

specified mandatory wage orders in all rooms where industrial home workers perform their duties. They are also required to pay their workers at least the minimum statutory wage and to keep true and accurate records of hours worked and wage payments made to their workers. Costs of compliance are discussed in the Economic Impact above. No professional services are needed to comply with the rules proposed for readoption with amendments and a repeal. These obligations pertain to all New Jersey businesses, regardless of size. As the Department is legally obligated to ensure that all workers in this State receive the proper wages for services performed, lesser requirements cannot be provided for small businesses. The proposed amendments, described in detail in the Summary above, contain no reporting, recordkeeping, or compliance requirements.

Housing Affordability Impact Analysis

The rules proposed for readoption with amendments and a repeal would not evoke a change in the average costs associated with housing or on the affordability of housing. The basis for this finding is that the rules proposed for readoption with amendments and a repeal pertain to the obligations of employers who engage in industrial home work. The rules proposed for readoption with amendments and a repeal do not pertain to housing.

Smart Growth Development Impact Analysis

The rules proposed for readoption with amendments and a repeal would not evoke a change in the housing production within Planning Areas 1 or 2, or within designated centers, under the State Development and Redevelopment Plan. The basis for this finding is that the rules proposed for readoption with amendments and a repeal pertain to the obligations of employers who engage in industrial home work. The rules proposed for readoption with amendments and a repeal do not pertain to housing production, either within Planning Areas 1 or 2, within designated centers, or anywhere in the State of New Jersey.

Racial and Ethnic Community Criminal Justice and Public Safety Impact

The Commissioner has evaluated this rulemaking and determined that it will not have an impact on pretrial detention, sentencing, probation, or parole policies concerning adults and juveniles in the State. Accordingly, no further analysis is required.

Full text of the rules proposed for readoption may be found in the New Jersey Administrative Code at N.J.A.C. 12:59.

Full text of the proposed amendments and repeal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

SUBCHAPTER 1. GENERAL PROVISIONS

12:59-1.2 Compliance by distributors

All New Jersey distributors of industrial home work must comply with the laws and rules and regulations governing employment, **including employment** of [women and] minors in the home and factory, as well as the general factory laws.

12:59-1.8 Employment of minors

(a) (No change.)

(b) All minors between 16 and 18 years of age who are engaged in the manufacture of industrial home work at any place (factory, business, or home) must comply with the following requirements:

1.-2. (No change.)

3. [Male minors] **Minors** may not work before 6:00 A.M., nor after 10:00 P.M. [Female minors may not work before 7:00 A.M. nor after 10:00 P.M.]

4.-5. (No change.)

(c)-(d) (No change.)

[12:59-1.11 Limitations on female employees' hours

Female employees (including home workers) are not permitted to work more than 10 hours in any one day, 54 hours per week.]

Recodify existing N.J.A.C. 12:59-1.12 and 1.13 as **12:59-1.11 and 1.12** (No change in text.)

LAW AND PUBLIC SAFETY

(a)

DIVISION OF STATE POLICE

Uniform Crime Reporting System

Proposed Amendments: N.J.A.C. 13:57

Authorized By: Colonel Patrick Callahan, Office of the Superintendent, Division of State Police, with the approval of Matthew J. Platkin, Acting Attorney General.

Authority: N.J.S.A. 52:17B-5.1.

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

Proposal Number: PRN 2022-107.

Submit comments by October 14, 2022, to:

Colonel Patrick Callahan, Office of the Superintendent
Attn: Criminal Justice Records Bureau
New Jersey State Police
PO Box 7068
West Trenton, New Jersey 08628
or electronically at: UCRregulations@njsp.org.

The agency proposal follows:

Summary

The Division of State Police (Division) is proposing amendments at N.J.A.C. 13:57, last readopted on April 12, 2017. The proposed amendments are necessary to update this chapter to include the implementation of the National Incident-Based Reporting System (NIBRS). Beginning January 1, 2021, the Federal Bureau of Investigation's Uniform Crime Reporting (UCR) program will collect only NIBRS data, no longer accepting UCR data from the current Summary Reporting System. Therefore, in order to maintain compliance with the FBI's UCR requirements, all law enforcement agencies shall report NIBRS data by January 1, 2021.

The Division proposes to amend N.J.A.C. 13:57-1.1 to update the definition of all law enforcement agencies for clarity and ease of use and to include "bi-State agencies."

The Division proposes to amend N.J.A.C. 13:57-1.2, which lists the type of reports that law enforcement agencies are required to submit, the circumstances under which they must be submitted, and the date by which they must be forwarded to the Division. The amendment is proposed to specify that reports must be submitted electronically through data entry in the New Jersey State Police (NJSP) UCR Repository website or through an electronic interface between the law enforcement agency's records management systems and the Division's UCR repository website. The Federal Bureau of Investigation's UCR Program will collect only NIBRS. Furthermore, the Division identified reports required when specific offenses have occurred. The Division proposes to amend this subsection to include an accurate account of all necessary reports to be submitted when certain offenses occur.

