

13:21-25.2 Definitions

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

“Applicant” means any entity who has initiated the process of applying for an Entity Identification Number.

“Approved entity” means any entity that has submitted the required application and supplemental documents to the Commission requesting an Entity Identification Number and which has been approved to receive the identification number.

“Authorized signatory” is an employee of the applicant who the applying entity has indicated, in writing, may transact business on its behalf, including applying for an Entity Identification Number.

“Business organizational documents” are documents verifying the identity of the applying entity and the legitimacy of its existence. Such documents include, but are not be limited to, proof of Federal Employer Identification Number (FEIN) from the Internal Revenue Service; Certificate of Incorporation, Formation or Trade Name, as applicable; a Business Registration Certificate, and a Certificate of Authority from a state that displays the state tax identification number.

“Chief Administrator” means the Chief Administrator of the New Jersey Motor Vehicle Commission.

“Commission” means the New Jersey Motor Vehicle Commission established by section 4 of P.L. 2003, c. 13 (N.J.S.A. 39:2A-4).

“Entity” means any form of business, government, or organization, including, but not limited to, a corporation, limited liability corporation, partnership, limited partnership, sole proprietorship, trust, non-profit, or not-for-profit that is legally registered to conduct business in New Jersey, and any local, state, or Federal agency, government, or governmental department, but does not mean an individual.

“Entity Identification Number” is an alpha-numeric identifier, sometimes referred to as a “Corporation Code” or “MVC Issued Identification Number for an entity,” assigned to an approved entity under which it may identify itself and conduct business with the Commission in the State of New Jersey.

“Person” means an individual or entity, including, but not limited to, a corporation, limited liability corporation, partnership, limited partnership, sole proprietorship, trust, non-profit, or not-for-profit that is legally registered to conduct business in New Jersey, and any local, state, or Federal agency, government, or governmental departments.

13:21-25.3 Requirements for issuance of an Entity Identification Number

(a) Every applicant seeking an Entity Identification Number shall submit an application for approval by the Chief Administrator. Only upon submission of a properly completed application, and thereupon receiving notice of approval, shall an applicant be deemed an approved entity and receive an Entity Identification Number.

(b) The application shall include, but not be limited to, the following information:

1. A completed and executed Corpcode Request Form (Form BA-8);
2. The following business organizational documents:
 - i. A document from the Internal Revenue Service displaying the entity’s Federal Employer Identification Number (FEIN);
 - ii. Certificate of Formation, Incorporation, or Trade Name, as applicable;
 - iii. A Business Registration Certificate;
 - iv. A Certificate of Authority from any state which displays the state tax identification number; and
 - v. Any other documentation the Chief Administrator deems necessary to verify the identity and legitimate existence of the applicant;
3. An original letter, or certified copy, of authorization or power of attorney, or, for licensed motor vehicle dealers, an authorized signatory card, indicating that the person applying for the Entity Identification Number is an authorized signatory of the entity; and
4. If the applicant is an out-of-State entity, a color photocopy of the driver’s license or other proof of photo identification, mailing address, fax number, and telephone number of the authorized signatory submitting the application on behalf of the entity. The authorized signatory must accept notices and other communications from and

respond to inquiries from the Commission and its representatives concerning the application.

13:21-25.4 Number of Entity Identification Numbers allowed for each entity

(a) Approved entities may hold only one Entity Identification Number for each Federal Employer Identification Number (FEIN) assigned to the entity. If an entity has multiple New Jersey Tax Identification Numbers for a single FEIN, the entity may receive an Entity Identification Number for each New Jersey Tax Identification Number corresponding to a single FEIN.

(b) Entities that were previously issued two or more Entity Identification Numbers under a single FEIN and do not operate under separate State Tax Identification Numbers will receive notification from the Commission of consolidation into one Entity Identification Number.

13:21-25.5 Change of ownership, contact information or entity information

(a) It is the responsibility of each entity to update the contact and authorization information for the entity by submitting a new Corpcode Request Form (Form BA-8) with the necessary proof of the change. Upon receipt and approval, the Commission will amend the entity’s information.

(b) If the information being amended includes a different FEIN, the entity will be assigned a new Entity Identification Number.

13:21-25.6 Grounds for rejection or revocation

(a) The Chief Administrator or his or her designee may deny, suspend, revoke, or refuse to issue an Entity Identification Number for any of the following reasons:

1. Failure to comply with the requirements of this subchapter;
2. Upon notification that the entity has a suspended status with the New Jersey Department of the Treasury, Division of Revenue and Enterprise Services, Status and Certification Unit;
3. The entity records with the New Jersey Department of the Treasury, Division of Revenue and Enterprise Services have either been cancelled or purged;
4. The entity is not currently registered with the New Jersey Department of the Treasury, Division of Revenue and Enterprise Services to do business in New Jersey;
5. The applicant or approved entity made a willful misrepresentation or omission in the application or any other documentation provided to the Commission to obtain an Entity Identification Number or to complete a motor vehicle transaction using the assigned Entity Identification Number; or
6. Violations of any statute or regulation.

13:21-25.7 Inactivation of an Entity Identification Number

(a) The Commission may inactivate any Entity Identification Number that has not been used for three or more years. Prior to inactivation, the Commission will notify the entity of its intent to inactivate the number. To prevent the Entity Identification Number from inactivation, the entity must respond to the notification by written request within 90 days of the date of notification to keep the number active.

(b) An entity assigned an Entity Identification Number that becomes inactivated may re-activate that number by submitting an application for the Entity Identification Number to the Commission, pursuant to this subchapter.

