

**Housing Affordability Impact Analysis**

The proposed new rule concerns only identifying emblems for structures with solar panels, and as such, would be highly unlikely to have any impact upon housing production costs or affordability. The Department does not anticipate that the proposed new rule would have any effect upon the average costs or the supply of affordable housing.

**Smart Growth Development Impact Analysis**

The proposed new rule concerns only identifying emblems for structures with solar panels, and as such, would be most unlikely to have any impact upon housing production within Planning Areas 1 and 2, or within designated centers, under the State Development and Redevelopment Plan.

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

SUBCHAPTER 2. ADMINISTRATION AND ENFORCEMENT

5:70-2.21 [(Reserved)] **Identifying emblems for structures with solar panels**

(a) **Identifying emblems shall be permanently affixed to the front of structures hosting or being powered by photovoltaic electrical power either on the roof or adjacent to the building.**

1. **The solar emblem shall be a Maltese cross shape, constructed of durable material, with a white reflective background with red letters. Numerals and letters shall be Roman or Latin as required.**

i. **The sign shall be six inches by six inches (152 mm by 152 mm).**  
 ii. **The height or width of each Maltese cross wing area shall be one and one-eighth inches (29 mm) and have a stroke width of one-half inch (13 mm).**

iii. **The center of the Maltese cross, a circle or oval, shall be three inches (76 mm) in diameter and have a stroke width of one-half inch (13 mm).**

iv. **All letters and numerals shall be one and one-quarter inch (32 mm) in height and have a stroke width of one-quarter inch (six mm).**

v. **The letters PV shall be located in the center circle of the Maltese cross to identify the presence of solar photovoltaic systems. The wording ROOF MOUNTED or ADJACENT shall be located immediately beneath the Maltese cross identifying where the solar panels are located.**

2. **The emblem shall be permanently affixed to the left of the main entrance door at a height between four and six feet above the ground and shall be installed and maintained by the owner of the building.**

i. **Premises already equipped with a truss construction sign may install the solar sign immediately above the truss sign.**

(b) **Detached one- and two-family residential structures shall be exempt from the signage provisions.**

(c) **The owner of any residential structure or nonresidential structure who installed a roof mounted solar photovoltaic system on or after January 17, 2014, or has installed or provided for the installation of a roof mounted solar photovoltaic system prior to January 17, 2014, shall provide a written notification to the local fire official, which shall include, but need not be limited to:**

1. **The name of the property owner or owners, as well as the address of the residential structure or nonresidential structure upon which the solar photovoltaic system has been installed, and the name of the owner or owners and the address of any other adjacent structure served by the solar photovoltaic system; and**

2. **The year that the roof mounted solar photovoltaic system was installed on the residential structure or nonresidential structure.**

(d) **A copy of a permit filed pursuant to N.J.S.A. 52:27D-198.17.1.c or written notification issued pursuant to N.J.S.A. 52:27D-198.17.1.d shall be kept on file by the chief of the local fire department.**

1. **The address of the residential structure or nonresidential structure, the address of any other adjacent structure served by the solar photovoltaic system, and any additional information regarding the solar photovoltaic system shall be maintained in a registry by the fire department.**

2. **The information contained in the registry shall serve to alert firefighters, when responding to an emergency situation, that a residential structure or nonresidential structure is equipped with, or is served by, a roof mounted solar photovoltaic system and that reasonable precautions may be necessary when responding to the emergency.**

(a)

**DIVISION OF FIRE SAFETY  
Uniform Fire Code**

**Proposed Readoption with Amendments: N.J.A.C. 5:75**

Authorized By: Charles A. Richman, Commissioner, Department of Community Affairs.

Authority: N.J.S.A. 52:27D-25k and 198.

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

Proposal Number: PRN 2017-177.