The Division proposes an amendment to N.J.A.C. 13:57-1.3, updating the general reporting requirement exceptions to comply with the general reporting requirements amended at N.J.A.C. 13:57-1.2.

N.J.A.C. 13:57-1.4 outlines the actions that may be taken if a reporting agency is delinquent in submitting reports in a timely manner, and is proposed for amendment to align with other amendments to the chapter and to state that the Division shall make efforts to determine the reason(s) for any delinquency and will assist with possible solutions.

The Division is providing a 60-day comment period on this notice of proposal. Therefore, the notice is excepted from the rulemaking calendar requirement pursuant to N.J.A.C. 1:30-3.3(a)5.

Social Impact

The Division believes the proposed amendments will have a positive social impact as the proposed amendments will allow for a better-informed citizenry and criminal justice community and will facilitate proper reporting to the FBI.

Economic Impact

The proposed amendments will not impose an adverse economic impact on the public. Administration of the Uniform Crime Reporting System imposes economic costs on both the Division of State Police and all other law enforcement agencies. The Division of State Police must create and distribute the required reports in addition to assigning personnel to the task of collecting, verifying, and collating crime data. All other law enforcement agencies must assign personnel to the task of gathering crime data and preparing the required reports. However, the amendments will impose no additional economic costs on any agency. The proposed amendments may result in an economic impact if a law enforcement agency fails to report data and the Attorney General determines that sanctions should be imposed. However, the purpose of the amendments is to ensure compliance and to allow for even greater accuracy in the reporting of crime data to the citizenry and criminal justice community. Greater accuracy in the reporting of crime data could have positive economic effects within the State.

Federal Standards Statement

A Federal standards analysis is not required, as none of the proposed amendments are subject to any Federal standards.

Jobs Impact

The proposed amendments will not result in the generation or loss of jobs in New Jersey.

Agriculture Industry Impact

The proposed amendments will not have an impact on the agriculture industry of the State.

Regulatory Flexibility Statement

A regulatory flexibility analysis is not required because the proposed amendments do not impose any reporting, recordkeeping, or other compliance requirements on small businesses, as defined by the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. The rules apply only to law enforcement agencies, all of which are public entities.

Housing Affordability Impact Analysis

The proposed amendments will have an insignificant impact on the affordability of housing in New Jersey and there is an extreme unlikelihood the rules would evoke a change in the average costs associated with housing. The purpose of the amendments is to ensure compliance and to allow for even greater accuracy in the reporting of crime data to the citizenry and criminal justice community.

Smart Growth Development Impact Analysis

The proposed amendments will have no impact on the achievement of smart growth and have no impact on housing production within Planning Areas 1 or 2, or within designated centers, under the State Development and Redevelopment Plan. The purpose of the amendments is to ensure compliance and to allow for even greater accuracy in the reporting of crime data to the citizenry and criminal justice community.

Racial and Ethnic Community Criminal Justice and Public Safety Impact

The Division has evaluated the rulemaking and determined that it will not have an impact on pretrial detention, sentencing, probation, or parole policies concerning adults and juveniles in the State. Accordingly, no further analysis is required.

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

SUBCHAPTER 1. GENERAL PROVISIONS

13:57-1.1 Law enforcement agencies defined

(a) Law enforcement agencies include all law enforcement agencies created by the governing municipal body and promulgated by statute:

1. Municipal [full-time] police department:

[i. At least one member of said agency employed full-time, minimum 40 hours per week, with person(s) primary occupation being law enforcement officer.

ii. Said agency responsible for and providing 24-hour police service when requested.]

i. Full-time: Department/Agency responsible for and providing 24-hour police services.

ii. Part-time: Department/Agency whose agency is not committed or able to provide 24-hour services.

2. County law enforcement agencies: **Department/Agency responsible for and provides police services within a county jurisdictional capacity.**

i.-iii. (No change.)

iv. County police agencies [in Bergen, Hudson, and Union Counties].

3. State law enforcement agencies:

i.-iv. (No change.)

[v. Palisades Interstate Park Commission.]

[vi.] v. (No change in text.)

[4. Part-time municipal police departments:

i. Said departments having no full-time police officer (40 hours per week), whose primary occupation is other than law enforcement officer, and department is not committed or able to provide 24-hour service.]

4. Bi-State agencies:

i. Port Authority of New York and New Jersey Police;

ii. Palisades Interstate Parkway Police;

iii. Delaware River Port Authority; and

iv. Delaware River Bay Authority.

13:57-1.2 Reports to Attorney General (State Police to act as collecting agency); types of forms; by whom; when submitted

(a) A law enforcement agency shall submit reports and Summary Reporting System data electronically to the Uniform Crime Reporting (UCR) in the New Jersey State Police UCR Repository website. If the law enforcement agency does not have access to the New Jersey State Police UCR repository, the agency shall submit this information through an electronic interface from the law enforcement agency's records management system prescribed by the New Jersey State Police UCR Program.

