

ii. Verifiable by a trusted third party or some other approved process as belonging to the licensee;

iii. Under the licensee's direct and exclusive control; and

iv. Linked to a document in such a manner that the digital signature and seal is invalidated if any data in the document is changed. Once the digital signature and seal are applied to the document, the document shall be available in read-only format if the document is to be digitally transmitted.

(b) A licensee who digitally signs and seals a document shall maintain a digital copy of the electronically transmitted document that has also been digitally signed and sealed for future verification purposes.

(c) The pictorial representation of the digital signature and seal shall be readily available to the Board upon request and shall be produced in a manner acceptable to the Board. It shall contain the same words and shall have substantially the same graphic appearance and size as when the image of the digitally transmitted document is viewed at the same size as the document in its original form.

(d) Licensees are responsible for the use of their private digital keys. A lost or compromised key shall not be used and the licensee shall cause a new key pair to be generated in accordance with the criteria set forth in (a) above. A licensee shall take all reasonable steps to ensure that a compromised key is invalidated, and shall inform all affected clients that the digital key has been compromised.

SUBCHAPTER 8. LICENSED LANDSCAPE ARCHITECTS

13:27-8.9 Seal and signature

(a)-(d) (No change.)

(e) Construction documents and the title pages of the specifications for filing with a public agency or for the owner's legal documentation requirements may be digitally signed and sealed if the digital signature and seal meet the requirements of N.J.A.C. 13:27-8.10.

13:27-8.10 [(Reserved)] Digital signatures and seals

(a) A digital signature and seal shall possess the same weight, authority, and effect as handwritten signature and pressure seal when the following criteria are met:

1. The digital signing and sealing process satisfies the requirements of the Digital Signature Standard (DSS) established by the National Institute of Standards and Technology, FIPS PUB 186-4 (2014), which is incorporated herein by reference, as amended and supplemented. This standard may be obtained at the following website: <http://cryptome.org/2013/07/NIST.FIPS.186-4.pdf>. The digital signature and seal must be:

i. Unique to the licensee;

ii. Verifiable by a trusted third party or some other approved process as belonging to the licensee;

iii. Under the licensee's direct and exclusive control; and

iv. Linked to a document in such a manner that the digital signature and seal is invalidated if any data in the document is changed. Once the digital signature and seal are applied to the document, the document shall be available in read-only format if the document is to be digitally transmitted.

(b) A licensee who digitally signs and seals a document shall maintain a digital copy of the electronically transmitted document that has also been digitally signed and sealed for future verification purposes.

(c) The pictorial representation of the digital signature and seal shall be readily available to the Board upon request and shall be produced in a manner acceptable to the Board. It shall contain the same words and shall have substantially the same graphic appearance and size as when the image of the digitally transmitted document is viewed at the same size as the document in its original form.

(d) Licensees are responsible for the use of their private digital keys. A lost or compromised key shall not be used and the licensee shall cause a new key pair to be generated in accordance with the criteria set forth in (a) above. A licensee shall take all reasonable

steps to ensure that a compromised key is invalidated, and shall inform all affected clients that the digital key has been compromised.

TRANSPORTATION

(a)

MOTOR VEHICLE COMMISSION

Executive and Administrative Service (International Registration Plan)

Proposed Amendments: N.J.A.C. 13:18-2.1 and 2.2

Authorized By: Raymond P. Martinez, Chairman and Chief Administrator, Motor Vehicle Commission.

Authority: N.J.S.A. 39:3-1 et seq., 39:3-6.12, 48:4-3, and 39:2A-1 et seq.

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

Proposal Number: PRN 2016-166.

Submit comments by December 2, 2016, to:

Kate Tasch, APO
Regulatory and Legislative Affairs
Motor Vehicle Commission
225 East State Street
PO Box 162
Trenton, NJ 08666-0162
or via e-mail to rulecomments@mvc.nj.gov

The agency proposal follows:

Summary

The public comment period for the notice of proposal will be 60 days, as the proposal is not listed in the agency calendar. This notice of proposal is exempted from the rulemaking calendar requirements, pursuant to N.J.A.C. 1:30-3.3(a).

