

Social Impact

The rule proposed for repeal is not anticipated to have any social impact. The expiration date currently imposed is seldom, if ever, reached as intervening factors render such expirations moot. The rule proposed for repeal does not reflect any social judgments made by the Division.

Economic Impact

Implementation of the rule proposed for repeal is not anticipated to have any economic impact for the Division, the casino industry, or the public. It is not anticipated that the rule proposed for repeal will require the Division of Gaming Enforcement to incur additional costs in introducing, testing, and otherwise regulating slot machines in Atlantic City.

Federal Standards Statement

A Federal standards analysis is not required because the rule proposed for repeal is mandated by the provisions of the Casino Control Act, N.J.S.A. 5:12-1 et seq., and is not subject to any Federal requirements or standards.

Jobs Impact

The rule proposed for repeal will not have an impact on the generation or loss of jobs in New Jersey.

Agriculture Industry Impact

The rule proposed for repeal will have no impact on the agriculture industry in New Jersey.

Regulatory Flexibility Statement

The rule proposed for repeal will only affect the operations of New Jersey casino licensees, none of which qualifies as a "small business" as defined in the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq., because they employ more than 100 persons full-time in the State of New Jersey. Accordingly, a regulatory flexibility analysis is not required.

Housing Affordability Impact Analysis

The rule proposed for repeal will have an insignificant impact on the affordability of housing in New Jersey and there is an extreme unlikelihood that the rule proposed for repeal would evoke a change in the average costs associated with housing because the rule concerns the expiration of slot machine control program approvals.

Smart Growth Development Impact Analysis

The rule proposed for repeal will not have an impact on smart growth and there is an extreme unlikelihood that the rule proposed for repeal would evoke a change in housing production in Planning Areas 1 or 2, or within designated centers, under the State Development and Redevelopment Plan in New Jersey because the rule proposed for repeal concerns the expiration of slot machine control program approvals.

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

13:69E-1.21 [Expiration of slot machine control program approvals and resubmission] **(Reserved)**

[(a) The approval of any slot machine control program issued by the Division shall expire, unless earlier revoked by the Division, on the second day of January in the year following the 12th anniversary of its latest approval. For the purposes of this section, any modification to a slot machine control program approved by the Division shall not affect the expiration date of the latest approval unless the Division specifically finds that the modifications were so substantial as to constitute the approval of a new slot machine control program.

(b) A casino licensee shall deactivate any slot machine control program in its casino upon expiration of its latest approval unless and until the slot machine control program has been resubmitted, tested and approved in accordance with the provisions of this section.

(c) An approved slot machine control program may be resubmitted for testing and approval at any time. A previously approved slot machine control program shall be subject to all relevant requirements in effect as of the date of resubmission.

(d) Each casino licensee shall develop internal controls to ensure that no slot machine control program shall remain in use in its casino if the

latest approval of that slot machine control program has expired pursuant to (a) above.]

(a)

DIVISION OF GAMING ENFORCEMENT

**Exclusion of Persons
Request for Self-Exclusion and Internet Self-Exclusion**

Proposed Amendment: N.J.A.C. 13:69G-2.2

Authorized By: David L. Rebeck, Director, Division of Gaming Enforcement.

Authority: N.J.S.A. 5:12-69.a, 5:12-69.e, 5:12-70.a(10), and 5:12-71.2.b.

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

Proposal Number: PRN 2015-146.

Submit written comments by January 15, 2016, to:

Robert A. Moncrief, Jr., Deputy Attorney General
Division of Gaming Enforcement
1300 Atlantic Ave. – 4th Floor
Atlantic City, NJ 08401
or electronically at: rulecomments@nidge.org

The agency proposal follows:

Summary

The proposed amendment would eliminate the language “because I am a problem gambler” to the application of an individual seeking self-exclusion. The proposed amendment is made to conform the language of N.J.A.C. 13:69G-2.2 to its statutory authority of N.J.S.A. 5:12-71.2.a, which provision was amended on July 30, 2014, by P.L. 2014, c. 20, eliminating the requirement for admission that the applicant is a problem gambler. The “problem gambler” admission requirement is found in N.J.A.C. 13:69G-2.2(d)4i. The remainder of N.J.A.C. 13:69G-2.2 would remain unchanged.