[(a)] **(b) Municipal [full-time] full- and part-time** police departments, as defined in these rules, will submit on a monthly basis and forward by the seventh day following the close of the reporting period, the following enumerated reports:

1.-3. (No change.)

4. Age, Sex, Race, and Ethnic Origin of Persons Arrested (18 years of age and over) (N.J.-UCR 370); **and**

5. Age, Sex, Race, and Ethnic Origin of Persons Arrested (under 18 years of age) (N.J.-UCR 370A)[.];

(c) A Zero Report will be completed when no specific offenses have occurred for the reporting period.

[i.] **1.** The following reports will be submitted only when the specific offenses involved have occurred [in the jurisdiction of a municipal full-time police department]:

Recodify existing (1)-(4) as **i.-iv.** (No change in text.)

[(5)] **v.** Monthly Count of Criminal Offenses Involving Assault Firearms (S.P. 662)[.];

vi. Supplementary Domestic Violence Offense Report (UCR-DV1);

vii. Supplementary Bias Incident Offense Report (UCR-BI1);

viii. Use of Force Report;

ix. Cargo Theft Report;

x. Human Trafficking Report;

xi. Carjacking Report; and

xii. Street Gang Contact/Offense Report (S.P. 153).

2. A Zero Report will be completed for the following, when no specific offenses have occurred for the reporting period:

i. Supplementary Domestic Violence Offense Report (UCR-DV1);

ii. Supplementary Bias Incident Offense Report (UCR-BI1);

iii. Use of Force Report; and

iv. Cargo Theft Report.

[ii.] **3.** (No change in text.)

[6.] **4.** Offense data received from other agencies:

i. All part I offenses, part I and part II arrests and dispositions, and all other allied supplementary information (including offense clearance data) that is received by municipal [full] **full- or part-time** police departments, either from a State or county law enforcement [(except Essex County park

police)] or quasi law enforcement agency, which shall include private, State, and county college police agencies and bi-state port authority police agencies (except the Port Authority of New York and New Jersey police), will be reported in their municipal crime data when submitted on the prescribed monthly UCR forms.

[7. The foregoing reports shall be filed by all municipal full-time police departments whether or not the activity required by the foregoing forms has occurred.]

[(b)] (d) County law enforcement agencies rules include:

1. As defined in [these rules] **this chapter**, county law enforcement agencies [(except Essex County park police)] will submit on a monthly basis, and forward by the seventh day following the close of reporting period, the following enumerated reports:

[i. Police Officers Killed or Assaulted Monthly Supplement (N.J.-UCR 369A)]

i. Return A—Monthly Count of Offenses Known to Police (N.J.-UCR 365);

ii. Return A—Supplement, page 1 (N.J.-UCR 366);

iii. Return A—Supplement, page 2 (N.J.-UCR 366A);

[ii.] iv. (No change in text.)

[iii.] v. Age, Sex, Race, and Ethnic Origin of Persons Arrested (Under 18 years of age) (N.J.-UCR 370A); **and**

vi. A Zero Report will be completed when no specific offenses have occurred for the reporting period;

2. The following reports will be submitted when the specific offenses involved have occurred:

[iv.] i. Supplementary Homicide Report, [and Report of Police Officers Killed in the Line of Duty (S.P. 46). This report shall only be submitted by the offices of the county prosecutors] **1a Murder (N.J.-UCR 367);**

ii. Supplementary Homicide Report, 1b Manslaughter (N.J.-UCR 367A);

iii. Police Officers Killed or Assaulted Monthly Supplement (N.J.-UCR 369A);

iv. Supplementary Arson Report (N.J.-UCR 373);

v. Monthly Count of Criminal Offenses Involving Assault Firearms (S.P. 662). This report shall be submitted only when investigating a criminal offense involving an assault firearm];

vi. Supplementary Domestic Violence Offense Report (UCR-DV1);

vii. Supplementary Bias Incident Offense Report (UCR-BI1);

viii. Use of Force Report;

ix. Cargo Theft Report;

x. Human Trafficking Report;

xi. Carjacking Report; and

xii. Street Gang Contact/Offense Report (S.P. 153);

3. A Zero Report will be completed for the following when no specific offenses have occurred for the reporting period:

i. Supplementary Domestic Violence Offense Report (UCR-DV1);

ii. Supplementary Bias Incident Offense Report (UCR-BI1);

iii. Use of Force Report; and

iv. Cargo Theft Report;

[vi.] **4. The following report shall be submitted annually, but not later than November 7 in each reporting year:**

[(1)] i. Number of [Full-time Police] Department Employees as of October 31 of reportable year (N.J.-UCR 369).];

[vii. The foregoing reports shall be filed by all county law enforcement agencies whether or not the activity required by the foregoing forms has occurred;]

5. [viii.] The following county law enforcement agencies, that is, prosecutors, sheriffs, [Bergen, Hudson, and Union County] county police agencies, and county park police [(except Essex County park police)], shall for UCR submitting purposes, report in a timely manner all part I offenses (murder, rape, robbery, assault, burglary, larceny-theft, motor vehicle theft, and arson) investigated by or reported to their respective agency, and all allied part I supplementary information (including offense clearance, arrest and disposition data) to the [jurisdictional full-time municipal police department, or if no full-time department, shall report to the Division of State Police at the State Police station having jurisdiction in that municipality] jurisdiction.

