth and proof that the applicant’s presence in the United States is authorized pursuant to Federal law. Such proof may be established by submission of the original or certified (by the issuing authority) copy of the primary and/or secondary documents that are listed at (b) below as follows:

- 1.-6. (No change.)
 - 7. An applicant who is not a United States citizen must also submit proof of continued legal presence in the United States evidenced by a document listed at (b)1ii below or by a document issued by the United States Department of Homeland Security or another Federal agency that establishes the applicant’s lawful presence in the United States as of the time the proof is presented.
 - 8. For persons who, for reasons beyond their control, are unable to present all necessary documents and must rely on alternate documents to establish identity or date of birth, Commission-authorized personnel may review, approve, or accept other documentation that proves the applicant’s identity and date of birth, and that the applicant’s presence in the United States is authorized pursuant to Federal law.
 - 9. (No change.)
 - 10. The Commission reserves the right to make changes to the list of acceptable documents found at (b) below. Such changes will be posted on the Motor Vehicle Commission’s website, www.njmvc.gov, and will be available at all motor vehicle agencies.
- (b) The following are acceptable documents:
- 1. Primary documents:
 - i. (No change.)
 - ii. A person who is not a United States citizen must submit at least one document from the following list to establish lawful presence in the United States:

<u>Document</u>	<u>Value</u>
Valid I-94 stamped “Refugee,” “Parolee,” “Asylee,” or “Notice of Action” (Form I-797 approved petition) by USCIS	4

- 2. (No change.)
- (c)-(d) (No change.)
- (e) In addition to the documentation at (b) above, a parent or guardian must consent to the granting of a boat operator license for any applicant who is under 17 years of age.
- (f)-(h) (No change.)

13:82-8.21 General provisions; hull identification numbers

- (a)-(c) (No change.)
- (d) The hull identification number must be carved, burned, stamped, embossed, or otherwise permanently affixed to the outboard side of the transom or, if there is no transom, to the outermost starboard side at the

end of the hull that bears the rudder or other steering mechanism, above the waterline of the boat in such a way that alteration, removal, or replacement would be obvious and evident.

(c) (No change.)

(a)

OFFICE OF THE ATTORNEY GENERAL

Notice of Readoption

Administration of Victim and Witness Advocacy Fund

Readoption with Technical Changes: N.J.A.C. 13:78

Authority: N.J.S.A. 2C:43-3.1a(6)(c), as amended by 52:4B-43.1.

Authorized By: J. Stephen Ferketic, Director, Division of Criminal Justice.

Effective Dates: September 6, 2023, Readoption;
October 2, 2023, Technical Changes.

New Expiration Date: September 6, 2030.

Take notice that pursuant to N.J.S.A. 52:14B-5.1.c, the rules at N.J.A.C. 13:78 were scheduled to expire on October 12, 2023. Pursuant to N.J.S.A. 2C:43-3.1a(6)(c) and 52:4B-43.1, the Director of the Division of Criminal Justice, within the Department of Law and Public Safety, is charged with the responsibility to establish rules deemed necessary to effectuate the purposes of the Victim and Witness Advocacy Fund (Fund). The rules at N.J.A.C. 13:78 establish standards for the allocation of moneys from the Fund to the county Offices of Victim-Witness Advocacy and other public entities pursuant to N.J.S.A. 52:4B-43.1.b. The rules also establish eligibility standards for public entities and not-for-profit organizations to apply for awards from a grant program to provide direct services to victims and witnesses of crimes pursuant to N.J.S.A. 52:4B-43.1.c. Further, the rules establish guidelines for the receipt of program funds, including application procedures for eligible entities that seek grant funding, as well as procedures to ensure grantee accountability.

The Division of Criminal Justice has reviewed the rules and has determined, with one technical change, that the rules continue to be necessary, reasonable, and proper for the purpose for which they were originally promulgated, as required at N.J.S.A. 2C:43-3.1a(6)(c) and 52:4B-43.1. Therefore, pursuant to N.J.S.A. 2C:43-3.1a(6)(c) and 52:4B-43.1 and in accordance with N.J.S.A. 52:14B-5.1.c(1), these rules are readopted and shall continue in effect for a seven-year period.

