

(c) A licensed master hearth specialist who willfully or negligently allows an unlicensed or unauthorized person to use his or her identification card shall be deemed to have engaged in occupational misconduct and shall be subject to such penalties and sanctions as shall be imposed by the Committee pursuant to authority granted by N.J.S.A. 45:16A-29 et seq., and 45:1-14 et seq.

13:32A-7.18 Change of address; service of process

(a) Every licensed master hearth specialist shall notify the Committee, in writing, of the specialist’s address of record. Every licensed master hearth specialist shall notify the Committee, in writing, of any change the address of record within 10 days after such change.

(b) Service of an administrative complaint or other process initiated by the Committee, the Attorney General, or the Division of Consumer Affairs at the licensed master hearth specialist’s address of record on file with the Committee shall be deemed adequate notice for the commencement of any inquiry or disciplinary proceeding against the licensed master hearth specialist.

13:32A-7.19 Unconscionable pricing

(a) A licensed master hearth specialist shall not charge an unconscionable price for services. A price is unconscionable when, after review of the facts, a licensed master hearth specialist of ordinary prudence would be left with a definite and firm conviction that the price is so high as to be manifestly unconscionable or overreaching under the circumstances.

(b) Factors that may be considered in determining whether a price is unconscionable include the following:

1. The time and effort required;
2. The novelty or difficulty of the job;
3. The skill required to perform the job properly;
4. Any special conditions placed upon the performance of the job by the person or entity for which the work is being performed;
5. The experience, reputation, and ability of the licensed master hearth specialist to perform the services; and
6. The price customarily charged in the locality for similar services.

(c) Charging an unconscionable price shall constitute occupational misconduct within the meaning at N.J.S.A. 45:1-21.e and may subject the licensed master hearth specialist to disciplinary action.

13:32A-7.20 Designations for licensees; prohibitions on unlicensed persons

(a) An active licensee may use the title “licensed master hearth specialist” or “master hearth specialist.”

(b) No person, firm, partnership, corporation, or other legal entity shall engage in the business of hearth professional work contracting, advertise as a licensed master hearth specialist, or use the title “licensed master hearth specialist” or “master hearth specialist,” unless the person is licensed by the Committee or the firm, partnership, corporation, or other legal entity has a bona fide representative who is licensed by the Committee.

13:32A-7.21 Gas piping

No person shall install, improve, repair, or maintain gas piping associated with barbecue appliances, hearth product appliances, outdoor patio appliances, decorative space heater appliances, or hearth professional work unless licensed by the Committee or licensed to practice in New Jersey with a scope of practice that includes the installation, repair, or maintenance of gas piping.

(a)

**DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF COSMETOLOGY AND
HAIRSTYLING**

**Notice of Readoption
State Board of Cosmetology and Hairstyling**

Readoption: N.J.A.C. 13:28

Authority: N.J.S.A. 45:1-15 and 45:5B-1 et seq.

Authorized By: State Board of Cosmetology and Hairstyling, Janice Alvarez, Chairperson.

Effective Date: October 25, 2022.

New Expiration Date: October 25, 2029.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 13:28 were scheduled to expire on February 4, 2023. In accordance with N.J.S.A. 45:1-15 and 45:5B-1 et seq., the rules at N.J.A.C. 13:28 establish standards for the licensing and regulation of practitioners of cosmetology and hairstyling, beauty culture, barbering, skin care specialty, manicuring, and hair braiding for teachers of cosmetology and hairstyling. In addition, the rules establish standards for the licensing of shops and schools of cosmetology and hairstyling.

Subchapter 1 addresses licensing requirements for practitioners, students, and teachers. Subchapter 1A contains definitions of the terms used throughout the chapter. Subchapter 2 pertains to shop licenses. Subchapter 3 sets forth safety and sanitation standards. Subchapter 4 pertains to enforcement of the rules of the chapter. Subchapter 5 includes the schedule of fees for licenses issued by the Board. Subchapter 6 addresses requirements for licensed schools of cosmetology and hairstyling.

The State Board of Cosmetology and Hairstyling has reviewed the rules and has determined them to be necessary, reasonable, and proper for the purpose for which they were originally promulgated. Pursuant to N.J.S.A. 45:1-15 and 45:5B-1 et seq., and in accordance with N.J.S.A. 52:14B-5.1.c(1), the rules are readopted without change and shall continue in effect for a seven-year period.

TREASURY—TAXATION

(b)

**DIVISION OF TAXATION
Notice of Readoption
General Policies and Procedures
Readoption: N.J.A.C. 18:2**

Authority: N.J.S.A. 54:49-12.5 and 54:50-1.

Authorized By: John Ficara, Acting Director, Division of Taxation.

Effective Date: October 21, 2022.

New Expiration Date: October 21, 2029.

Take notice that pursuant to N.J.S.A. 52:14B-5.1.c, the rules at N.J.A.C. 18:2 were scheduled to expire on November 24, 2022. N.J.A.C. 18:2 addresses general policies and procedures that facilitate compliance with Division of Taxation policies and assist taxpayers in navigating tax procedures. This includes subchapters that address forms, penalties and interest, electronic funds transfer for taxes, the postmark rule, refunds, confidentiality and disclosure, recordkeeping requirements, set-off of State vendor tax debt, sale of tax indebtedness, tax clearance for business assistance and incentives, and business registration and tax clearance requirements for license holders. The Division of Taxation has reviewed these rules and has determined that the rules should be readopted because they are necessary, reasonable, and proper for the purpose for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), N.J.A.C. 18:2 is readopted and shall continue in effect for a seven-year period.

