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### **SUBCHAPTER 3. REGISTRATION OF IONIZING RADIATION-PRODUCING MACHINES**

#### 7:28-3.1 Registration for possession of ionizing radiation-producing machines

(a) Any person, manufacturer, dealer or State, county or local government shall register with the Department every ionizing radiation-producing machine possessed within the State of New Jersey except as exempted by N.J.A.C. 7:28-3.2.

(b) Any person, manufacturer, dealer or State, county or local government shall apply for such registration within 30 days after taking possession, custody or control of ionizing radiation-producing machines on forms available from the Department.

(c) Any person, manufacturer, dealer or State, county or local government shall retain a copy of the registration at the facility for inspection by employees and the Department.

#### 7:28-3.2 Exemptions from registration for possession of ionizing radiation-producing machines

(a) Ionizing radiation-producing machines not being used in such a manner as to produce radiation, such as equipment in storage or on display, are exempt from registration. Machines that are operated while on display must meet the requirements of *N.J.A.C. 7:28-3.1*.

(b) Electrical equipment that is not primarily intended to produce radiation and that does not produce radiation greater than 0.5 millirem per hour at any readily accessible point five centimeters from its surface is exempt from registration. Production-testing facilities for such equipment shall not be exempt if any individual might receive a radiation dose exceeding the limits established in *N.J.A.C. 7:28-6.2*.

(c) Ionizing radiation-producing machines possessed, stored or used by agencies of the United States Government are exempt from registration.

#### 7:28-3.5 (Reserved.)

#### 7:28-3.6 Transfer of registration for ionizing radiation-producing machines

Registrations for ionizing radiation-producing machines are not transferable.

#### 7:28-3.8 (Reserved.)

#### 7:28-3.9 Sale, installation, relocation or disposal of ionizing radiation-producing machines

(a) Whenever a manufacturer or dealer sells, installs, relocates or disposes of an ionizing radiation-producing machine, said manufacturer, agent or dealer shall give

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written notification thereof to the Department within 30 days of such sale, installation, relocation or disposal. Said notification shall include the manufacturer, model and serial number of each component, name and address of the new owner(s), address of the relocated machine or details of the final disposition of the machine. Notification shall be submitted on a form available from the Department. The Department may accept the current form used by the United States Food and Drug Administration for Report of Assembly of a Diagnostic X-ray System if the Department determines that the information is complete and accurate.

(b) Whenever an owner sells, relocates or disposes of an ionizing radiation-producing machine, said owner shall:

1. Give written notification to the Department on forms available from the Department within 30 days of such sale, relocation or disposal;
2. Include the New Jersey registration number, manufacturer, model and serial number of each component;
3. Include the name and address of the new owner(s); and
4. Include the address of the relocated machine, or details of the final disposition of the machine; and
5. Be responsible for all fees until the written notification is received by the Department.

7:28-3.10 Denial of an application for registration, and suspension, modification, or revocation of registration of ionizing radiation-producing machines

(a) The Department, in addition to any penalties authorized by the Act, may deny an application for registration or suspend, modify or revoke a registration of ionizing radiation-producing machines by reason of amendments to the Act, adoption of rules, orders issued by the Department pursuant to said Act or if the applicant, or registrant:

1. Fails to comply with any provisions of the Act or any rules promulgated pursuant thereto including the timely payment of registration fees;
2. Falsifies or makes misleading statements in the application for registration;
3. Falsifies or makes misleading statements in any documents which were utilized to obtain a registration;
4. Alters registration documents;
5. Falsifies required records;
6. Aids, abets, combines with, or conspires with any person for any purpose which will evade or be in violation of the provisions of the Act or any rules promulgated pursuant thereto; or

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7. Allows a registration to be used by any person for any purpose which will evade or be in violation of the provisions of the Act or any rules promulgated pursuant thereto.

(b) Except as provided in *N.J.S.A. 26:2D-12* in cases of emergency, no registration shall be denied, modified, suspended or revoked prior to a hearing conducted by the Office of Administrative Law pursuant to *N.J.S.A. 52:14B-1* et seq., the Administrative Procedure Act, and N.J.A.C. 1:1-1 et seq., the Uniform Administrative Practice Rules, on the basis of a Notice of Intent filed by the Department stating the grounds for denial, suspension, modification or revocation of a registration.

(c) The Department may terminate a registration upon request submitted by the registrant to the Department in writing.

