2. The manner in which the funds for all multi-casino [bad beat] payouts and any fees or costs associated with the operation of the [bad beat] **payout** system will be maintained, accounted for**,** and paid; and

3. The participating casino licensee or licensees responsible for generating and maintaining all records and reports of the [bad beat] **payout** system, as required by the rules of the [Commission] **Division**.

(d) Each and every casino licensee that is a party to a [bad beat] **payout** system agreement shall:

1. Post in each of its poker rooms:

i. The [bad beat] payout information; and

ii. The names of all casino licensees participating in that **payout** system, and the name and address of the host casino for the **payout** system; and

2. Be jointly and severally liable for the payment of all multi-casino [bad beat] payouts and for any acts, omissions**,** and violations committed by any participating casino licensee in connection with a multi-casino [bad beat] payout or the operation of the [bad beat] **payout** system, regardless of whether they had knowledge of such act, omission**,** or violation, and notwithstanding any contractual provision to the contrary.

(e) The casino licensees seeking approval to participate in a [bad beat] **payout** system shall maintain internal controls for the operation of a [bad beat] **payout** system, including, at a minimum, procedures for ensuring:

1.-3. (No change.)

4. Proper operation of all equipment and software associated with the [bad beat] **payout** system; such equipment and software shall, at a minimum, have the capability and responsibility for:

i. Notifying all participating casinos and their patrons immediately and simultaneously of a pending multi-casino [bad beat] payout and a confirmed multi-casino [bad beat] payout; provided, however, that, if such notice cannot be immediately provided by means of the [bad beat] **payout** system, notice shall be provided by such other means but only for the pending [bad beat] payout in question, and no further multi-casino [bad beat] payouts shall be offered at the participating casinos through that [bad beat] **payout** system until the system becomes operational again;

ii. Documenting for each multi-casino [bad beat] payout the date, time, amount, winning and losing hands, casino location, and the name of each casino employee verifying and authorizing the payout; and

iii. Addressing the claims of players at two or more casinos participating in a [bad beat] **payout** system who are claiming the same [bad beat] payout; and

5. Secure installation and modification of the computer system that controls, records**,** and displays the amount of the multi-casino [bad beat] payout, which installation and modifications shall occur only after advance written notice to the Division.

(f) A casino licensee may designate one or more casino key employees to represent the interests of the casino licensee in the operation and control of a [bad beat] **payout** system.

(g) Each [bad beat] **payout** system shall comply with the rules of the Division for casino computer systems.

TRANSPORTATION

(a)

MOTOR VEHICLE COMMISSION

Electronic Lien and Titling Program

Proposed New Rules: N.J.A.C. 13:21-3

Authorized By: Motor Vehicle Commission, Raymond P. Martinez, Chair.

Authority: N.J.S.A. 39:10-1 et seq.; 39:2-3.8; 39:2-3.3 et seq.; and 39:2A-32.

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

Proposal Number: PRN 2013-117.

Submit comments by October 4, 2013 to:

Kate Tasch
Regulatory and Legislative Affairs
Motor Vehicle Commission
225 East State Street
PO Box 162
Trenton, NJ 08666-0162

The agency proposal follows:

Summary

This notice of proposal is excepted from the rulemaking calendar requirement pursuant to N.J.A.C. 1:30-3.3(a)5, since the public comment period for this notice will be 60 days.

Proposed new N.J.A.C. 13:21-3, Electronic Liens and Titles, concerns the issuance of electronic titles, as well as electronic recording, satisfaction, and assignment of security interests.

N.J.A.C. 13:21-3.1, 3.2, 3.3, and 3.4 set forth the purpose, scope, definitions applicable to the entire subchapter, and use contrary to the subchapter being unlawful.

N.J.A.C. 13:21-3.5 and 3.6 establish the requirements on providers to participate in the Electronic Lien and Titling Program, as well as the form and the authorized use of electronic titles within the Electronic Lien and Titling Program.

N.J.A.C. 13:21-3.7 sets forth the requirement of notation on an electronic title when a security interest is established in connection with the financing of the sale of a motor vehicle.

N.J.A.C. 13:21-3.8 concerns the requirements of notification of satisfaction of a contract or security interest and the delivery of paper title to the buyer upon satisfaction of a contract or security interest.

N.J.A.C. 13:21-3.9 establishes when perfection of a security interest occurs under this subchapter.

Social Impact

The Commission does not anticipate a significant social impact if the proposed new subchapter is adopted. The increased efficiency and decreased cost of titling motor vehicles resultant from the Electronic Lien and Titling Program is anticipated to benefit secured parties, as well as potentially creating a residual benefit that may be realized by buyers and sellers of motor vehicles in this State. Increasing the efficiency and decreasing the cost of titling is anticipated to have an insignificant impact on the public at large.

