

Full text of the proposal follows (additions indicated in boldface thus deletions indicated in brackets [thus]):

SUBCHAPTER 1. LICENSURE TO PRACTICE DENTISTRY

13:30-1.2 Application for licensure to practice dentistry

(a) (No change.)

(b) To qualify as a candidate for dental licensure, an applicant shall submit a completed application to the Board, which shall contain the following information and materials:

1.-3. (No change.)

4. Results of the successful completion of [parts I and II of the National Board Dental examination;] either of the following:

i. Parts I and II of the National Board Dental Examination; or

ii. The Integrated National Board Dental Examination;

5.-9. (No change.)

(c) (No change.)

(d) A candidate for dental licensure who has successfully completed the ADEX dental examination and who has not practiced as a licensed dentist for a period of five years [of] or more prior to the date of application shall re-take the ADEX examination or a Board-approved refresher course with a post-course examination. The Board shall use the results of the clinical or post-course examination to assess competency and practice proficiencies. If the examination identifies deficiencies or educational needs, the Board may require the applicant, as a condition of licensure, to take and successfully complete any education or training or to submit to any supervision, monitoring, or limitations as the Board determines is necessary to [assure] ensure that the applicant practices with reasonable skill and safety. A candidate for dental licensure shall submit a completed application to the Board, which shall contain the following information and materials:

1.-2. (No change.)

3. Results of the successful completion of [parts I and II of the National Board Dental examination;] either of the following:

i. Parts I and II of the National Board Dental Examination; or

ii. The Integrated National Board Dental Examination;

4.-8. (No change.)

(e) A candidate for dental licensure by credentials, who is licensed to practice dentistry in another state or jurisdiction, shall submit a completed application to the Board, which shall contain the following information and materials:

1.-3. (No change.)

4. Results of the successful completion of [parts I and II of the National Board Dental Examination;] either of the following:

i. Parts I and II of the National Board Dental Examination; or

ii. The Integrated National Board Dental Examination;

5.-10. (No change.)

(f)-(g) (No change.)

Alexander C. Owen  
Administrative Practice Officer  
New Jersey Department of Transportation  
PO Box 600  
Trenton, NJ 08625-0600  
Fax: (609) 963-1909

Submit electronically at [NJDOTRules@dot.nj.gov](mailto:NJDOTRules@dot.nj.gov).

This rule may be viewed or downloaded from the Department's website at <http://www.state.nj.us/transportation/about/rules/proposals.htm>.

The agency proposal follows:

Summary

In accordance with N.J.S.A. 52:14B-5.1.c, N.J.A.C. 16:53B was scheduled to expire on January 24, 2024. As the Department of Transportation (Department) filed this notice of re-adoption with the Office of Administrative Law prior to that date, the expiration date is extended 180 days to July 22, 2024, pursuant to N.J.S.A. 52:14B-5.1.c(1). The Department has reviewed the rules and determined that they remain necessary, reasonable, and proper for the purposes for which they were originally promulgated. The Department proposes to re-adopt this chapter with the amendments set forth below.

The purpose of the chapter is to establish standards for the assignment of jurisdiction over abandoned railroad overhead bridges when existing jurisdictions are uncertain or contested, as required by the Railroad Overhead Bridge Act of 1988, N.J.S.A. 27:5G-1 et seq.

The chapter is summarized as follows:

Subchapter 1 provides the purpose and scope of the jurisdiction over abandoned railroad overhead bridges.

Subchapter 2 provides the definitions of key terms in this chapter.

Subchapter 3, General Provisions, establishes the jurisdictional assignments of a railroad overhead bridge.

Subchapter 4, Assignment of Jurisdiction, establishes the requirements of the assignment of jurisdiction of railroad overhead bridges by the Commissioner of the Department.

Subchapter 5, Hearings, establishes the requirements and procedures of hearings.

Subchapter 6, Railroad Right-of-Way Requirements, establishes the responsibilities of the railroad for inspections, maintenance, rehabilitation, replacement, or removal of railroad overhead bridges.