7:28-3.11 (Reserved.)

7:28-3.12 Application and annual registration renewal fees for ionizing-radiation-producing machines

(a) On initial registration of each x-ray tube, each registrant shall pay an application fee of \$40.00 plus the prorated portion of the applicable annual registration renewal fee set forth in (b), (c), (d) or (e) below for the remainder of the first year of registration.

(b) Each registrant of an ionizing-radiation-producing machine used in a dental facility shall pay:

1. The initial application and registration fees for each x-ray tube pursuant to (a) above, and

2. In each year after the expiration of the first year of registration established pursuant to (f) below, the annual registration renewal fee per x-ray tube as follows:

#### DENTAL FACILITIES

	Machine Category and Description	Annual Registration Renewal Fee Per X-Ray Tube
01D	Dental Machine	\$92.00

(c) Each registrant of an ionizing-radiation-producing machine used in a hospital facility shall pay:

1. The initial application and registration fees for each X-ray tube pursuant to (a) above; and

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2. In each year after the expiration of the first year of registration establish pursuant to (f) below, the annual registration renewal fee per X-ray tube follows:

### HOSPITAL FACILITIES

Machine Category and Description	Annual Registration Renewal Fee Per X-Ray Tube
01H Dental Machine	\$ 140.00
02H Fixed Medical Radiographic Machine	208.00
03H Mobile Medical Radiographic Machine	208.00
31H Portable Medical Radiographic Machine (hand carried)	208.00
06H Motor Vehicle Mounted Medical Radiographic Machine	208.00
04H Fixed Medical Fluoroscopic Machine	163.00
05H Mobile Medical Fluoroscopic Machine	163.00
32H Portable Medical Fluoroscopic Machine (hand carried)	163.00
33H Motor Vehicle Mounted Medical Fluoroscopic Machine	163.00
07H Fixed Medical Radiographic Fluoroscopic Machine	253.00
08H Mobile Medical Radiographic Fluoroscopic Machine	253.00
34H Portable Medical Radiographic Fluoroscopic Machine (hand carried)	253.00
35H Motor Vehicle Mounted Medical Radiographic Fluoroscopic Machine	253.00
09H CT Scan Machine	163.00
10H Mammography Machine	298.00
36H Motor Vehicle Mounted Mammography Machine	298.00
37H Mobile Mammography Machine	298.00
44H MQSA Mammography Machine	73.00
45H MQSA Motor Vehicle Mounted Mammography Machine	73.00
46H MQSA Mobile Mammography Machine	73.00
11H Medical Therapeutic Machine 60 kVp	253.00
12H Medical Therapeutic Machine 61 kVp to 999 kVp	253.00
14H Medical Therapeutic Machine 1 MeV and above	343.00
30H Radiation Therapy Simulator Machine	208.00
38H Biomedical (non-human) Research Machine	140.00
21H Electron Microscope Machine	140.00
22H Cabinet X-ray Machine	140.00
28H Bone Densitometer Machine	118.00

(d) Each registrant of an ionizing-radiation-producing machine used in a non-hospital facility (including but not limited to doctors' offices, medical facilities, industrial facilities, schools and government facilities) shall pay:

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1. The initial application and registration fees for each X-ray tube pursuant to (a) above; and

2. In each year after the expiration of the first year of registration establish pursuant to (f) below, the annual registration renewal fee per X-ray tube follows:

#### NON-HOSPITAL FACILITIES

Machine Category and Description	Annual Registration Renewal Fee Per X-Ray Tube
01N Dental Machine	\$ 106.00
02N Fixed Medical Radiographic Machine	140.00
03N Mobile Medical Radiographic Machine	140.00
31N Portable Medical Radiographic Machine (hand carried)	140.00
06N Motor Vehicle Mounted Medical Radiographic Machine	140.00
04N Fixed Medical Fluoroscopic Machine	118.00
05N Mobile Medical Fluoroscopic Machine	118.00
32N Portable Medical Fluoroscopic Machine (hand carried)	118.00
33N Motor Vehicle Mounted Medical Fluoroscopic Machine	118.00
07N Fixed Medical Radiographic Fluoroscopic Machine	163.00
08N Mobile Medical Radiographic Fluoroscopic Machine	163.00
34N Portable Medical Radiographic Fluoroscopic Machine (hand carried)	163.00
35N Motor Vehicle Mounted Medical Radiographic Fluoroscopic Machine	163.00
09N CT Scan Machine	118.00
10N Mammography Machine	298.00
36N Motor Vehicle Mounted Mammography Machine	298.00
37N Mobile Mammography Machine	298.00
44N MQSA Mammography Machine	73.00
45N MQSA Motor Vehicle Mounted Mammography Machine	73.00
46N MQSA Mobile Mammography Machine	73.00
11N Medical Therapeutic Machine 60 kVp	118.00
12N Medical Therapeutic Machine 61 kVp to 999 kVp	253.00
14N Medical Therapeutic Machine 1 MeV and above	343.00
30N Radiation Therapy Simulator Machine	208.00
38N Biomedical (non-human) Research Machine	140.00
17N Industrial/research Radiography Machine	151.00
39N Portable Industrial/research Radiography Machine	151.00
40N Shielded Room Radiography Machine	151.00

