

the correction or alleviation of musculoskeletal diseases, injuries, or deformities **and the development and implementation of an orthotic treatment plan that includes the measuring, designing, constructing, assembling, fitting, adjusting, and servicing of orthotic appliances or orthoses.**

[(b) A licensed orthotist may employ a licensed orthotist assistant for the molding, painting, cutting, mixing, grinding, polishing, sewing, laminating, gluing, screwing, riveting, fastening or vacuum forming of an orthotic appliance or orthosis, which tasks must be performed under the supervision of a licensed orthotist pursuant to N.J.A.C. 13:44H-3.6.]

(b) A licensed orthotist assistant may provide services identified in (a) above under the close supervision of a licensed orthotist pursuant to N.J.A.C. 13:44H-3.6.

(c) A licensed orthotist assistant shall not:

1. Provide the initial evaluation of a patient;
2. Develop or modify an orthotic treatment plan for a patient; or
3. Provide the final fitting of an orthotic appliance or orthoses.

13:44H-2.2 Scope of prosthetist practice; prosthetist assistant

(a) The scope of practice of a licensed prosthetist shall include patient evaluation for[, and the measuring, designing, constructing, assembling, fitting, adjusting and servicing of,] any type of upper and lower extremity prosthetic appliance prescribed by a physician licensed to practice medicine or surgery or a licensed doctor of podiatric medicine **and the development and implementation of a prosthetic treatment plan that includes the measuring, designing, constructing, assembling, fitting, adjusting, and servicing of upper and lower extremity prosthetic appliances.**

[(b) A licensed prosthetist may employ a prosthetist assistant for the molding, painting, cutting, mixing, grinding, polishing, sewing, laminating, gluing, screwing, riveting, fastening or vacuum forming of any type of upper and lower extremity prosthetic appliance which tasks shall be performed under the supervision of a prosthetist pursuant to N.J.A.C. 13:44H-3.6.]

(b) A licensed prosthetist assistant may provide services identified in (a) above under the close supervision of a licensed prosthetist pursuant to N.J.A.C. 13:44H-3.6.

(c) A licensed prosthetist assistant shall not:

1. Provide the initial evaluation of a patient;
2. Develop or modify a prosthetic treatment plan for a patient; or
3. Provide the final fitting of an upper or lower extremity prosthetic appliance.

SUBCHAPTER 3. CREDENTIALS REQUIRED FOR LICENSURE; TEMPORARY LICENSURE REQUIREMENTS; LICENSURE WITHOUT EXAMINATION; ORTHOTISTS AND PROSTHETISTS

13:44H-3.5 Licensure as a prosthetist assistant, orthotist assistant, or prosthetist-orthotist assistant

(a) An applicant for licensure as a prosthetist assistant, orthotist assistant, or prosthetist-orthotist assistant shall submit to the Board:

1. A completed application form which shall include:

i. ii. (No change.)

iii. [A certification from the applicant's supervising licensee stating]

Proof that the applicant has completed a course of training in orthotics or prosthetics of at least 40 hours for licensure as an orthotist assistant or a prosthetist assistant, or a course of training of at least 80 hours for licensure as a prosthetist-orthotist assistant, which includes a course in human anatomy, a course in medical terminology, and a course in general/fundamental physics from a college or university accredited by a regional or national accrediting agency recognized by the United States Department of Education;

iv. (No change.)

2. Proof that the applicant has passed the [written, oral and practical] **American Board for Certification in Orthotics and Prosthetics Assistant** examination; and

3. (No change.)

TRANSPORTATION

(a)

MOTOR VEHICLE COMMISSION

Enforcement Service

Proposed New Rules: N.J.A.C. 13:20-50B.50 and 51.16

Authorized By: Motor Vehicle Commission, Jeanne D. Ashmore, Acting Chair and Chief Administrator.

Authority: N.J.S.A. 39:2-3, 39:2A-28, 39:3-10, 39:3-11, 39:3-43, 39:3-63, 39:3-77, 39:3B-5, 39:3B-10, 39:3B-24, 39:5-30, 39:5B-29a, 39:8-1, 39:8-2, 39:8-4, 39:8-4.1, 39:8-10, 39:8-77, and 39:10-4.