[(c)] (e) State law enforcement agencies rules are:

1. As defined in [these rules] **this chapter**, State law enforcement agencies [(except Division of State Police, Palisades Interstate Park Commission and New Jersey Transit Police Department)] will submit on a monthly basis and forward by the seventh day following the close of the reporting period the following enumerated reports:

[i. Police Officers Killed or Assaulted Monthly Supplement (N.J.-UCR 369A);

ii. Age, Sex, Race, and Ethnic Origin of Persons Arrested (18 years of age and over) (N.J.-UCR 370);

iii. Age, Sex, Race, and Ethnic Origin of Persons Arrested (under 18 years of age) (N.J.-UCR 370A);]

i. Return A—Monthly Count of Offenses Known to Police (N.J.-UCR 365);

ii. Return A—Supplement, page 1 (N.J.-UCR 366);

iii. Return A—Supplement, page 2 (N.J.-UCR 366A);

iv. Age, Sex, Race, and Ethnic Origin of Persons Arrested (18 years of age and over) (N.J.-UCR 370); and

v. Age, Sex, Race, and Ethnic Origin of Persons Arrested (under 18 years of age) (N.J.-UCR 370A).

(f) A Zero Report will be completed when no specific offenses have occurred for the reporting period.

(g) The following reports will be submitted when the specific offenses involved have occurred:

1. Supplementary Homicide Report, 1a Murder (N.J.-UCR 367);

2. Supplementary Homicide Report, 1b Manslaughter (N.J.-UCR 367A);

3. Police Officers Killed or Assaulted Monthly Supplement (N.J.-UCR 369A);

4. Supplementary Arson Report (N.J.-UCR 373);

5. Monthly Count of Criminal Offenses Involving Assault Firearms (S.P. 662);

6. Supplementary Domestic Violence Offense Report (UCR-DV1);

7. Supplementary Bias Incident Offense Report (UCR-BI1);

8. Use of Force Report;

9. Cargo Theft Report;

10. Human Trafficking Report;

11. Carjacking Report; and

12. Street Gang Contact/Offense Report (S.P. 153).

(h) A Zero Report will be completed for the following, when no specific offenses have occurred for the reporting period:

1. Supplementary Domestic Violence Offense Report (UCR-DV1);

2. Supplementary Bias Incident Offense Report (UCR-BI1);

3. Use of Force Report; and

4. Cargo Theft Report.

[iv.] (i) The following report shall be submitted annually, but no later than November 7 in each reporting year:

[(1)] 1. Number of [Full-time Police] Department Employees as of October 31 of Reportable Year (N.J.-UCR 369).

[v. The foregoing reports shall be filed by all State law enforcement agencies whether or not the activity required by the foregoing forms has occurred;]

[vi.] (j) The following State law enforcement agencies, that is, Division of Criminal Justice, Office of Weights and Measures, Division of Fish and Wildlife, Division of Parks and Forestry, Department of Corrections, and the Department of Human Services[,] (except Division of State Police, Palisades Interstate Park Commission, and New Jersey Transit Police Department), shall for UCR submitting purposes, report all part I offenses (murder, rape, robbery, assault, burglary, larceny-theft, motor vehicle theft, and arson) investigated by or reported to their respective agency, and all allied part I supplementary information (including offense clearance, arrest, and disposition data) to the jurisdictional full-time municipal police department [or if no full-time department, shall report to the Division of State Police at the State Police station having jurisdiction in that municipality].

[(d) Part-time municipal police departments rules are:

1. As defined in these rules, part-time municipal police departments will submit on a monthly basis and forward by the third day following the close of the reporting period, to the Division of State Police at the State Police station having jurisdiction in that municipality, the following enumerated reports:

i. Special Police Report of Part I Offenses and Persons Arrested (S.P. 27-UCR).

(e) Other police and security agencies rules are:

1. Bi-state port authorities (except the Port Authority of New York and New Jersey police), bi-state agencies, colleges, universities and all other State, county and private educational facilities employing police or security personnel shall report all part I offenses (that is, murder, rape, robbery, assault, burglary, larceny-theft, motor vehicle theft, and arson) investigated by or reported to their respective agency, and all allied supplementary information (including offense clearance data and all part I and part II arrest and disposition data) to the full-time municipal police department where offense(s) occurred, or where no full-time police department exists, the offense and all part I and part II arrest and disposition data shall be reported to the jurisdictional State Police station responsible for enforcement in that municipality.