Economic Impact

The economic impact of the new subchapter is anticipated to be insignificant, however, there may be a cost savings realized for secured parties involved with motor vehicle financing and for the Commission, due to the reduction in the use of paper titles. There may also be additional business opportunities created for service providers participating in the Electronic Lien and Titling Program.

Jobs Impact

The Commission anticipates that some additional jobs may be created for individuals who will be employed by service providers and or participating lien holders as a result of the Electronic Lien and Titling Program; however, the Commission does not anticipate that there will be a significant amount of job creation.

Federal Standards Statement

No comparable Federal law or regulation exists, therefore a Federal standards analysis is not applicable to this rulemaking.

Agriculture Industry Impact

The proposed new rules will have no impact on the agriculture industry because the rules pertain to electronic titling and lien notation.

Regulatory Flexibility Analysis

The Commission does not anticipate that the proposed new rules will impose any significant reporting, recordkeeping, or other compliance requirements on small businesses, as defined in the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq., within New Jersey.

Participation in the Electronic Lien and Titling Program as a provider will require narrowly tailored recordkeeping of the data and user information incidental to and associated with transactions conducted within the Electronic Lien and Titling Program strictly in order to insure compliance with applicable statutory and regulatory authority regarding the titling of motor vehicles and the associated transactions concerning security interests. No additional resources, outside of those necessary in order to participate in the Electronic Lien and Titling Program, and as discussed in the Summary above, will be required by participating businesses in order to comply with the requirements of the proposed new rules. This is due to the fact that the functioning of, and participation within the Electronic Lien and Titling Program inherently requires the electronic exchange of information and the retention of records. The narrowly tailored electronic recordkeeping and compliance requirements, as discussed in the Summary above, are necessary to prevent the sale, purchase, disposal, possession, use or operation of stolen motor vehicles, or motor vehicles with fraudulent titles within the State.

The number, size, or location of businesses that may potentially participate in the Electronic Lien and Titling Program as providers cannot be identified until such time as they apply to and are approved by the Chief Administrator to participate within the Electronic Lien and Titling Program. Therefore, the number of New Jersey small businesses that may be affected by the proposed new rules is unknown due to the voluntary nature of the Electronic Lien and Titling Program. However, the potential impact of the proposed new rules on New Jersey small businesses has been minimized to the greatest extent possible by requiring only that voluntary participants comply with well-established statutory standards regarding the processing of titles and the recording of security interests resulting in the retention of corresponding electronic data and transactional records. This minimal impact will be achieved in balance with the Chief Administrator's duty to deter crime and fraud involving motor vehicle titles and, therefore, the proposed new rules are anticipated to have an insignificant impact on small businesses.

Housing Affordability Impact Analysis

The proposed new rules will have no impact on housing affordability nor will the new rules evoke a change in the average costs associated with housing because the rules pertain to electronic titles as well as electronic recording and assignment of security interests.

Smart Growth Development Impact Analysis

The proposed new rules will have an insignificant impact on smart growth and there is an extreme unlikelihood that the rules 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 rules pertain to electronic titles as well as electronic recording and assignment of security interests.

Full text of the proposed new rules follows:

SUBCHAPTER 3. ELECTRONIC LIENS AND TITLES

13:21-3.1 Purpose

This subchapter is designed to allow for the use of electronic titles independent from and in conjunction with traditional paper certificates of ownership, to regulate and control the possession, transfer, and notation of security interests on electronic titles to motor vehicles, so as to prevent the sale, purchase, disposal, possession, use, or operation of stolen motor vehicles, or motor vehicles with fraudulent titles, within this State.

13:21-3.2 Scope

(a) The rules contained in this subchapter are designed to allow the Chief Administrator to establish an Electronic Lien and Titling Program pursuant to the Chief Administrators' authority granted by N.J.S.A. 39:10-1 et seq., and 39:2-3.8. The rules set forth in this subchapter establish the form and use of electronic titles, including, but not limited to, the manner of notation of the creation, satisfaction, and transfer of security interests, in addition to the requirements for participation in the Electronic Lien and Titling program by any provider and or participating lien holder, as approved by the Chief Administrator pursuant to this subchapter.

(b) Nothing in this subchapter shall apply to security interests in motor vehicles that constitute inventory held for sale, but such interests shall be subject to chapter 9 of Title 12A of the New Jersey Statutes.

13:21-3.3 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

"Applicant lien holder" means a secured party seeking approval from the Commission to participate in the Electronic Lien and Titling Program through a provider.

"Buyer" includes purchaser, debtor, lessee, bailee, transferee, and any person buying, attempting to buy, or receiving a motor vehicle subject to a security interest, lease, bailment, or transfer agreement, and their legal successors in interest.