Submit written comments by October 6, 2017, to:

Kathleen Asher  
 Department of Community Affairs  
 PO Box 800  
 Trenton, New Jersey 08625  
 E-mail: [Kathleen.Asher@dca.nj.gov](mailto:Kathleen.Asher@dca.nj.gov)  
 Fax Number: (609) 984-6696

The agency proposal follows:

**Summary**

Pursuant to N.J.S.A. 52:14B-5.1.c, N.J.A.C. 5:75 was scheduled to expire September 15, 2017. As the Department of Community Affairs (Department) submitted this notice of proposal to the Office of Administrative Law prior to that date, the expiration date was extended 180 days to March 14, 2018, pursuant to N.J.S.A. 52:14B-5.1.c(2). The Department proposes that Chapter 75, Fire Service Incident Management System, be readopted, with amendments to N.J.A.C. 5:75-1.5 and 2.10, as the rules remain necessary, reasonable, and proper for the purpose they were originally promulgated. The existing incident time-keeping rules speak in terms of “time on-scene,” while the proposed amendments add the term “duration of incident.” The Department has added a definition for “elapsed time on scene,” which refers to the time frame the first firefighters arrive at a fire to the current time. In addition, the Department has amended N.J.A.C. 5:75-2.10 to include “duration of incident,” which would give the incident commander (IC) a more accurate account of how long the building has been burning, which would assist the IC with safety oriented decision-making. The Department believes that reference to “duration of incident” provides a uniform way of measuring time that has elapsed in an incident and produces a more accurate report.

As the Department has provided a 60-day comment period on this 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 Department believes that the rules proposed for readoption with amendments will provide a positive social impact by increasing safety for firefighters, providing more accurate time-keeping for determining potential collapse of buildings in the incident of fire. Chapter 75 implements the fire service incident management system, which coordinates firefighter activities and safety rules in order to provide firefighters with a safer incident environment.

**Economic Impact**

The Department does not anticipate that the rules proposed for readoption with amendments would have any adverse economic impact. Penalties are imposed for noncompliance in the amount of \$500.00 per violation. The Department does not anticipate that the readopted rules or the changed rules would have any other economic impact.

**Federal Standards Statement**

No Federal standards analysis is required because the rules proposed for readoption with amendments, are not being proposed in order to implement, comply with, or participate in any program established under Federal law or under a State law that incorporates or refers to Federal law, standards, or requirements.

**Job Impact**

The Department does not anticipate that any jobs would be created or lost as a result of the rules proposed for readoption with amendments.

**Agriculture Industry Impact**

The Department does not anticipate that the rules proposed for readoption with amendments would have any impact on the agriculture industry.

**Regulatory Flexibility Analysis**

The rules proposed for readoption with amendments impose recordkeeping and compliance requirements upon all fire service organizations, regardless of whether they are governmental entities or nonprofit entities discharging a governmental function. A mandatory incident management system is established that is to be used by all fire service organizations in order to afford structure and coordination to the management of emergency incident operations and, thereby, protect the health and safety of fire service members and other persons involved in these activities. While most, if not all, volunteer fire companies may, under a broad definition, be classified as “small businesses” under the New Jersey Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq., no lesser requirements can apply to them, since health and safety are concerns that are the same regardless of the size and form of a fire service organization. The Department does not think it likely that fire service organizations will find it necessary to hire the services of professionals in order to continue complying with these rules. Penalties are imposed for noncompliance in the amount of \$500.00 per violation. Inasmuch as the rules are necessary for the protection of the health, safety, and welfare of all persons who enter buildings and premises subject to the chapter, no distinctions can be made between those buildings and facilities subject to the chapter that qualify as “small businesses” under the New Jersey Regulatory Flexibility Act, and those that do not.

**Housing Affordability Impact Analysis**

The rules proposed for readoption with amendments concern the fire service incident management system and would be unlikely to have any impact upon housing production costs or affordability. The Department does not anticipate that the rules proposed for readoption with amendments would have any effect upon the average costs or the supply of affordable housing.