2. In addition to the notification of State or municipal police agencies on certain offense(s), arrest(s) and disposition(s), the agencies in (e)1 above shall, when requested by the Attorney General or the Division of State Police, submit on reports specified by the State Police Uniform Crime Reporting Unit all offense and arrest data occurring in their respective facilities and/or jurisdictions. These reports shall be forwarded to the Division of State Police, Uniform Crime Reporting Unit.]

(k) Bi-State port authorities or agencies, colleges, universities, and all other State, county and private educational facilities employing police or security personnel rules are:

[3.] **1.** The agencies [in (e)1 above] **listed in this section** will submit, [directly to the Uniform Crime Reporting Unit] **on a monthly basis**, and forward by the seventh day following the close of the reporting period the following enumerated reports:

i. Monthly Count of Criminal Offenses Involving Assault Firearms (S.P. 662). Each agency enumerated above will submit one report outlining, by municipality, all criminal offenses involving assault firearms investigated by said agency.

(f) A law enforcement agency shall submit its UCR data and reports either electronically through data entry in the Division's E-UCR website or through an electronic interface between the law enforcement agency's records management system (RMS) and the Division's E-UCR website. If the electronic interface option is unavailable the agency shall submit the UCR data collected through its RMS system to the Division for entry into E-UCR.]

i. Return A—Monthly Count of Offenses Known to Police (N.J.-UCR 365);

ii. Return A—Supplement, page 1 (N.J.-UCR 366);

iii. Return A—Supplement, page 2 (N.J.-UCR 366A);

iv. Age, Sex, Race, and Ethnic Origin of Persons Arrested (18 years of age and over) (N.J.-UCR 370); and

v. Age, Sex, Race, and Ethnic Origin of Persons Arrested (under 18 years of age) (N.J.-UCR 370A);

2. A Zero Report will be completed when no specific offenses have occurred for the reporting period;

3. The following reports will be submitted when the specific offenses involved have occurred:

i. Supplementary Homicide Report, 1a Murder (N.J.-UCR 367);

ii. Supplementary Homicide Report, 1b Manslaughter (N.J.-UCR 367A);

iii. Police Officers Killed or Assaulted Monthly Supplement (N.J.-UCR 369A);

iv. Supplementary Arson Report (N.J.-UCR 373);

v. Monthly Count of Criminal Offenses Involving Assault Firearms (S.P. 662);

vi. Supplementary Domestic Violence Offense Report (UCR-DV1);

vii. Supplementary Bias Incident Offense Report (UCR-BI1);

viii. Use of Force Report;

ix. Cargo Theft Report;

x. Human Trafficking Report;

xi. Carjacking Report; and

xii. Street Gang Contact/Offense Report (S.P. 153);

4. A Zero Report will be completed for the following when no specific offenses have occurred for the reporting period:

i. Supplementary Domestic Violence Offense Report (UCR-DV1);

ii. Supplementary Bias Incident Offense Report (UCR-BI1);

iii. Use of Force Report; and

iv. Cargo Theft Report; and

5. The following report shall be submitted annually, but no later than November 7th in each reporting year:

i. Number of Department Employees as of October 31st of Reportable Year (N.J.-UCR 369).

13:57-1.3 Exceptions

[(a) Exceptions concerning county law enforcement agencies include:

1. In order to evaluate the volume and types of offense data investigated by county park agencies, the Essex County park police shall submit on a monthly basis and forward by the seventh day following the close of the reporting period the following enumerated reports:

i. Return A—Monthly Count of Offenses Known to Police (N.J.-UCR 365):

(1) Report will be submitted for each individual municipality wherein a part I offense occurred.

ii. Return A—Supplement, page 1 (N.J.-UCR 366):

(1) Report will be submitted for each individual municipality wherein a part I offense occurred. Report will be submitted for each individual municipality wherein property was stolen or recovered in connection with part I offenses.

iii. Return A—Supplement, page 2 (N.J.-UCR 366A):

(1) Report will be submitted for each individual municipality wherein analysis of part I offenses and stolen property data is listed.

iv. Age, Sex, Race, and Ethnic Origin of Persons Arrested (18 years of age and over) (N.J.-UCR 370):

(1) All adult arrests made within the county jurisdictional boundaries will be submitted on one arrest report.

v. Age, Sex, Race, and Ethnic Origin of Persons Arrested (under 18 years of age) (N.J.-UCR 370A):

(1) All juvenile arrests made within the county jurisdictional boundaries will be submitted on one arrest report.

vi. Monthly Count of Criminal Offenses Involving Assault Firearms (S.P. 662):

(1) One report will be submitted outlining, by municipality, all criminal offenses involving assault firearms investigated by Essex County Park Police. This report will only be submitted when the agency investigates a criminal offense involving an assault firearm.

vii. The following reports will be submitted for each municipality only when those specific offense(s) occur:

(1) Supplementary Homicide Report, 1a Murder (N.J.-UCR 367);

(2) Supplementary Homicide Report, 1b Manslaughter (N.J.-UCR 367A);

(3) Police Officers Killed or Assaulted Monthly Supplement (N.J.-UCR 69A);

(4) Supplementary Arson Report (N.J.-UCR 373).

viii. The following report shall be submitted annually, but no later than November 7 in each reporting year:

(1) Number of Full-time Police Department Employees as of October 31 of Reportable Year (N.J.-UCR 369).]