"Chief Administrator" means the Chief Administrator of the New Jersey Motor Vehicle Commission.

"Electronic title" means an electronic version of a certificate of ownership or title document issued pursuant to N.J.S.A. 39:10-1 et seq., and 39:2-3.8 and this subchapter.

"Lien" means a charge or encumbrance on a motor vehicle for the satisfaction of a debt or other duty.

"Motor Vehicle Commission" or "Commission" means the New Jersey Motor Vehicle Commission established by section 4 of P.L. 2003, c. 13 (N.J.S.A. 39:2A-4).

"Participating lien holder" means a secured party participating in the Electronic Lien and Titling Program through a provider.

"Person" includes natural persons, firms or co-partnerships, corporations, associations, or other artificial bodies, receivers, trustees, common law or statutory assignees, executors, administrators, sheriffs, constables, marshals, or other persons in representative or official capacity, and members, officers, agents, employees, or other representatives of those enumerated in this definition.

"Provider" means an entity approved by the Commission to provide electronic lien and titling services to participating lien holders.

"Security agreement" means an agreement that creates or provides for a security interest in a motor vehicle.

"Security interest" means an interest in a motor vehicle that secures payment or other performance of an obligation.

"Secured party" means a lender, seller, or other person in whose favor there is a security interest.

"Seller" means manufacturer, dealer, lessor, bailor, transferor with or without a security interest, and any other person selling, attempting to sell, or delivering a motor vehicle, and their legal successors in interest.

13:21-3.4 Use contrary to subchapter unlawful

No person, provider, or participating lien holder shall possess, transfer, or cause to be made or removed any title or notation of ownership or security interest on any electronic title, except in the manner and subject to the conditions provided in N.J.S.A. 39:10-1 et seq., and 39:2-3.8 or this subchapter.

13:21-3.5 Approval and participation of providers

(a) Every applicant seeking to become a provider within the Electronic Lien and Titling Program must complete an application, which shall be supplied by the Motor Vehicle Commission. The application shall, include, but not be limited to, the following information:

1. The identity of the applicant;

2. The name, mailing address, fax number, and telephone number of a representative who is authorized to accept notices and other communications from and respond to inquiries from the Commission and its representatives concerning the application;

3. Ownership information and associated forms, including a description of financial capability to participate in the Electronic Lien and Titling Program;

4. A formal business plan;

5. A security plan setting forth the protections the applicant will have in place to protect the confidentiality of personal information; and

6. Additional information as required.

(b) Every applicant seeking to become a provider within the Electronic Lien and Titling Program shall submit the application described in (a) above for the approval of the Chief Administrator. Only upon submission of a properly completed application and receiving notice of the approval of the Chief Administrator shall an applicant be permitted to participate as a provider in the Electronic Lien and Titling Program. Upon establishment of the Electronic Lien and Titling Program, a list of providers approved by the Chief Administrative will be made available at www.state.nj.us/mvc/Vehicle/elt.htm.

13:21-3.6 Form of the Electronic Lien and Titling Program

(a) Pursuant to the authority granted under N.J.S.A. 39:10-1 et seq., and 39:2-3.8, the Chief Administrator may establish an Electronic Lien and Titling Program for the issuance and use of electronic titles.

1. Electronic titles issued by the Commission shall be considered the equivalent of paper certificates of origin, traditional paper certificates of ownership, and/or title documents issued by the Commission, as provided for and subject to the conditions in this subchapter.

2. Electronic titles shall contain the manufacturer's vehicle identification number and the motor number, when used, of the motor sold, name of the manufacturer, the manufacturer's shipping weight, a general description of the body, if any, the type and model, and gross vehicle weight rating.

3. In every sale or transfer, involving an electronic title, of a used motor vehicle that has been used as a police patrol car, whether said patrol car bore markings identifying it as such or not, the electronic title shall state that said motor vehicle was used as a patrol car, and shall continue to so state on each subsequent sale or transfer in accordance with N.J.S.A. 39:10-9.1 and 9.2.

4. In every sale or transfer of a motor vehicle returned to the manufacturer under the provisions of P.L. 1988, c. 123 (N.J.S.A. 56:12-29 et seq.), a similar statute of another state, or as the result of a legal action or an informal dispute settlement procedure, the certificate of ownership shall indicate, in a conspicuous and understandable manner, that the motor vehicle was returned to the manufacturer because it did not conform to the manufacturer's warranty and the nonconformity was not corrected within a reasonable time as provided by law. The notice required under the provisions of this paragraph shall continue to appear on each electronic title issued as a result of any subsequent sale or transfer of that motor vehicle pursuant to N.J.S.A. 39:10-9.3.