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

Proposal Number: PRN 2018-045.

Submit comments by July 20, 2018, to:

Kate Tasch, APO
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

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

The New Jersey Motor Vehicle Commission (Commission) proposes new N.J.A.C. 13:20-50B.50 and 51.16 to reference N.J.A.C. 6A:27-7.13, School Bus Sensor System, which was adopted by the State Board of Education (BOE) effective October 16, 2017, at 49 N.J.R. 3429(b), establishing specifications and guidelines to implement P.L. 2015, c. 266 (N.J.S.A. 39:3B-26), known as "Abigail's Law."

Abigail's Law requires that all school buses manufactured on or after 180 days following the bill's enactment be equipped with sensors to alert a bus driver when a child walks in front of or behind a bus. The law provides that the design and installation of the sensors must conform to rules to be promulgated by the BOE. In turn, the Commission inspects that the sensors are installed. Abigail's Law, and the BOE rules to implement the law, will help to ensure the safe transport of the State's students, particularly its younger students.

The Commission's proposed new rules provide that the sensor equipment shall meet the standards in N.J.A.C. 6A:27-7.13, School Bus Sensor System, which was proposed in the New Jersey Register on October 17, 2016, at 48 N.J.R. 2091(a), with a notice of proposed substantial changes upon adoption published in the New Jersey Register on June 5, 2017, at 49 N.J.R. 1291(a), and was adopted as a new rule effective October 16, 2017, at 49 N.J.R. 3429(b).

Proposed new N.J.A.C. 13:20-50B.50 concerns school buses, and provides that all equipment, subject to inspection, shall meet the standards for the applicable date of manufacture now or hereafter prescribed by Federal law or regulation at 49 CFR Part 571, New Jersey statute, or Commission or BOE rule, including the school bus sensor system to detect the presence of person(s) or object(s) located in, but not limited to, the front and rear of the school bus, which sensor system shall conform to the guidelines and specifications pursuant to N.J.A.C. 6A:27-7.13.

Proposed new N.J.A.C. 13:20-51.16 concerns school vehicles used for the transportation of children to and from school or school-connected activities, and provides that all equipment, subject to inspection, shall meet the standards for the applicable date of manufacture now or hereafter prescribed by Federal law or regulation at 49 CFR Part 571, New Jersey statute, or Commission or BOE rule, including the school bus sensor system to detect the presence of person(s) or object(s) located in, but not limited to, the front and rear of the school bus, which sensor

system shall conform to the guidelines and specifications pursuant to N.J.A.C. 6A:27-7.13.

Social Impact

The proposed new rules at N.J.A.C. 13:20-50B.50 and 51.16 will have a beneficial social impact in that the Commission’s inspection will ensure that the sensor system is installed and meets the standards at N.J.A.C. 6A:27-7.13, School Bus Sensor System. Abigail’s Law will improve safety for children in that all school buses will be equipped with sensors to alert a bus driver when a child walks in front of or behind of the bus.

Economic Impact

There is no economic impact on the Commission, which is charged with the administration of the rules contained in N.J.A.C. 13:20, for which the Commission collects statutorily-mandated school bus inspection fees.

The cost of the school bus sensors is not addressed in this rulemaking, other than to note that the Office of Legislative Services’ (OLS) analysis of Abigail’s Law noted that it would lead to an indeterminate expenditure increase for school districts and for school bus manufacturers, in that the cost of the school bus sensors would be factored into the final purchase price for the new school buses. The BOE considered that in its rulemaking process for N.J.A.C. 6A:27-7.13, School Bus Sensor System.

Federal Standards Statement

49 CFR Part 571, provides manufacturing standards for all school buses subject to inspection. The proposed new rules at N.J.A.C. 13:20-50B.50 and 51.16 require that, as of the time of manufacture, all school buses subject to inspection will meet the Federal manufacturing standards currently in effect or that will be promulgated in the future.

Jobs Impact

The Commission does not anticipate that any jobs will be generated or lost as a result of the proposed new rules.