[(b)] (a) Exceptions concerning State law enforcement agencies include:

1. Division of State Police: State Police having jurisdiction [on] **in all New Jersey municipalities**, toll roads, interstate highways, and all other highways where the State Police have the primary enforcement responsibility will be the reporting agency for all UCR offense, arrest, and disposition data. Where no full-time municipal police department exists **to provide primary police coverage**, it will be the responsibility of the jurisdictional State Police station to report all offense, arrest, and disposition data occurring in that municipality.

2. Palisades Interstate Park Commission: It is the responsibility of the Palisades Interstate Park Commission to submit on a monthly basis and forward by the seventh day following the close of the reporting period the following enumerated reports:

i. Return A—Monthly Count of Offenses Known to Police (N.J.-UCR 365):

(1) Report will be submitted for each individual municipality wherein a part I offense occurred within the jurisdiction of the Commission.

ii. Return A—Supplement, page 1 (N.J.-UCR 366):

(1) Report will be submitted for each individual municipality wherein a part I offense occurred within the jurisdiction of the Commission. Report will be submitted for each individual municipality wherein property was stolen or recovered in connection with part I offenses which have occurred within the jurisdiction of the Commission.

iii. Return A—Supplement, page 2 (N.J.-UCR 366A):

(1) Report will be submitted for each individual municipality wherein analysis of part I offenses and stolen property are listed which have occurred within the jurisdiction of the commission.

iv. Age, Sex, Race, and Ethnic Origin of Persons Arrested (18 years of age and over) (N.J.-UCR 370):

(1) All adult arrests made within the county jurisdictional boundaries of the commission will be submitted on one arrest report.

v. Age, Sex, Race, and Ethnic Origin of Persons Arrested (under 18 years of age) (N.J.-UCR 370A):

(1) All juvenile arrests made within the county jurisdictional boundaries of the commission will be submitted on one arrest report.

vi. Monthly Count of Criminal Offenses Involving Assault Firearms (S.P. 662). One report will be submitted outlining, by municipality, all criminal offenses involving assault firearms that were investigated by the Commission during the reporting period.

vii. The following reports will be submitted for each municipality only when those specific offense(s) occur within the jurisdiction of the commission:

(1) Supplementary Homicide Report, 1a Murder (N.J.-UCR 367);

(2) Supplementary Homicide Report, 1b Manslaughter (N.J.-UCR 367A);

(3) Police Officers Killed or Assaulted Monthly Supplement (N.J.-UCR 369A);

(4) Supplementary Arson Report (N.J.-UCR 373).

viii. The following report shall be submitted annually, but no later than November 7 of each reporting year:

(1) Number of Full-time Police Department Employees as of October 31 of Reportable Year (N.J.-UCR 369).]

[3.] **2.** New Jersey Transit Police Department: It is the responsibility of the New Jersey Transit Police Department to submit on a monthly basis and forward by the seventh day following the close of the reporting period the following enumerated reports:

i.-v. (No change.)

[vi. Monthly Count of Criminal Offenses Involving Assault Firearms (S.P. 662). One report will be submitted outlining, by municipality, all criminal offenses involving assault firearms that were investigated by the Transit Police during the reporting period.]

[vii.] **vi.** The following reports will be submitted [for each municipality only] when [those] the specific offense(s) [occurred within the jurisdiction of the Transit Police:] **involved have occurred:**

(1)-(2) (No change.)

(3) Police Officers Killed or Assaulted Monthly Supplement (N.J.-UCR 369A);

(4) Supplementary Arson Report (N.J.-UCR 373)[.];

(5) Monthly Count of Criminal Offenses Involving Assault Firearms (S.P. 662);

(6) Supplementary Domestic Violence Offense Report (UCR-DV1);

(7) Supplementary Bias Incident Offense Report (UCR-BI1);

(8) Use of Force Report;

(9) Cargo Theft Report;

(10) Human Trafficking Report;

(11) Carjacking Report; and

(12) Street Gang Contact/Offense Report (S.P. 153).

[viii. The following report shall be submitted annually, but no later than November 7 of each reporting year:

(1) Number of Full-time Police Department Employees as of October 31 of Reportable Year (N.J.-UCR 369).]

