

duplicates of his or her vehicle registration, driver license, or non-driver identification card through the Internet.

13:21-9.14 Extension of prior registration for timely renewal through the Internet; interim duplicate registration; and interim driver license and non-driver identification card receipt

(a) An applicant who has accurately and timely completed a registration renewal process through the Internet, but who does not receive a renewed registration document from the Commission before the date on which the applicant’s prior registration document expires, shall be issued an interim registration by the Chief Administrator, in accordance with the provisions of N.J.S.A. 39:3-4 and 39:2-3. The interim registration shall expire upon receipt by the applicant of the renewed registration document or the passage of 30 days from the original expiration date, whichever is earlier, unless the Chief Administrator expressly determines otherwise.

(b) Upon successful completion of an online duplicate registration transaction, a printable receipt and interim registration will be made available to the applicant and will also be sent to the applicant by encrypted electronic mail. The receipt and interim registration is valid for 30 days from the date of the online electronic transaction and shall contain, at a minimum, an expiration date, the owner’s name and co-owner’s name, if applicable, an address, the year, type and make of the vehicle, the vehicle identification number, the vehicle registration plate number, and the date, time, and confirmation number of the transaction. The receipt and interim registration is valid as proof of vehicle registration only, and it expires on the date shown on the document, unless extended. The receipt and interim registration shall not be used to transfer vehicle ownership or to request a duplicate certificate of ownership.

(c) Upon successful completion of an online renewal of a driver license, a printable interim driver license will be made available to the licensee, and will also be sent to the licensee by encrypted electronic mail. The interim driver license is valid for 30 calendar days from the date of the online electronic transaction. The interim license shall contain, at a minimum, issuance and expiration dates, transaction identification and type, the licensee’s full name, address, date of birth, and driver license number and class, endorsements and restrictions, organ donor status if the licensee is an organ donor, a signature line for the licensee to sign the interim license, and a barcode. An interim driver license cannot be used for identification purposes. The printable interim driver license must be signed and carried with the driver’s most recent driver license issued by the Commission, unless the printable interim driver license is marked “initial” or “duplicate.” An interim driver license shall serve as documentation of interim driving privileges. A licensee is permitted to drive a motor vehicle of the class for which he or she is licensed, when the interim license is in his or her possession and unexpired.

(d) Upon successful completion of an online renewal of a non-driver identification card, a printable non-driver identification card receipt will be made available to the applicant and will also be sent to the applicant by encrypted electronic mail. A non-driver identification card receipt may not be used for identification purposes. The non-driver identification card receipt shall contain, at a minimum, the cardholder’s full name, address, date of birth, identification card number, transaction identification, and organ donor status, if the cardholder is an organ donor.

(e) Upon successful completion of an online duplicate driver license transaction, a printable interim driver license for class D, E, F, G, and boat licenses, or a printable interim commercial driver license for class A, B, and C licenses, will be made available to the applicant, and will also be sent to the applicant by encrypted electronic mail. The printable interim driver license or interim commercial driver license is valid for 30 days from the date of the online electronic transaction and shall contain, at a minimum, a barcode with an expiration date, the transaction identification and type, a signature line for the driver where the driver must sign, the applicant’s license class, the applicant’s full name and driver license number, the applicant’s date of birth and mailing address, the date of issuance, any applicable endorsements and restrictions, and applicant’s organ donor status, if applicant is an organ donor. An interim driver license and interim commercial driver license cannot be used for identification purposes. The printable interim driver license or interim commercial driver license must be signed and carried with the driver’s most recent driver license issued by the Commission, unless the printable

interim driver license or interim commercial driver license is marked “initial” or “duplicate.” An interim driver license and interim commercial driver license shall serve as documentation of interim driving privileges. A licensee is permitted to drive a motor vehicle of the class for which he or she is licensed, when the interim driver license or interim commercial driver license is in his or her possession and unexpired.

(f) Upon successful completion of an online duplicate non-driver identification card transaction, a printable non-driver identification card receipt will be made available to the applicant, and will also be sent to the applicant by encrypted electronic mail. The non-driver identification card receipt may not be used for identification purposes. The non-driver identification card receipt shall contain the transaction identification, the applicant’s full name, address, date of birth, identification number, and applicant’s organ donor status, if the applicant is an organ donor.

13:21-9.15 (No change in text.)