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18N	Electron Beam Welder/Furnace Machine	129.00
19N	Analytical X-ray Machine $\leq$ 16 kVp	118.00
20N	Analytical X-ray Machine $>$ 16 kVp	118.00
21N	Electron Microscope Machine	106.00
22H	Cabinet X-ray Machine	106.00
23N	X-ray Baggage Machine	106.00
24N	Particle Accelerator Machine (non-medical use) $\leq$ 30kVp	196.00
25N	Particle Accelerator Machine (non-medical use) $>$ 30kVp	185.00
28H	Bone Densitometer Machine	95.00
41N	Machine not specifically listed above, $\leq$ 50 kVp	118.00
42N	Machine not specifically listed above, 51 kVp to 999 kVp	118.00
43N	Machine not specifically listed above, 1 MeV and above	140.00

(e) Each registrant of an ionizing-radiation-producing machine used in a veterinary facility shall pay:

1. The initial application and registration fees for each x-ray tube pursuant to (a) above, and
2. In each year after the expiration of the first year of registration established pursuant to (f) below, the annual registration renewal fee per x-ray tube as follows:

#### VETERINARY FACILITIES

Machine Category and Description	Annual Registration Renewal Fee Per X-Ray Tube
01V Dental Machine	\$ 86.00
02V Fixed Medical Radiographic Machine	100.00
03V Mobile Medical Radiographic Machine	100.00
31V Portable Medical Radiographic Machine (hand carried)	100.00
04V Fixed Medical Fluoroscopic Machine	91.00
05V Mobile Medical Fluoroscopic Machine	91.00
32V Portable Medical Fluoroscopic Machine (hand carried)	91.00
07V Fixed Medical Radiographic Fluoroscopic Machine	109.00
08V Mobile Medical Radiographic Fluoroscopic Machine	109.00

(f) The expiration date of each year registration shall be specified by the Department on the billing invoice sent to each registrant. The registration expiration date shall be based on the first letter of the registrant name as follows:

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1. For a registrant whose name begins with A through F, the registration expiration date shall be August 31 of each calendar year;

2. For a registrant whose name begins with G through L, the registration expiration date shall be September 30 of each calendar year;

3. For a registrant whose name begins with M through R, the registration expiration date shall be October 31 of each calendar year;

4. For a registrant whose name begins with S through Z, the registration expiration date shall be November 30 of each calendar year;

(g) Each registrant shall pay the initial registration application fee and annual registration renewal fee within 60 days of the date of the invoice billing issued by the Department. Any fee payment postmarked or handcarried to the Department after the invoice due date will be subject to a \$25.00 per month late charge. If necessary, the Department will issue a second invoice. Late charges must be paid within 30 days of the second invoice. If a registrant fails to pay a fee by the original invoice due date, the registration of the ionizing-radiation-producing machine shall be deemed expired.

(h) When two or more X-ray tubes are operated from the same generator, the registrant shall pay an application fee and an annual registration renewal fee for each tube.

(i) Each registrant shall make payment only by check or money order made payable to "Treasurer, State of New Jersey." Each payment shall be accompanied by the invoice issued by the Department and shall be submitted to the address specified on the invoice: Department of Treasury, Division of Revenue, PO Box 417, Trenton, New Jersey 08646-0417.

(j) An application fee will not be charged for any machine registered pursuant to the Radiation Protection Code prior to November 16, 1987. However, the registrant shall pay the applicable annual registration renewal fee for any such machine.