[(c)] **(b)** Exceptions concerning [bi-state port authorities] **Bi-State agencies** include:

1. It is the responsibility of [the Port Authority of New York and New Jersey] **each Bi-State agency** to submit on a monthly basis and forward

by the seventh day following the close of the reporting period the following enumerated reports:

i. Return A—Monthly Count of Offenses Known to Police (N.J.-UCR 365)[.];

(1) Report will be submitted for each individual municipality wherein a part I offense occurred[.];

ii. Return A—Supplement, page 1 (N.J.-UCR 366):

(1) Report will be submitted for each individual municipality wherein a part I offense occurred. Report will be submitted for each individual municipality wherein property was stolen or recovered in connection with part I offenses[.];

iii. Return A—Supplement, page 2 (N.J.-UCR 366A):

(1) Report will be submitted for each individual municipality wherein analysis of part I offenses and stolen property data is listed[.];

iv. Age, Sex, Race, and Ethnic Origin of Persons Arrested (18 years of age and over) (N.J.-UCR 370):

(1) All adult arrests made within each county jurisdictional boundary will be submitted on one arrest report[.];

v. Age, Sex, Race, and Ethnic Origin of Persons Arrested (under 18 years of age) (N.J.-UCR 370A):

(1) All juvenile arrests made within each county jurisdictional boundary will be submitted on one arrest report[.]; **and**

[vi. Monthly Count of Criminal Offenses Involving Assault Firearms (S.P. 662):

(1) One report will be submitted outlining, by municipality, all criminal offenses involving assault firearms investigated by the Port Authority of New York and New Jersey Police. This report will only be submitted when the agency investigates a criminal offense involving an assault firearm.]

[vii.] **vi.** The following reports will be submitted [for each municipality only] when [those] **the** specific offense(s) occurred:

(1)-(3) (No change.)

(4) Supplementary Arson Report (N.J.-UCR 373)[.];

(5) Monthly Count of Criminal Offenses Involving Assault Firearms (S.P. 662);

(6) Supplementary Domestic Violence Offense Report (UCR-DV1);

(7) Supplementary Bias Incident Offense Report (UCR-BI1);

(8) Use of Force Report;

(9) Cargo Theft Report;

(10) Human Trafficking Report;

(11) Carjacking Report; and

(12) Street Gang Contact/Offense Report (S.P. 153).

[viii. The following report shall be submitted annually, but no later than November 7 in each reporting year:

(1) Number of Full-time Police Department Employees assigned to New Jersey as of October 31 of Reportable Year (N.J.-UCR 369).]

[(d)] **(e)** (No change in text.)

[(e)] **(d)** Nothing in [these regulations] **this chapter** shall preclude the Attorney General or Division of State Police for requiring the submission or deletion of any information that may be deemed necessary to maintain a viable and current uniform crime reporting system.

[(f)] **(e)** (No change in text.)

13:57-1.4 Failure to report

(a) Law enforcement agencies that fail to submit the reports required [by] **at** N.J.A.C. 13:57-1.2 shall be subject to the following actions:

[1. The Division of State Police Uniform Crime Reporting (UCR) Unit shall make every effort to contact the head of the agency to ascertain reasons for the delinquency and to assist with possible solutions to any identified problems, as follows:]

[i.] **1.** On the 15th day following the close of the reporting period, an electronic notice of delinquency [shall be sent] **will be auto-generated** to the law enforcement agency's UCR reporter;

[ii.] **2.** If the report is not received by the 22nd day following the close of the reporting period, an electronic notice of delinquency [shall be sent] **will be auto-generated** to the head of the law enforcement agency and other administrative workstations within the law enforcement agency; [and]

[iii.] 3. If the report is not received by the 30th day following the close of the reporting period, an electronic notice of delinquency shall be sent **both electronically and through U.S. mail** to the respective county prosecutor and the UCR representative of the New Jersey State Association of Chiefs of Police;

[2.] 4. (No change in text.)

[3.] 5. In the discretion of the Attorney General, appropriate action may include, but shall not be limited to, suspension or termination of eligibility to receive forfeiture moneys and/or award of grant funds provided to the law enforcement agency by or through the Department of Law and Public Safety, and additional notice of such action may be sent to the respective county prosecutor’s office, including authorizing the prosecutor to exercise direct oversight, as well as the governing body or chief executive of the municipality or other government entity; [and]

[4.] 6. At the time of compilation of any of the annual Uniform Crime Report, a reporting agency that has not supplied the necessary information after being contacted by the UCR Unit, shall be noted as “DID NOT REPORT” in the annual publication[.]; and

7. The Division of State Police UCR Unit shall make every effort to contact the head of the agency to ascertain the reasons for the delinquency and to assist with possible solutions to any identified problems.

PUBLIC UTILITIES

(a)

BOARD OF PUBLIC UTILITIES

All Utilities

Notice of Proposed Substantial Changes Upon Adoption to Proposed Amendments

Proposed Change: N.J.A.C. 14:3-3A.1

Proposed: February 22, 2022, at 54 N.J.R. 341(a).

Authorized By: New Jersey Board of Public Utilities, Joseph L. Fiordaliso, President, Mary-Anna Holden, Dianne Solomon, Upendra Chivukula, and Robert M. Gordon, Commissioners.

Authority: N.J.S.A. 48:2-13; 48:2-16, 16.1, 16.2, 16.3, 16.4, 17, 20, 23, 24, 25, and 27; 48:3-2.3, 3, 4, and 7.8; and 48:19-17.