13:21-9.16 Applicant survey

The Commission may, either directly or through a consultant or a contractor, survey applicants to ascertain from them their opinions, observations, or recommendations regarding the process of renewing or duplicating registrations, driver licenses, and non-driver identification cards through the Internet. Although these surveys will be conducted in conjunction with actual transactions, an applicant need not participate in the survey in order to conduct the transaction. Participation in such a survey will be solely at the option of an applicant, and survey results shall contain no personal information, unless expressly authorized by the applicant.

Recodify existing 13:21-9.15 and 9.16 as 9.17 and 9.18 (No change in text.)

(a)

**MOTOR VEHICLE COMMISSION
REGULATORY AFFAIRS (COMMERCIAL
PASSENGER TRANSPORTATION)**

Zone of Rate Freedom

Adopted Amendment: N.J.A.C. 16:53D-1.1

Proposed: April 1, 2019, at 51 N.J.R. 471(a).

Adopted: August 28, 2019, by the Motor Vehicle Commission, B.

Sue Fulton, Chair and Chief Administrator.

Filed: August 29, 2019, as R.2019 d.103, **without change**.

Authority: N.J.S.A. 27:1A-5, 27:1A-6, 48:2-21, and 48:4-2.20 through 2.25.

Effective Date: October 7, 2019.

Expiration Date: September 21, 2024.

Summary of Public Comment and Agency Response:

No comments were received.

Federal Standards Statement

A Federal standards analysis is not required because the rule that is the subject of this adoption is dictated by State statutes and are not subject to Federal requirements or standards.

Full text of the adoption follows:

SUBCHAPTER 1. GENERAL PROVISIONS

16:53D-1.1 General provisions

(a) Any regular route autobus carrier operating within the State, which carrier seeks to revise its rates, fares, or charges in effect as of the time of the promulgation of this rule, shall not be required to conform with N.J.A.C. 16:51-3.10, Tariff filings that do not propose increases in charges to customers, or 3.11, Tariff petitions that propose increases in charges to customers, provided the increase or decrease in the rate, fare, or charge, or the aggregate of increases and decreases in any single rate, fare, or charge is not more than the maximum percentage increase (10

percent for 2019) or decrease (10 percent for 2019), upgraded to the nearest \$.05.

1. For illustrative purposes, the following chart sets forth the 2019 percentage maximum for increases to particular rates, fares, or charges and the resultant amount as upgraded to the nearest \$.05:

<u>Present Fare</u>	<u>Percent of Increase</u>	<u>Increase Upgraded To Nearest \$.05</u>
\$2.00 or less	10.0%	\$.20
\$2.05-\$2.50	10.0%	\$.25
\$2.55 upward	10.0%	\$.30+

2. For illustrative purposes, the following chart sets forth the 2019 percentage maximum for decreases to particular rates, fares or charges and the resultant amount as upgraded to the nearest \$.05:

<u>Present Fare</u>	<u>Percent of Increase</u>	<u>Increase Upgraded To Nearest \$.05</u>
\$.50 or less	10%	\$.05
\$.55 to \$1.00	10%	\$.10
\$1.05 upward	10%	\$.15+

3. (No change.)

OTHER AGENCIES

(a)

ECONOMIC DEVELOPMENT AUTHORITY

Administrative Rules; Fees; Authority Assistance Programs; Direct Loan Program

Adopted Amendments: N.J.A.C. 19:30-6.1 and 19:31-3.1, 3.2, 3.3, 3.4, and 3.5

Proposed: June 3, 2019, at 51 N.J.R. 820(a).

Adopted: September 13, 2019, by the New Jersey Economic Development Authority, Tim Sullivan, Chief Executive Officer.

Filed: September 13, 2019, as R.2019 d.111, **with non-substantial changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-6.3).

Authority: N.J.S.A. 34:1B-1 et seq.

Effective Date: October 7, 2019.

Expiration Date: May 8, 2025.

Summary of Public Comments and Agency Responses:

One comment was submitted by Grant Lucking, VP of Environmental Affairs, New Jersey Builders Association (NJBA).

COMMENT: NJBA strongly supports the increase in the maximum amount of financing available from \$750,000 to \$5,000,000 to help actualize remediation projects with funding gaps. The remediation and revitalization of brownfield sites has substantial environmental, economic, and social benefits.