Subchapter 7, Emergent Situations, establishes the requirements for critical attention which may include inspection, maintenance, rehabilitation, replacement, or removal of a railroad overhead bridge assigned.

N.J.A.C. 16:53B-6.1(a) is proposed for an amendment to add a 30-day timeframe for certain required services regarding the inspection, maintenance, rehabilitation, replacement, or removal of railroad overhead bridges assigned to a jurisdiction. The Department needs a compliance date, as there is untimely attention given to provide the Department with the required services.

As the Department is providing a 60-day comment period for the notice of proposal, this notice is excepted from the rulemaking calendar requirement pursuant to N.J.A.C. 1:30-3.3(a)5.

Social Impact

The rules proposed for re-adoption with an amendment will continue to have a positive social impact. The rules are intended to resolve jurisdictional problems associated with abandoned railroad overhead bridges and, thereby, assign responsibility for their maintenance, rehabilitation, replacement, and inspection. This work is necessary to protect the safety and welfare of the public. The rules have contributed to safer bridges and have allowed for improved cooperation and coordination among the jurisdictional entities that have a responsibility for the safety of these bridges. The proposed amendment is to clarify a timeframe regarding certain services to be provided to the Department for the inspection, maintenance, rehabilitation, replacement, or removal of railroad overhead bridges that has been assigned to a jurisdiction.

Economic Impact

Jurisdictional responsibility for a railroad overhead bridge requires the responsible party to assume the costs associated with its rehabilitation or

TRANSPORTATION

(a)

DIVISION OF OPERATIONS

BUREAU OF ADMINISTRATIVE SUPPORT

Jurisdictional Assignments for Railroad Overhead Bridges

Proposed Re-adoption with Amendments: N.J.A.C. 16:53B

Authorized By: Diane Gutierrez-Scaccetti, Commissioner, Department of Transportation.

Authority: N.J.S.A. 27:1A-5, 27:1A-6, and 27:5G-1 et seq.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2024-021.

Submit written comments by May 3, 2024, to:

replacement, maintenance, and inspection to ensure that the bridge is in a state of good repair. The rules proposed for reoption with an amendment continue to ensure the fair and equitable assignment of jurisdictional responsibility for railroad overhead bridges. To do so, the Commissioner of the Department takes into consideration the resources and expertise of each party before making a jurisdictional assignment of a railroad overhead bridge. Further, pursuant to N.J.S.A. 27:5G-8, the Commissioner of the Department does not assign jurisdictional responsibility for a railroad overhead bridge that does not carry a State highway, unless:

1. That bridge is the subject of an improvement project financed in whole, or in part, by State funds;
2. A party has requested jurisdiction over the bridge by written petition; or
3. The Commissioner accepts a written petition for assignment from an affected party other than the party to whom jurisdiction would otherwise be assigned as being in the public interest, and the Commissioner further determines that the bridge is in good repair.

These conditions ensure that the entity assuming jurisdictional responsibility for the railroad overhead bridge does not incur the expenses associated with the work to bring the bridge to a condition of good repair at the time of assignment or that the bridge is being assigned to a party prepared to assume that responsibility. Future costs associated with maintenance and inspection must be borne by the entity assuming jurisdictional responsibility.

Neither the rules proposed for reoption, nor the proposed amendment, affect the amount of funds that will be required for necessary and emergency maintenance and capital construction purposes. The rules do not provide funding to either the Department of Transportation or NJ Transit with which to maintain, repair, or replace these structures. State funds to maintain, repair, or replace bridges allocated to the Department and NJ Transit come from either special purpose transportation bonds or annual appropriations from the Transportation Trust Fund or Federal funds.

**Federal Standards Statement**

A Federal standards analysis pursuant to Executive Order No. 27 (1994), P.L. 1995, c. 65, is not required because the rules proposed for reoption with an amendment come within the authority of State statute only and are not subject to Federal requirements or standards.