This notice of proposal is not required to be referenced in a rulemaking calendar since a public comment period of 60 days is being provided. See N.J.A.C. 1:30-3.3(a)5.

Social Impact

The proposed amendment is not anticipated to have any social impact. The proposed amendment does not reflect any social judgments made by the Division.

Economic Impact

Implementation of the proposed amendment is not anticipated to have any economic impact for the Division, the casino industry, or the public.

Federal Standards Statement

A Federal standards analysis is not required because the amendment contained in this notice of proposal is mandated by the provisions of the Casino Control Act, N.J.S.A. 5:12-1 et seq., and is not subject to any Federal requirements or standards.

Jobs Impact

The proposed amendment will not have an impact on the generation or loss of jobs in New Jersey.

Agriculture Industry Impact

The proposed amendment will have no impact on the agriculture industry in New Jersey.

Regulatory Flexibility Statement

The proposed amendment will only affect the operations of New Jersey casino licensees, none of which qualifies as a "small business" as defined in the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq., because they employ more than 100 persons full-time in the State of New Jersey. Accordingly, a regulatory flexibility analysis is not required.

Housing Affordability Impact Analysis

The proposed amendment will have an insignificant impact on the affordability of housing in New Jersey and there is an extreme unlikelihood that the proposed amendment would evoke a change in the average costs associated with housing because the rule concerns a request for self-exclusion and Internet self-exclusion at New Jersey casinos.

Smart Growth Development Impact Analysis

The proposed amendment will not have an impact on smart growth and there is an extreme unlikelihood that the proposed amendment would evoke a change in housing production in Planning Areas 1 or 2, or within designated centers, under the State Development and Redevelopment plan in New Jersey because the proposed amendment concerns a request for self-exclusion and Internet self-exclusion at New Jersey casinos.

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

13:69G-2.2 Request for self-exclusion and Internet self-exclusion

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

(d) A request for self-exclusion or Internet self-exclusion shall be in a form prescribed by the Division, which form shall include:

1.-3. (No change.)

4. For self-exclusion:

i. The signature of the person submitting the request indicating acknowledgment of the following statement:

"I am voluntarily requesting exclusion from all gaming activities at all New Jersey licensed casinos and simulcasting facilities [because I am a problem gambler]. I certify that the information that I have provided above is true and accurate, and that I have read and understand and agree to the waiver and release included with this request for self-exclusion. I am aware that my signature below authorizes the Division of Gaming Enforcement to direct all New Jersey casino licensees to restrict my gaming activities in accordance with this request and, unless I have requested to be excluded for life, until such time as the Division removes my name from the self-exclusion list in response to my written request to terminate my voluntary self-exclusion. I am aware and agree that during any period of self-exclusion any money or thing of value seized from me, or owed to me by, a casino licensee shall be subject to forfeiture.";

ii.-iii. (No change.)

5. (No change.)

OTHER AGENCIES**(a)****NEW JERSEY TURNPIKE AUTHORITY****Towing Rates on the Turnpike and the Parkway;
Road Services Rates on the Roadway****Proposed Amendments: N.J.A.C. 19:9-3.1 and 3.2**

Authorized By: New Jersey Turnpike Authority, Joseph Mrozek,
Executive Director.

Authority: N.J.S.A. 27:23-5.s.

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

Proposal Number: PRN 2015-149.