BPU Docket Number: AX21070998.

The deadline for comments on this notice of proposed substantial changes upon adoption is October 14, 2022.

Please submit comments directly by using the Board of Public Utilities (Board’s) Public Document Search tool, search for the specific docket listed above, and post by utilizing the “Post Comments” button. Written comments may also be submitted. Please include subject matter and docket number and submit to:

Secretary of the Board
44 South Clinton Ave., 1st Floor
PO Box 350
Trenton, NJ 08625-0350
Attn: BPU Docket Number: AX21070998
Email: board.secretary@bpu.nj.gov
Phone: 609-292-1599

All comments are considered “public documents” for purposes of the State’s Open Public Records Act, N.J.S.A. 47:1A-1 et seq. Commenters may identify information that they seek to keep confidential by submitting it in accordance with the confidentiality procedures set forth at N.J.A.C. 14:1-12.3.

Take notice that the Board of Public Utilities proposed amendments at N.J.A.C. 14:3-3A.1(d) on February 22, 2022, at 54 N.J.R. 341(a). The current rule requires a utility to provide reasonable notice to a customer when a utility suspends, curtails, or discontinues service to the customer for any reason other than nonpayment, to the extent reasonably possible. The proposed amendments: 1) added language specifying that such notice may include, but is not limited to, the use of two or more of the following: mailings, text messages, email, telephone calls, door hangers, and/or in-

person contact with the customer; 2) added language requiring the utility to provide proof of such notice to Board staff upon request; and 3) deleted existing language that otherwise would have allowed the utility to provide such notice “to the extent reasonably possible.” The public comment period closed on April 23, 2022.

The Board is proposing a substantial change to the amendment in response to comments received on the notice of proposal. Specifically, the Board is proposing to reinsert the deleted language and, thereby, require a utility to provide such newly prescribed two forms of notice to a customer “to the extent reasonably possible.” A summary of the comments that prompted the change, and the agency response to them is provided below. This notice of proposed substantial change is published pursuant to N.J.S.A. 52:14B-4.10.

Comments on the original proposal were received from Jersey Central Power & Light Company (JCP&L); New Jersey American Water Company (NJAWC); New Jersey Utilities Association (NJUA); and the regulated wholly owned subsidiaries of Verizon Communications Inc., operating in New Jersey, including Verizon New Jersey Inc. and MCImetro Access Transmission Services LLC d/b/a Verizon Access Transmission Services and MCI Communications Services LLC d/b/a Verizon Business Services (Verizon).

SUBCHAPTER 3A. DISCONTINUANCE AND RESTORATION OF SERVICE

N.J.A.C. 14:3-3A.1 Basis of Discontinuance of Service

1. COMMENT: The commenter objects to the proposed deletion of “to the extent reasonably possible” and changes that would require utilities to provide at least two different forms of notice before suspending, curtailing, or discontinuing service for any reason other than nonpayment. The commenter states that the discontinuance of service, in some cases, may be necessary to address safety, law enforcement-related, or other emergency issues. The proposed requirement of two notices in different forms may constrict the utilities’ ability to address hazardous situations in a timely manner, and under certain unusual conditions, it may not be feasible to provide advance notice without seriously compromising safety or reliability. The commenter does support the requirement to provide notice to the extent reasonably possible, but states that the new requirement is impractical, infeasible, and unsafe. (Verizon)

2. COMMENT: The commenter states the proposed amendments at N.J.A.C. 14:3-3A.1 can be taken as the company needing to give two notices before service disconnection for any reason at all other than nonpayment, which can be problematic for emergency and other safety purposes. The commenter is also concerned that an absolute requirement of prior notice would delay quick intervention and could expose persons and property to additional risk. Thus, the commenter requests that the “to the extent reasonably possible” language be retained. (NJAWC)

3. COMMENT: The proposed amendments at N.J.A.C. 14:3-3A.1 require two forms of notice before disconnecting for any reason other than nonpayment. The utilities recommend that the Board further amend this section to add back existing regulatory language stating that notice be provided “to the extent reasonably possible” as there are numerous circumstances requiring a utility to make repairs for safety and other emergency purposes or to respond to outages. In these cases, providing two notices is simply not feasible and will result in delays to necessary repair work required for safety and system reliability reasons. Requiring two notices would also impact disconnects made to address hazards caused by tampering, creating safety issues for customers and utility systems. Finally, the commenter notes that this two-notice method requirement may also delay energy delivery service suspension activities. (NJUA)

4. COMMENT: The commenter strongly opposes the proposed amendments to this section, as they will cause delayed restoration times for customers and will lead to the prolonged existence of hazardous conditions. Prompt action to disconnect a customer’s service may be necessary for the purpose of making repairs, complying with any governmental order or directive, or mitigating hazardous conditions that may place customers and utility employees at risk of physical harm or death. The utilities are currently required to notice such disconnections only “to the extent reasonably possible.” The proposed amendments abandon this provision and always require that two forms of notice be