RESPONSE: The Economic Development Authority (EDA) thanks the NJBA for its support of the increase in financing available under the Brownfields Loan Program.

COMMENT: NJBA believes the Brownfields Loan Program should not require a letter of support from the mayor of the municipality, provided that all appropriate preliminary approvals have been received from the municipality. NJBA notes that not all municipalities are required to have mayors, for instance, under the 1923 Municipal Manager Form of Government (N.J.S.A. 40-39.1 et seq.). Additionally, development approvals are not subject to mayoral approval. This requirement could delay or otherwise prevent the revitalization and remediation of brownfield sites.

RESPONSE: In recognition of the variable forms of municipal government in New Jersey, as noted by the commenter, the EDA has changed N.J.A.C. 19:31-3.3(c)9i to add “or the governing body if the position of mayor does not exist” pursuant to the municipality in which the brownfield site is located.

COMMENT: In several instances, the notice of proposal requires the submission of an “environmental report” from a Licensed Site Remediation Professional (LSRP). The term “environmental report” is undefined and clarification should be provided regarding the extent of information an LSRP is required to provide. Additionally, at proposed new N.J.A.C. 19:31-3.3(c)9, it is unclear what type of professionals the requirement for environmental reports applies to.

RESPONSE: The EDA will change N.J.A.C. 19:31-3.2(c)2 and 3.3(c)9iv and v to address the concerns presented by the commenter. N.J.A.C. 19:31-3.2(c)2 is changed to delete the terms “required” and “report” pertaining to the licensed site remediation professional; and, delete the terms “other documentation from” and to modify the term qualified professional to add “other than a licensed site remediation professional” and “or the structure is a contaminated building” pertaining to a structure.

N.J.A.C. 19:31-3.3(c)9iv is changed to indicate any report (not just an environmental report) and to replace “applicable New Jersey Department of Environmental Protection requirements,” with “pursuant to the Technical Requirements for Site Remediation at N.J.A.C. 7:26E” to specifically add what the applicable requirements are. N.J.A.C. 19:31-3.3(c)9v is changed to indicate any report (not just an environmental report) that demonstrates the structure is a contaminated building, as determined on a case-by-case basis.

COMMENT: Proposed new N.J.A.C. 19:31-3.1(i)7i permits the EDA to reduce the rate of interest if, “[t]he redevelopment project has been designed as a mixed-use residential project consisting of newly-constructed residential units where the developer will reserve at least 20 percent, but not more than 50 percent, of the residential units constructed for occupancy by low- and moderate-income households with affordability controls as required under the rules of the Council on Affordable Housing.” NJBA believes that this subparagraph should be modified to also include projects that are 100 percent residential and not only projects that are mixed-use residential.

RESPONSE: The proposed modification to include projects that are 100 percent residential, and therefore, without a commercial end use, does not comply with the provisions of the EDA’s enabling statute, N.J.S.A. 34:1B-1 et seq.

COMMENT: The definition for “brownfields site” at proposed new N.J.A.C. 19:31-3.2(c)1i should be amended to remove the reference to mixed-use residential development to enable additional types of development projects on sites requiring further remediation. Expanding the pool of potential projects types will further encourage the remediation of brownfield sites.

RESPONSE: The EDA declines to remove the reference to mixed-use residential development in the definition of “brownfields site” to enable additional types of development, as EDA assistance for non-mixed-use residential development is not authorized under the provisions of the EDA’s enabling statute, N.J.S.A. 34:1B-1 et seq.

COMMENT: Proposed new N.J.A.C. 19:31-3.2(c)5 requires that the future use of the brownfield site shall be commercial use or mixed-use. NJBA believes this should be amended to include residential projects to further encourage the remediation of brownfields loan applicants under this program.

RESPONSE: The EDA declines to revise the requirement at proposed new N.J.A.C. 19:31-3.2(c)5 to include residential projects which, without a commercial component, is precluded under the EDA’s enabling statute, N.J.S.A. 34:1B-1 et seq.

COMMENT: N.J.A.C. 19:31-3.1(f) is proposed for amendment and stipulates that not more than 20 percent of the loan may be used for soft costs. NJBA does not believe there should be a limit on soft costs as engineering and professional fees associated with development and remediation could be a substantial percentage of project costs, particularly in the case of smaller projects.

RESPONSE: The proposed requirement that not more than 20 percent of the Brownfields loan may be used for soft costs is consistent with