(c)

**DIVISION OF TAXATION
Notice of Readoption
Controlling Interest Transfer Tax
Readoption: N.J.A.C. 18:16A**

Authority: N.J.S.A. 54:15C-1.e(4) and 54:50-1.

Authorized By: John Ficara, Acting Director, Division of Taxation.

Effective Date: October 21, 2022.
 New Expiration Date: October 21, 2029.

Take notice that pursuant to N.J.S.A. 52:14B-5.1.c, the rules at N.J.A.C. 18:16A were scheduled to expire on November 24, 2022. N.J.A.C. 18:16A provides guidance on the controlling interest transfer tax. The controlling interest transfer tax is imposed on direct or indirect transfers of a controlling interest in an entity owning Class 4A commercial property in excess of \$1,000,000 on and after August 1, 2006. The Division of Taxation has reviewed these rules and has determined that the rules should be readopted because they are necessary, reasonable, and proper for the purpose for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), N.J.A.C. 18:16A is readopted and shall continue in effect for a seven-year period.

OTHER AGENCIES

(a)

NEW JERSEY SPORTS AND EXPOSITION AUTHORITY

**Notice of Readoption
 District Transportation Plan Rules
 Readoption: N.J.A.C. 19:7**

Authority: N.J.S.A. 5:10A-1 et seq., specifically 5:10A-7(b), and 5:10A-81(a).
 Authorized By: New Jersey Sports and Exposition Authority, Frank Leanza, Senior Vice President, Chief of Legal and Regulatory Affairs.
 Effective Date: October 14, 2022.
 New Expiration Date: October 14, 2029.

Take notice that pursuant to the provisions at N.J.S.A. 52:14B-5.1, the New Jersey Sports and Exposition Authority (NJSEA) readopts the rules at N.J.A.C. 19:7, District Transportation Plan Rules, without change, which were scheduled to expire on November 25, 2022.

N.J.A.C. 19:7 consists of the NJSEA’s District Transportation Plan Rules. The following summarizes this chapter:

Subchapter 1 provides the heading of this chapter as the District Transportation Plan Rules of the Hackensack Meadowlands District.

Subchapter 2 establishes the general provisions for the assessment and collection of development fees pursuant to N.J.S.A. 5:10A-69 through 5:10A-81.

Subchapter 3 provides definitions for the terms used in this chapter.

Subchapter 4 incorporates by reference, the Meadowlands District Transportation Plan, and provides for updates and amendments to this plan.

Subchapter 5 provides the transportation development fee formula for the calculation of assessments, as well as reductions, credits, exemptions, refunds, and appeals as they relate to the assessment. The subchapter also provides for the timing of the assessment and addresses transfer of property subject to a transportation development fee.

Subchapter 6 provides rules for the deposit of transportation development fees into the Transportation Planning District Fund, and provides for appropriations from the Fund for the purposes of the

administration, management, development, update, amendment, and supplement of the Meadowlands District Transportation Plan and the Meadowlands Transportation Planning District.

Subchapter 7 provides the penalties and enforcement procedures for failure to comply with the requirements of this chapter, as well as a severability clause regarding the validity of the rules.

The NJSEA has reviewed these rules and has determined that the rules should be readopted without change. The rules remain necessary, reasonable, and proper for the purpose for which they were originally promulgated. The NJSEA is in the process of preparing the Meadowlands District Transportation Plan 2045, which, upon adoption, may recommend future rule amendments. Notwithstanding, the NJSEA believes that the existing rules are sufficient, at this time, to carry out the responsibilities of the agency.

Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), the rules at N.J.A.C. 19:7, District Transportation Plan Rules, are readopted without change and shall continue in effect for a seven-year period.

(b)

ECONOMIC DEVELOPMENT AUTHORITY

**Notice of Extension of Subchapter Expiration Date
 Aspire Program
 N.J.A.C. 19:31-23**

Take notice that the Chief Executive Officer of the New Jersey Economic Development Authority (NJEDA) informed Governor Phillip D. Murphy that N.J.A.C. 19:31-23 was scheduled to expire on November 10, 2022, pursuant to section 67 of P.L. 2020, c. 156 (N.J.S.A. 34:1B-335).

On November 15, 2021, the NJEDA submitted specially adopted rules, pursuant to section 67 of P.L. 2020, c. 156 (N.J.S.A. 34:1B-335), and concurrently proposed rules to the Office of Administrative Law (OAL) for publication in the New Jersey Register. The specially adopted rules became effective upon acceptance for filing by OAL and were published in the December 20, 2021 New Jersey Register. The initial expiration for the specially adopted rules effective period was May 14, 2022, which was 180 days from the date of filing. The new rules were concurrently proposed in accordance with the normal rulemaking requirements of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq. The concurrent proposal extended the expiration of the rules by an additional 180 days to November 10, 2022. See N.J.S.A. 52:14B-5.1(c).

The Aspire Program is a gap financing tax incentive program authorized by the New Jersey Economic Recovery Act of 2020, sections 54 through 67 of P.L. 2020, c. 156 and later amended by sections 22 through 29 of P.L. 2021 c.160, to encourage the development of commercial, mixed use, and residential real estate projects in New Jersey by providing tax credits in an amount based on a percentage of the project’s costs. Continuing these rules will allow NJEDA to respond to the substantial public comments received.

By the authority vested in him pursuant to N.J.S.A. 52:14B-5.1.d(1), Governor Phillip D. Murphy, on October 31, 2022, directed that the expiration date be extended for N.J.A.C. 19:31-23, for a period of 12 months, from November 10, 2022 to November 10, 2023.