Submit written comments by January 15, 2016, to:

Bruce A. Harris, General Counsel
New Jersey Turnpike Authority
PO Box 5042
Woodbridge, NJ 07095-5042
or e-mail: bharris@turnpike.state.nj.us

The agency proposal follows:

Summary

The New Jersey Turnpike Authority (Authority) proposes to amend its rules at N.J.A.C. 19:9-3.1 and 3.2 to increase the allowable fees that may be charged by service providers for routine towing services and road

service on the New Jersey Turnpike and Garden State Parkway. Pursuant to the Authority's enabling legislation, N.J.S.A. 27:23-5.s, the Authority has the power to adopt regulations to "fix maximum towing and storage fees" for towing and storage services on a highway project. The Authority's current maximum routine towing and road service fees have remained unchanged since 2004. Given the significant increase in fuel and other costs since that time, the Authority proposes to raise the routine towing and road service rates consistent with other transportation agencies in the region, to increase the pool of qualified towers who seek to provide services on the New Jersey Turnpike and Garden State Parkway. In accordance with N.J.A.C. 19:9-2.13, the Authority intends to procure routine towing services for both roadways and road services for the Garden State Parkway.

A 60-day comment period is provided; therefore, pursuant to N.J.A.C. 1:30-3.3(a)5, this notice of proposal is excepted from the provisions of N.J.A.C. 1:30-3.1 and 3.2 governing rulemaking calendars.

A summary of the proposed amendments follows:

Proposed amendments to N.J.A.C. 19:9-3.1(a)1 clarify that towing is "for disabled vehicles" on the Roadway, update applicable contracts (entered into after the effective date of the amendment), and provide for an increase in the maximum service charge for routine towing services for Class I vehicles (under 6,999 pounds registered gross vehicle weight (GVW) from \$60.00 to \$72.00, an increase the maximum charge for towing service on the New Jersey Turnpike or Garden State Parkway for Class I vehicles from \$2.00 to \$3.50 per mile, and an increase the maximum charge for this service from \$80.00 to \$107.00. Language is also added to specify that the fee in recodified sub-subparagraph (a)1i(1) is for tows the Authority-authorized garage facility. In addition, proposed new N.J.A.C. 19:3.1(a)1ii(2) fixes a maximum towing fees for routine towing services of Class I vehicles that begin on the New Jersey Turnpike or Garden State Parkway and continue off that roadway to locations other than an Authority-authorized garage facility.

Proposed amendments to N.J.A.C. 19:9-3.1(a)2 provide for an increase in the maximum service charge and mileage charge for routine towing services for larger vehicles (straight truck, car with trailer, or trailer without car that are 7,000 pounds and over registered GVW) from \$100.00 to \$132.00 service charge and from \$3.00 to \$4.00 per mile, up to a maximum of \$172.00 (increased from \$130.00). In addition, proposed amendments to N.J.A.C. 19:9-3.1(a)2i and ii would apply the revised mileage and service charges for vehicles 7,000 pounds or over GVW to vehicles requiring the use of a Landoll trailer, removing the reference to Landoll trailers from the list of specialized equipment subject to an hourly charge at subparagraph (a)2iii.

In addition, proposed new N.J.A.C. 19:3.1(a)2ii(1) is added to fix maximum towing fees for routine towing services of larger vehicles (7,000 pounds and over registered GVW) that begin on the New Jersey Turnpike or Garden State Parkway and continue off the Roadway to locations other than an Authority-authorized garage facility, and further provide for a twenty percent increase in the maximum fees for additional charges related to towing such vehicles.

Amendments are proposed to N.J.A.C. 19:9-3.1(a)3 to provide for an approximately 30 percent increase in the maximum charges for winching and wrecking of all classes of vehicles.

Further amendments are proposed to N.J.A.C. 19:9-3.2(a) and (b) to increase the maximum road service charge on the New Jersey Turnpike and Garden State Parkway to \$60.00, from the current maximum charge of \$30.00.

Social Impact

The proposed amendments will enhance the competitive process for procuring routine towing services on the New Jersey Turnpike and Garden State Parkway by increasing the pool of qualified towers during future towing services procurements. By doing so, these proposed amendments will have a positive effect on the services provided to Authority patrons, and will further the Authority's mandate to ensure the safe and efficient movement of vehicular traffic through the State.

Economic Impact

The Authority does not anticipate that the proposed amendments will have a significant economic impact on the public or other State agencies. The Authority believes that any economic impact that may be borne by