13:21-3.7 Notation of security interest at time of sale

(a) When a new motor vehicle is sold in this State, if in connection with such sale, a security interest is taken or retained by the seller to secure all or a part of the purchase price of the motor vehicle, or is taken by a person who, by making an advance or incurring an obligation, gives value to enable the purchaser to acquire rights in the motor vehicle, and that seller retaining a security interest or person making an advance or incurring an obligation giving value to enable the purchaser to acquire rights in the motor vehicle is a participating lien holder in the Electronic Lien and Titling Program, a certificate of origin or electronic notification, with the name and business address of the secured party noted, shall be transmitted to the Commission. Upon notification of the creation of a security interest, the Chief Administrator shall make notation of the security interest and an electronic title shall be sent through a provider to the participating lien holder.

(b) When a used motor vehicle is sold in this State, if a security interest exists at the time of such sale and will continue in effect afterwards or if, in connection with such sale, a security interest is taken or retained by the seller to secure all or a part of the purchase price of the motor vehicle, or is taken by a person who by making an advance or incurring an obligation gives value to enable the purchaser to acquire rights in the motor vehicle, and that seller retaining a security interest or person making an advance or incurring an obligation giving value to enable the purchaser to acquire rights in the motor vehicle is a participating lien holder in the Electronic Lien and Titling Program, the name and the business or residence address of the secured party or his or her assignee shall be noted on the title and a copy of the electronic title shall be sent through a provider to the participating lien holder.

13:21-3.8 Notice of satisfaction of contract or termination of security interest; delivery of paper certificate of ownership

When the contract or terms of the security agreement noted on the electronic title have been performed, and the secured party is a participating lien holder in the Electronic Lien and Titling Program, the seller or secured party participating lien holder shall deliver proper evidence of satisfaction of the contract or termination of the security interest to the Commission, in an electronic format, containing evidence of such performance or termination within 15 days after the performance of the contract or termination of the security interest. The Chief Administrator shall thereupon cause a notation to be made on his or her records of electronic title or certificate of ownership of the motor vehicle that the contract has been satisfied or the security interest terminated and deliver to the owner of record a paper certificate of ownership at the address provided to the Commission for the registration of the vehicle pursuant to N.J.S.A. 39:3-4.

13:21-3.9 Electronic title; perfection of a security interest

The notation of the name and business or residence address of a secured party or his or her assignee, on the electronic title, as provided in N.J.S.A. 39:10-8 and 39:10-9, and the presentation to the Chief Administrator, in accordance with N.J.S.A. 39:10-11, of the electronic title so noted, and the compliance with the requirements of sections C. and D. of N.J.S.A. 39:10-11 shall be in lieu of all filing requirements imposed by chapter 9 of Title 12A of the New Jersey Statutes and shall constitute the perfection of a security interest in the motor vehicle, and the rights and remedies of the debtors and the secured parties in respect to such security interest shall, except as otherwise expressly provided for by N.J.S.A. 39:10-1 et seq., or in this subchapter, be subject to and governed by chapter 9 of Title 12A of the New Jersey Statutes.

OTHER AGENCIES

(a)

NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

Angel Investor Tax Credit Program

Proposed New Rules: N.J.A.C. 19:31-19

Authorized By: New Jersey Economic Development Authority, Michele Brown, Chief Executive Officer, in consultation with Michael J. Bryan, Director, Division of Taxation.

Authority: N.J.S.A. 54A:4-13(d).

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

Proposal Number: PRN 2013-110.

Submit written comments by October 4, 2013 to:

Maureen Hassett, SVP Finance & Development
New Jersey Economic Development Authority
PO Box 990
Trenton, NJ 08625-0990

The agency proposal follows:

Summary

The New Jersey Economic Development Authority ("EDA" or "Authority") is proposing new rules to establish the Angel Investor Tax Credit Program (Program) pursuant to P.L. 2013, c. 14 to encourage angel investments, which are generally equity placements into high-risk start-up ventures, to spur job creation and growth in New Jersey's current and next generation of select high-skill, high-wage, emerging technology industries. The following summarizes the contents of each section of the proposed new rules implementing the Angel Investor Tax Credit Program:

N.J.A.C. 19:31-19.1 addresses the statutory authority for the Angel Investor Tax Credit Program and summarizes the scope and purpose of the Program, which may provide credits against corporation business and gross income taxes for taxpayers investing in certain New Jersey emerging technology businesses with fewer than 225 employees, of whom at least 75 percent are filling a position in New Jersey, that is doing business, employing or owning capital or property, or maintaining an office in this State and: has qualified research expenses paid or incurred for research conducted in this State; conducts pilot scale manufacturing in this State; or conducts technology commercialization in this State in the fields of advanced computing, advanced materials,