(a)

MOTOR VEHICLE COMMISSION**Driving Schools****Readoption with Amendments: N.J.A.C. 13:23**

Proposed: April 17, 2017, at 49 N.J.R. 721(a).

Adopted: August 23, 2017, by Raymond P. Martinez, Chairman,
Motor Vehicle Commission.

Filed: August 23, 2017, as R.2017 d.171, **without change**.

Authority: N.J.S.A. 39:2-3, 39:2A-28, and 39:12-4.

Effective Dates: August 23, 2017, Readoption;
September 18, 2017, Amendments.
Expiration Date: August 23, 2024.

Summary of Public Comment and Agency Response:
No comments were received.

Federal Standards Statement

A Federal standards analysis is not required because the rules readopted with amendments relate to the licensing and oversight of driving schools and driving school instructors, pursuant to N.J.S.A. 39:12-1 et seq., and are not subject to Federal requirements or standards.

Full text of the adopted amendments follows:

SUBCHAPTER 2. DRIVING SCHOOLS

13:23-2.19 Recordkeeping and reporting requirements

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

(c) For every instructor, a file shall be maintained containing the instructor record, which shall include the instructor's name, license number, dates of employment, position held, and the number of behind-the-wheel hours of instruction provided while employed by the driving school.

(d) Upon receipt of written request by the instructor, the driving school shall provide to the Commission, within 30 days, the following information on company letterhead: the driving school name and address; the driving school license number; the instructor's name and license number; the dates of employment of the instructor; the position held by instructor; the number of behind-the-wheel hours of instruction provided by the instructor while in the employ of the driving school; and the name, title, and signature of the authorized officer of the driving school providing the information.

Recodify existing (c)-(e) as (e)-(g) (No change in text.)

(a)

NEW JERSEY TRANSIT CORPORATION

Proof of Payment

Adopted New Rules: N.J.A.C. 16:87

Proposed: February 21, 2017, at 49 N.J.R. 327(a).
Adopted: August 9, 2017, by Steven H. Santoro, Executive Director,
New Jersey Transit Corporation.

Filed: August 17, 2017, as R.2017 d.168, **without change**.

Authority: N.J.S.A. 27:25-5.e and n and 27:25-15.1, specifically 15.1(a).

Effective Date: September 18, 2017.

Expiration Date: September 18, 2024.

Summary of Public Comment and Agency Response:
No comments were received.

Federal Standards Statement

The expired rules adopted herein as new rules are not subject to any Federal standards and, therefore, a Federal standards analysis is not required.

Full text of the expired rules adopted herein as new rules can be found in the New Jersey Administrative Code at N.J.A.C. 16:87.

Full text of the adopted amendment to the expired rules follows:

SUBCHAPTER 2. PAYMENT OF FARE AND VIOLATIONS

16:87-2.1 Payment of fare

The use of a rail passenger service by a person shall constitute an agreement by the person to pay the prescribed fare for the service. A person who has paid the prescribed fare for a rail passenger service and who has been issued proof of payment therefor shall retain that proof of payment while in a pre-paid fare area or in or on designated rail passenger facilities or vehicles. In addition, single use tickets and

transfers must be properly validated in order to constitute proof of payment. Validated tickets are good until the expiration of the time imprinted on them by the validator. Single use tickets which have not been validated, have an improper date, or are time expired do not constitute proof of payment.

(b)

**DIVISION OF CAPITAL PROGRAM MANAGEMENT
BUREAU OF TRAFFIC ENGINEERING**

**Notice of Readoption
Motorized Bicycles**

Readoption: N.J.A.C. 16:26

Authority: N.J.S.A. 39:4-8, 39:4-8.3, 39:4-14.3, 39:4-14.3.a, 39:4-14.3.b, 39:4-14.3f, 39:4-198, and 39:4-202.

Authorized By: Richard T. Hammer, Commissioner, Department of Transportation.

Effective Date: August 21, 2017.

New Expiration Date: August 21, 2024.

Take notice that, pursuant to N.J.S.A. 52:14B-5.1.b, the rules found at N.J.A.C. 16:26 were scheduled to expire on October 4, 2017. This chapter sets forth the standards and procedures by which the operation of motorized bicycles on highways is regulated, as well as indicating those highways on which the operation of motorized bicycles is permitted or prohibited.

The rules are necessary, reasonable, adequate, and responsive for the purpose for which they were originally promulgated. The Department of Transportation has reviewed the rules and determined that they should be readopted without amendment. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), these rules are readopted and shall continue in effect for a seven-year period.

(c)

DIVISION OF MULTIMODAL SERVICES

**Notice of Readoption
Transportation of Hazardous Materials**

Readoption: N.J.A.C. 16:49

Authority: N.J.S.A. 27:1A-5, 27:1A-6, and 39:5B-26 and 31; 49 U.S.C. §§ 5101 et seq.; and 49 CFR 100 through 199.

Authorized By: Richard T. Hammer, Commissioner, Department of Transportation.

Effective Date: August 14, 2017.

New Expiration Date: August 14, 2024.

Take notice that, pursuant to N.J.S.A. 52:14B-5.1b, the rules found at N.J.A.C. 16:49 were scheduled to expire on September 16, 2017. N.J.A.C. 16:49 governs the transportation of hazardous materials in the State of New Jersey. The rules provide comprehensive regulation of the shipping, packaging, marking, labeling, placarding, handling, and transportation of hazardous materials, and are consistent with the regulations issued by the United States Department of Transportation.

The rules are necessary, reasonable, adequate, and responsive for the purpose for which they were originally promulgated. The Department of Transportation has reviewed the rules and determined that they should be readopted without amendment. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), these rules are readopted and shall continue in effect for a seven-year period.