

amount of funds available is published annually in March in the New Jersey Register.

The Division of Highway Traffic Safety has reviewed the rules and has determined them to be necessary, reasonable, and proper for the purpose for which they were originally promulgated, as required by Executive Order No. 66 (1978). Therefore, pursuant to N.J.S.A. 39:4-36.2, and in accordance with N.J.S.A. 52:14B-5.1.c(1), these rules are readopted and shall continue in effect for a seven-year period.

TRANSPORTATION

(a)

MOTOR VEHICLE COMMISSION

Executive and Administrative Service (International Fuel Tax Agreement Implementation) Tax Reports; Penalties; Interest

Adopted Amendment: N.J.A.C. 13:18-3.7

Proposed: August 4, 2014, at 46 N.J.R. 1734(a).

Adopted: February 10, 2015, by the Motor Vehicle Commission, Raymond P. Martinez, Chairman and Chief Administrator.

Filed: March 9, 2015, as R.2015 d.049, **without change**.

Authority: N.J.S.A. 39:1-1 et seq., and 54:39A-24 and P.L. 2003, c. 13.

Effective Date: April 6, 2015.

Expiration Date: March 9, 2018.

Summary of Public Comment and Agency Response:

No comments were received.

Federal Standards Statement

A Federal standards analysis is not required because the rules that are the subject of this adoption are dictated by State statutes and are not subject to Federal requirements or standards.

Full text of the adoption follows:

SUBCHAPTER 3. INTERNATIONAL FUEL TAX AGREEMENT IMPLEMENTATION

13:18-3.7 Tax reports; penalties; interest

(a)-(b) (No change.)

(c) For a fleet based in the United States, interest shall be set at the rate established in the IFTA Articles of Agreement, Section R1230.100, which is incorporated herein by reference, as amended and supplemented, and can be found at <http://www.iftach.org/>, calculated from the date the tax was due until the tax is paid. The interest shall be computed on the tax due each member jurisdiction. For a fleet based in a Canadian jurisdiction, interest shall accrue at a rate equal to the Canadian Federal Treasury Bill rate, plus two percent, and adjusted every calendar year quarter, calculated from the date tax was due until the tax is paid. All interest collected shall be remitted to the appropriate jurisdictions.

(d) (No change.)

(b)

MOTOR VEHICLE COMMISSION

Advertising on Commission Equipment, Facilities, and Property

Adopted New Rules: N.J.A.C. 13:18-10

Proposed: August 4, 2014, at 46 N.J.R. 1735(a).

Adopted: February 10, 2015, by the Motor Vehicle Commission, Raymond P. Martinez, Chairman and Chief Administrator.

Filed: March 10, 2015, as R.2015 d.054, **without change**.

Authority: N.J.S.A. 39:2A-13.a(6), 39:2A-33.c, and 39:2A-33.e.

Effective Date: April 6, 2015.

Expiration Date: March 9, 2018.

Summary of Public Comment and Agency Response:

No comments were received.

Federal Standards Statement

No comparable Federal law or regulation exists; therefore a Federal standards analysis is not required for the adopted new rules.

Full text of the adopted new rules follows:

SUBCHAPTER 10. ADVERTISING ON COMMISSION EQUIPMENT, FACILITIES, AND PROPERTY

13:18-10.1 General provisions

(a) The rules contained in this subchapter implement the provisions of N.J.S.A. 39:2A-33.c and establish the requirements and procedures for the approval of appropriate and suitable advertising in the interior or on the exterior of any equipment or facility owned or leased by the New Jersey Motor Vehicle Commission (Commission), in any mailing the Commission conducts, and/or in any publication it produces.

(b) The criteria in this subchapter shall apply to all contracts for the installation, display, and maintenance of advertising in the interior or on the exterior of any equipment or facility owned or leased by the Commission, in any mailing the Commission conducts, and/or in any publication it produces.

(c) The display of advertising in the interior or on the exterior of any equipment or facility owned or leased by the Commission, in any mailing the Commission conducts, and/or in any publication it produces does not constitute an endorsement by the Commission of any of the products, services, or messages so advertised, unless authorized in writing by the Commission and so stated within the advertisement.

(d) All advertisements shall require the prior written approval of the Chief Administrator of the Motor Vehicle Commission.

(e) The advertiser shall be considered an independent contractor and shall not be deemed to be an agent, servant, employee, or representative of the Commission.

(f) All contracts entered into by the Commission for the purpose of placing advertising in the interior or on the exterior of any Commission equipment, facility, mailing, or publication shall be subject to the competitive bidding requirements of N.J.S.A. 52:34-6 et seq.

(g) In the event the advertiser fails to provide service in accordance with the contract for advertisement(s), the advertiser shall be considered in breach of contract and the advertisement(s) shall be immediately canceled.

(h) The Commission shall designate, in its absolute discretion and at any time, the locations in the interior and/or on the exterior of Commission equipment, facilities, mailings, and/or publications where advertisements may be inserted or displayed.

(i) The Commission may reject, pursuant to N.J.A.C. 13:18-10.2 below, at any time, any advertising copy, whether or not the Commission has previously acknowledged and/or advertised the exact or similar copy.

(j) No advertising space may be used or resold by the advertiser for the promotion, either directly or indirectly, of any business, organization, or enterprise other than the one defined in the advertiser's contract for advertisement.

(k) The advertiser shall protect, defend, and hold harmless the Commission, its agents, and employees, from any suits or actions of every nature and description brought against it by reason of the advertisement.

13:18-10.2 Advertising appropriateness and suitability criteria

(a) The Motor Vehicle Commission (Commission) shall not accept any advertisement(s) to be displayed or maintained in the interior or on the exterior of any equipment or facility owned or leased by the Commission, in any mailing the Commission conducts, and/or in any publication it produces, if the advertisement or information contained in the advertisement:

1. Is false, misleading, deceptive, disrespectful, fraudulent, or libelous;
2. Contains material or language that is profane, or vulgar;
3. Contains obscene material as defined by N.J.S.A. 2C:34-3;