**Jobs Impact**

The rules proposed for reoption with an amendment will not result in the generation or loss of jobs. The rules address jurisdictional assignments of railroad overhead bridges.

**Agriculture Industry Impact**

The rules proposed for reoption with an amendment are not intended to regulate farming, crops, or animal production. The Department does not anticipate that the rules would have any impact on the agriculture industry.

**Regulatory Flexibility Statement**

The rules proposed for reoption with an amendment do not place any reporting, recordkeeping, or compliance requirements on small businesses as the term is defined by the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. The rules apply primarily to State, county, and municipal governments, and providers of railroad services. Providers of railroad services affected by these rules employ more than 100 full-time employees and are considered dominant in the field of railroad service.

In accordance with the New Jersey Regulatory Flexibility Act (Act), N.J.S.A. 52:14B-16 et seq., the Department has determined that the rules proposed for reoption with an amendment affect State, county, and municipal governments, and providers of railroad services, none of which are a "small business" as that term is defined in the Act.

**Housing Affordability Impact Analysis**

The rules proposed for reoption with an amendment will have no impact on the affordability of housing in New Jersey. The rules concern the procedures for the assignment of jurisdiction over railroad overhead bridges when existing jurisdictions are uncertain or contested. The

Department believes that it is extremely unlikely that the rules would bring about a change in the average costs associated with housing.

**Smart Growth Development Impact Analysis**

The rules proposed for reoption with an amendment will have no impact on smart growth. The rules concern the procedures for the assignment of jurisdiction over railroad overhead bridges when existing jurisdictions are uncertain or contested. The Department believes that it is extremely unlikely that the rules would bring about a change in housing production in Planning Areas 1 or 2, or within designated centers, pursuant to the State Development and Redevelopment Plan.

**Racial and Ethnic Community Criminal Justice and Public Safety Impact**

This chapter governs the procedures for the assignment of jurisdiction over railroad overhead bridges when existing jurisdictions are uncertain or contested. The rules proposed for reoption with an amendment have had no, and will not have any, impact on pretrial detention, sentencing, probation, or parole policies concerning adults or juveniles in the State. Therefore, no further analysis is required.

Full text of the rules proposed for reoption may be found in the New Jersey Administrative Code at N.J.A.C. 16:53B.

Full text of the proposed amendment follows (additions indicated in boldface thus; deletion indicated in brackets [thus]):

SUBCHAPTER 6. RAILROAD RIGHT-OF-WAY REQUIREMENTS

16:53B-6.1 Railroad responsibilities

(a) Regarding the inspection, maintenance, rehabilitation, replacement, or removal of railroad overhead bridges assigned [under] pursuant to this chapter, the entity owning or controlling a railroad right-of-way shall provide the following services to the party with jurisdiction for the bridge over the right-of-way. Those services must be provided in the form and manner prescribed by the Commissioner, at the entity's own expense, and within 30 days or within a specified timeframe, as determined by the Commissioner.

- 1.-5. (No change.)
- (b) (No change.)

TREASURY—GENERAL

(a)

DIVISION OF PROPERTY MANAGEMENT AND CONSTRUCTION  
RESIDENTIAL HOUSING MANAGEMENT BOARD  
Residential Housing Management Board Rules  
Proposed Reoption with Amendments: N.J.A.C. 17:17

Authorized By: Elizabeth Mahon Muoio, State Treasurer.

Authority: N.J.S.A. 52:31-25

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2024-023.

Submit written comments by May 3, 2024, to:

Cynthia Bussell  
Administrative Practice Officer  
Residential Housing Management Board  
Division of Property Management  
P.O. Box 229  
Trenton, NJ 08625  
Email: [Cynthia.Bussell@treas.nj.gov](mailto:Cynthia.Bussell@treas.nj.gov)

The agency proposal follows:

**Summary**

Pursuant to N.J.S.A. 52:14B-5.1.c, N.J.A.C. 17:17, Residential Housing Management Board, was scheduled to expire on July 19, 2024.