Agriculture Industry Impact

The proposed new rules will have no impact on the agriculture industry.

Regulatory Flexibility Analysis

The proposed new rules do not contain any new reporting or recordkeeping requirements, and, therefore, do not have any impact on any small businesses, as the term is defined by the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. The proposed new rules do not require small businesses to engage additional professional services, nor do the rules necessitate any capital or annual expenditures for compliance. The Commission has given careful consideration to these matters and has determined that the proposed new rules aid the Commission’s inspection process for the BOE’s specifications and guidelines for school bus sensors in the BOE rule at N.J.A.C. 6A:27-7.13. Businesses will be required to demonstrate compliance with the BOE’s sensor requirement at the time of inspection.

Housing Affordability Impact Analysis

It is not anticipated that the proposed new rules will have any impact on the affordability of housing because the scope of the new rules, inasmuch as they apply only to the Commission’s inspection process for BOE’s specifications and guidelines for school bus sensors, is minimal, and there is an extreme unlikelihood that it would evoke a change in the average costs associated with housing.

Smart Growth Development Impact Analysis

The proposed new rules will have no impact on smart growth development and will not 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 solely to the Commission’s inspection process for BOE’s specifications and guidelines for school bus sensors.

Full text of the proposed new rules follows (additions indicated in boldface **thus**):

SUBCHAPTER 50B. BODY STANDARDS FOR SCHOOL BUSES MANUFACTURED JANUARY 2006 AND THEREAFTER

13:20-50B.50 School bus sensor system

(a) Pursuant to N.J.A.C. 6A:27-7.13, each school bus shall be equipped with a properly designed and installed sensor to determine the presence of person(s) or object(s) located in, but not limited to, the front and back of the school bus.

(b) All equipment subject to inspection shall meet the standards for the applicable date of manufacture now or hereafter prescribed by Federal law or regulation at 49 CFR Part 571, New Jersey statute, or Motor Vehicle Commission or State Board of Education rule, including the school bus sensor system to detect the presence of person(s) or object(s) located in, but not limited to, the front and rear of the school bus, which sensor shall conform to the guidelines and specifications under N.J.A.C. 6A:27-7.13.

SUBCHAPTER 51. STANDARDS FOR TYPE S SCHOOL VEHICLES

13:20-51.16 School bus sensor system

(a) Pursuant to N.J.A.C. 6A:27-7.13, each school bus shall be equipped with a properly designed and installed sensor to determine the presence of person(s) or object(s) located in, but not limited to, the front and back of the school bus.

(b) All equipment subject to inspection shall meet the standards for the applicable date of manufacture now or hereafter prescribed by Federal law or regulation at 49 CFR Part 571, New Jersey statute, or Motor Vehicle Commission or State Board of Education rule, including the school bus sensor system to detect the presence of person(s) or object(s) located in, but not limited to, the front and rear of the school bus, which sensor shall conform to the guidelines and specifications under N.J.A.C. 6A:27-7.13.

TREASURY—GENERAL

(a)

DIVISION OF ADMINISTRATION

Disabled Veteran-Owned Business Set-Aside

Proposed New Rules: N.J.A.C. 17:14

Authorized By: Elizabeth Maher Muoio, State Treasurer.

Authority: N.J.S.A. 52:18A-30(d) and 52:32-31.1 et seq.

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

Proposal Number: PRN 2018-043.

Submit comments by July 20, 2018, to:

Nina Moseley, Manager, Small Business Set-Aside Monitoring
 Division of Administration
 PO Box 211
 50 West State Street, 8th Floor
 Trenton, NJ 08625-0211
 Attn: Disabled Veteran Owned Business Rule Proposal
 Fax: 609-943-4480
 E-mail: nina.moseley@treas.nj.gov

The agency proposal follows:

Summary

Pursuant to Public Law 2015, c. 116, this chapter outlines the basic procedures to register as a disabled veteran-owned business and become eligible to participate in disabled veteran-owned business set-aside contracting opportunities with State of New Jersey Executive Branch agencies.

A summary of each section follows.

N.J.A.C. 17:14-1.1 lists the purpose of the rules.