The Motor Vehicle Commission (the Commission or MVC) proposes amendments to the provisions of N.J.A.C. 13:18-2.1 and 2.2, Executive and Administrative Service - International Registration Plan.

N.J.A.C. 13:18-2.1 is a list of definitions and N.J.A.C. 13:18-2.2 is a list of exemptions that are proposed for amendment, in order to remove the charter buses exemption from the International Registration Plan (IRP). This change is consistent with a September 2014, vote of the members of IRP, of which MVC is a member pursuant to N.J.S.A. 39:3-6.12. MVC is required by N.J.S.A. 39:3-6.12(b) to "adopt rules and regulations to implement" the IRP rules.

N.J.A.C. 13:18-2.1 is proposed for amendment to delete the definition of "chartered party" and to delete the phrase "buses used in transportation of chartered parties" in the definitions of "apportioned fleet" and "apportioned vehicle."

N.J.A.C. 13:18-2.2 is proposed for amendment to delete charter buses from the list of vehicles exempt from the International Registration Plan.

Social Impact

The proposed amendments will have a positive social impact. The purpose of these proposed amendments is to ensure the safety of the charter buses. IRP registration includes participation in the Federal Motor Carrier Safety Administration's webservice known as PRISM (Performance and Registration Information Systems Management), which prevents or suspends the IRP registration of unsafe carriers.

In addition, IRP allows charter buses to be automatically registered for all states. One of the main reasons charter buses have always been exempt from IRP (unlike line run carriers, which must be IRP registered) is the unpredictability of the charter and tour business where operators do not know a year in advance what jurisdictions they must declare for listing on the cab card. This was one of the charter bus industry's main concerns when IRP first proposed to eliminate the charter bus exemption in 2011. Since then, IRP has addressed this concern by introducing a "full reciprocity plan" or FRP under which carriers will no longer have to declare in advance the jurisdictions they will travel to, as cab cards will

list all jurisdictions. Under FRP, which is effective as of January 1, 2015, carriers do not have to add a particular jurisdiction to their cab card in the middle of the year or have to purchase a trip permit.

Economic Impact

The economic impact on the Commission consists of the costs of oversight of vehicle registrations, which will not be affected by eliminating the IRP exemption for charter buses, as charter buses already register their vehicles with the Commission. The registration fees for charter bus operators are not changed by these amendments. Further, while fees in N.J.S.A. 39:3-19 may be set by the MVC Board via rules per N.J.S.A. 39:2A-36.1 (P.L. 2007, c. 335), no such amendments are proposed as part of this rulemaking.

Federal Standards Statement

There are no Federal standards applicable to the subject matter of N.J.A.C. 13:18-2.1 or 2.2.

Jobs Impact

The proposed amendments are anticipated to result in automatic registration in all states, without the administrative inconvenience of adding new registrations when a charter involves travel to a new state, and this ease of registration and travel could potentially lead to the creation of new jobs.

Agriculture Industry

The proposed amendments do not have any impact on the agriculture industry in this State.

Regulatory Flexibility Analysis

The proposed amendments continue reporting and recordkeeping requirements on motor carriers, some of which may be defined as small businesses, as the term is defined by the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. The recordkeeping requirements pertain to the annual registration of each charter bus, which is currently required irrespective of these proposed amendments. The proposed amendments do not require small businesses to engage additional professional services. The proposed amendments do not necessitate significant capital and annual expenditures for compliance by small businesses. These requirements are intended to ensure that motor carriers entering the State are recorded for purposes of ensuring law enforcement have a record of their travel within all jurisdictions of the IRP. There is no differentiation in compliance based on business size. The Commission has given careful consideration to these matters and has determined that the proposed amendments must be applied to all charter buses who are not otherwise registered as part of IRP.