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

SUBCHAPTER 5. ALLOCATION AND DISBURSEMENT FROM FUND

13:78-5.2 Disbursement of moneys to State and grant awards to county Offices of Victim-Witness Advocacy

(a) (No change.)

(b) The Director shall determine the amount of grant awards that are disbursed to the county Offices of Victim-Witness Advocacy within each county prosecutor's office, established pursuant to N.J.S.A. 52:4B-44b and 52:4B-45.

1. (No change.)

2. Each county prosecutor shall submit a certification executed by each of the following county officials: the county prosecutor; the chief executive or chief appointed official; the chief financial officer; and the [freeholder] **county commissioner** director or president. The certification shall state that they authorize the application and that the grants awarded from the Fund will be expended solely for the development, provision, and/or enhancement of services to victims and witnesses in accordance with legislative mandates or the Attorney General Standards and related administrative and training costs.

3.-4. (No change.)

STATE

(b)

DIVISION OF THE NEW JERSEY STATE LIBRARY New Jersey Library Construction Bond Act Rules Adopted Amendments: N.J.A.C. 15:24-2.5, 2.6, and 4.1

Proposed: July 3, 2023, at 55 N.J.R. 1322(a).

Adopted: September 5, 2023, by Jennifer R. Nelson, State Librarian.

Filed: September 5, 2023, as R.2023 d.116, **without change**.

Authority: P.L. 2017, c. 149.

Effective Date: October 2, 2023.

Expiration Date: November 4, 2026.

Summary of Public Comment and Agency Response:

No public comments were received.

Federal Standards Statement

The adopted amendments are not subject to Federal standards or requirements, therefore, a Federal standards analysis is not required for this rulemaking.

Full text of the adoption follows:

SUBCHAPTER 2. TERMS OF GRANT PROGRAM

15:24-2.5 Computation of square footage costs

(a) The maximum per square foot costs for computation of the project grant funding of construction, rehabilitation, and repair have been set at \$500.00 per square foot for new construction and \$350.00 per square foot for rehabilitation and repair. For the rehabilitation and repair of a building registered as a New Jersey or Federal historic site, the maximum cost per square foot has been set at \$500.00. If the grant program is administered in a phased-solicitation process, these costs will be adjusted annually according to the Consumer Price Index for All Urban Consumers (CPI-U), Northeast Region, All Items, not seasonally adjusted.

1. The State Librarian may, at any time during the administration of the grant program, adjust the maximum per square foot costs for documented increases in the Consumer Price Index for All Urban Consumers, Northeast Region, All Items, whenever such adjustment would ensure the implementation of the grant program and fulfillment of its purpose. The adjusted maximum allowable square foot cost shall be calculated based on the most recent 12-month change in the Consumer Price Index for All Urban Consumers, Northeast Region, All Items.

(b)-(e) (No change.)

15:24-2.6 Eligible and ineligible project costs

(a) (No change.)

(b) The following are ineligible project costs:

1.-2. (No change.)

3. Expenses for off-site storage and related moving costs, when necessary, after 18 months; and

4. (No change in text.)

SUBCHAPTER 4. APPLICATION PROCEDURES; REVIEW OF APPLICATIONS

15:24-4.1 Application procedures

(a)-(g) (No change.)

(h) Any substantial changes to a project after a grant is made shall be submitted, by a method as prescribed by the State Librarian, to the State Librarian and the President. The initial substantial changes to a project request form will be made available on the New Jersey Library Construction Bond Act page of the New Jersey State Library website, and such additional forms as the State Librarian requires the applicant to complete will be provided to the applicant individually. The State Librarian and the President may request meeting(s) with the applicant, the architect, and others associated with the project, as necessary. The State Librarian and the President shall approve or deny the proposed substantial