**Smart Growth Development Impact Analysis**

The rules proposed for readoption with amendments concern the fire service incident management system, and as such, would be most unlikely to have any impact upon housing production within Planning Areas 1 and 2, or within designated centers, under the State Development and Redevelopment Plan.

**Full text** of the rules proposed for readoption may be found in the New Jersey Administrative Code at N.J.A.C. 5:75.

**Full text** of the proposed amendments follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

SUBCHAPTER 1. GENERAL PROVISIONS

5:75-1.5 Definitions

The following terms shall have the meanings indicated, except where the context clearly indicates otherwise:

...  
**“Duration of incident”** means **time-keeping starting with the initial 911 call to the public safety call center for the incident.**

**“Elapsed time on scene”** means **that time-keeping will start with the first arriving fire unit.**  
 ...

SUBCHAPTER 2. INCIDENT MANAGEMENT SYSTEM

5:75-2.10 Incident time-keeping

(a) For [time sensitive] **time-sensitive** incidents, fire departments shall develop a system that provides the incident commander with the **duration of incident and** elapsed time on-scene, in 10- or 15-minute intervals, from their communications center.

(b) The elapsed [time on-scene] **duration of incident** shall be used to provide the incident commander with time frames that could signal the need for a change in tactical operations.

(c) The **duration of incident and** elapsed time on-scene shall be used every 30 minutes or some other standard time as established with dispatch for required roll calls.

(d) (No change.)

**EDUCATION**

**(a)**

**STATE BOARD OF EDUCATION**

**Career and Technical Education Programs and Standards**

**Proposed Amendments: N.J.A.C. 6A:19-7.1, 7.2, and 7.3**

Authorized By: New Jersey State Board of Education, Kimberley Harrington, Commissioner, Department of Education, and Secretary, State Board of Education.

Authority: N.J.S.A. 18A:35-4.2 and 18A:59-5.

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

Proposal Number: PRN 2017-173.

Submit written comments by October 6, 2017, to:

Diane Shoener, Director  
 State Board of Education Office  
 New Jersey Department of Education  
 100 River View Executive Plaza  
 PO Box 500  
 Trenton, New Jersey 08625-0500  
 E-mail: [chapter19@doe.state.nj.us](mailto:chapter19@doe.state.nj.us)

The agency proposal follows:

**Summary**

The Department of Education (Department) proposes amendments to Subchapter 7 of N.J.A.C. 6A:19, Career and Technical Education Programs and Standards. N.J.A.C. 6A:19-7, Private Career Schools, defines the programmatic requirements for private career schools. Qualifying private career schools are defined in N.J.S.A. 34:15C-10.1 and award certificates to students participating in the workforce development system pursuant to N.J.A.C. 12:41.

The Department proposes amendments to N.J.A.C. 6A:19-7 to align the subchapter with the Department of Labor and Workforce Development’s (DLWD) private training provider rules at N.J.A.C. 12:41. The two Administrative Code chapters set forth the procedure for operating private career schools in New Jersey.

The proposed amendments to the first three sections of N.J.A.C. 6A:19-7 include: 1) inserting a cross-reference to N.J.A.C. 12:41 in 6A:19-7.1, Purpose and authority; 2) clarifying the definition of “course” in N.J.A.C. 6A:19-7.2, Definitions; and 3) clarifying the rules at N.J.A.C. 6A:19-7.3, Application for Instructional Program Approval and Renewal. The proposed amendments comport with the DLWD’s recently adopted new rules at N.J.A.C. 12:41, Private Training Providers, that fully implement P.L. 2005, c. 354 (codified in pertinent part at N.J.S.A. 34:15C-10.1) (see 48 N.J.R. 1579(a); 2816(a)).

The following summarizes the proposed amendments:

The Department proposes an amendment to N.J.A.C. 6A:19-7.1 to delete the statutory references to “N.J.S.A. 6A:69-1 et seq., N.J.S.A. 44:12-2,” and “P.L. 101-392, section 113(b)14,” because the statutes