Housing Affordability Impact Analysis

The proposed amendments will have no impact on housing affordability and there is an extreme unlikelihood that they will evoke a change in the average costs associated with housing because the rules pertain to deleting charter buses from this chapter.

Smart Growth Development Impact Analysis

It is not anticipated that the proposed amendments will have an impact on smart growth. The proposed amendments would impose an insignificant impact and it is an extreme unlikelihood the proposed amendments would evoke a change in housing production within Planning Areas 1 or 2, or within designated centers, under the State Development and Redevelopment Plan in New Jersey because the rules pertain to deleting charter buses from this chapter.

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

SUBCHAPTER 2. INTERNATIONAL REGISTRATION PLAN

13:18-2.1 Definitions

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

...
 “Apportioned fleet” means one or more vehicles identified as a fleet (except recreational vehicles, vehicles displaying restricted plates, city pick-up and delivery vehicles, [buses used in transportation of chartered

parties,] and government-owned vehicles) used in two or more member jurisdictions that allocate or apportionally register vehicles used for the transportation of persons for-hire or designed, used or maintained primarily for the transportation of property, and each vehicle: is a power unit having a gross vehicle weight in excess of 26,000 pounds; or is a power unit having three or more axles, regardless of weight; or is used in combination when the weight of such combination exceeds 26,000 pounds gross weight. Vehicles or combinations thereof having a gross vehicle weight of 26,000 pounds or less and two-axle vehicles may be apportionally registered at the option of the registrant.

“Apportioned vehicle” means any vehicle used or intended for use in two or more member jurisdictions that register vehicles, which is designed, used, or maintained for transportation of persons for hire, or is designed, used, or maintained for transportation of property, having a declared gross weight in excess of 26,000 pounds, or has three or more axles regardless of weight, or is used in combination when the gross vehicle weight of such combination exceeds 26,000 pounds, except that recreational vehicles, vehicles displaying restricted plates, city pick-up and delivery vehicles, [buses used in transportation of chartered parties,] and government-owned vehicles are not apportioned vehicles.

...
 [“Chartered party” means a group of persons who, pursuant to a common purpose and under a single contract, have acquired the exclusive use of a vehicle to travel together as a group.]

...

13:18-2.2 Exempt vehicles

(a) The following vehicles are exempt from the provisions of this subchapter:

- 1.-3. (No change.)
- [4. Any bus used in the transportation of chartered parties;]
- Recodify existing 5.-6. as 4.-5. (No change in text.)

OTHER AGENCIES

(a)

NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

**Authority Assistance Programs
 Direct Loan Programs; Economic Redevelopment and Growth Program; Urban Transit Hub Tax Credit Program; Grow New Jersey Assistance Program; and Angel Investor Tax Credit Program**

Proposed Amendments: N.J.A.C. 19:31-3.1, 3.2, 4.1, 4.2, 4.3, 4.5 through 4.9, 9.1, 9.2, 9.4, 9.7, 9.9, 18.2 through 18.8, 18.11, 18.15, and 19.2 through 19.5

Authorized By: New Jersey Economic Development Authority, Melissa Orsen, Chief Executive Officer.
 Authority: P.L. 2009, c. 90, P.L. 2007, c. 346, P.L. 2011, c. 149, P.L. 2015, c. 69, P.L. 2015, c. 72, P.L. 2015, c. 217, P.L. 2015, c. 242, and P.L. 2015, c. 252.

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

Proposal Number: PRN 2016-162.

Submit written comments by December 2, 2016, to:

Jacob Genovay, Senior Legislative and Regulatory Officer
 New Jersey Economic Development Authority
 PO Box 990
 Trenton, NJ 08625-0990
jgenovay@njeda.com

The agency proposal follows:

Summary

The New Jersey Economic Development Authority (“EDA” or “Authority”) is proposing amendments to the rules implementing the