

13:35-6A.4 Standards for declaration of brain death

Declarations of brain death shall be made by a physician, meeting the requirements set forth in N.J.A.C. 13:35-6A.3, based upon the exercise of the physician’s best medical judgment and in accordance with currently accepted medical standards that are based upon nationally recognized sources of practice guidelines, including, without limitation, guidelines adopted by the American Academy of Neurology.

13:35-6A.7 Pronouncement of death

The examining physician shall document the determination of brain death in the patient record and shall sign the chart. The actual pronouncement of death may thereafter be made by the examining physician or any plenary licensed physician acting upon the authorization of the examining physician.

(a)

DIVISION OF STATE POLICE

**Notice of Readoption
Boat Safety Course**

Readoption with Technical Changes: N.J.A.C. 13:61

Authority: N.J.S.A. 12:7-60.

Authorized By: Joseph R Fuentes, Superintendent, Division of State Police.

Effective Dates: August 30, 2017, Readoption;
October 2, 2017, Technical Changes.

New Expiration Date: August 30, 2024.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the Boat Safety Course rules at N.J.A.C. 13:61 were scheduled to expire on November 23, 2017. N.J.S.A. 12:7-60 requires that the Superintendent of State Police establish a list of approved boat safety courses, offered by public or private persons or agencies for profit or otherwise, and taught by approved boat safety instructors. The rules at N.J.A.C. 13:61 outline the procedures for obtaining approval of a boat safety course for formal instruction in power vessel safety and handling, and the establishment of a list of approved boat safety courses. The Division of State Police has reviewed these rules and determined that the rules should be readopted, with technical changes, because they are necessary, reasonable, and proper for the purpose for which they were originally promulgated. The technical changes update the National Association of State Boating Law Administrators address in N.J.A.C. 13:61-1.4(a) and remove the effective date of the Internet course information in N.J.A.C. 13:61-1.4(d)3.

In accordance with N.J.S.A. 52:14B-5.1.c(1), timely filing of this notice extends the expiration date of the chapter seven years from the date of filing.

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

SUBCHAPTER 1. BOAT SAFETY COURSE REQUIREMENTS

13:61-1.4 Course requirements; requirements for approval

(a) Course materials submitted for approval shall comply with the National Association of State Boating Law Administrators (NASBLA) boat safety course standards 1.1 through 8.2.14, and R1 through R4, as published in the [2010] **2016** version of the “National Boating Education Standards,” incorporated herein by reference, as amended and supplemented, in effect at the time the course is submitted. The standards may be obtained from the National Association of State Boating Law Administrators, [1500 Leestown Rd, Ste 330.] **1648 McGrathiana Parkway**, Lexington, KY 40511 or online at www.nasbla.org. Delivery of approved courses shall comply with the standards in effect at the time that the course is taught.

(b)-(c) (No change.)

(d) Except as provided in (d)3 below, an approved course shall be a minimum of eight hours in length. The eight hours shall consist of at

least six hours of in-person formal instruction by an approved boat safety instructor. A 10 minute, non-cumulative break within each hour of instruction is permitted. The remaining two hours shall consist of either in-person formal instruction or home study assigned by the instructor, which shall require the completion of written homework, and up to one hour for testing. All instruction required under (a) and (b) above shall be covered through in-person formal instruction and may be supplemented through written homework.

1.-2. (No change.)

3. An Internet course that is submitted for approval is subject to all requirements of this chapter, except the requirement for in-person classroom instruction.

i. The Internet course shall provide the equivalent of eight hours of instruction. The Internet course shall be constructed in a way that does not allow the student to skip any pages or sections, or complete the online portion of the course in less than five hours. Each section or page of an Internet course shall be displayed for an amount of time appropriate for the complexity and amount of content found in that section or page. The five hours shall not include the time required to complete the comprehensive review quizzes set forth in (d)3iii below or the in-person proctored test required by (e) below. The course shall be so constructed as to allow the student to stop and re-start, and return to complete the course at a later time, thus, not requiring that the course be completed without pause. Courses may include graphics, and when possible, include animation (video, etc) to demonstrate various concepts. [The provisions of this paragraph shall become operative as of March 1, 2011.]

ii.-vi. (No change.)

(e)-(f) (No change.)

(b)

NEW JERSEY RACING COMMISSION

**Notice of Readoption
Horse Racing**

Readoption: N.J.A.C. 13:70

Authority: N.J.S.A. 5:5-30.

Authorized By: Frank Zanzucki, Executive Director, New Jersey Racing Commission.

Effective Date: August 28, 2017.

New Expiration Date: August 28, 2024.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 13:70 were scheduled to expire on December 7, 2017. In accordance with N.J.S.A. 5:5-30, the rules at N.J.A.C. 13:70 establish the rules regulating thoroughbred horse racing in New Jersey. The rules at N.J.A.C. 13:70 also establish general standards of practice within the industry.

The rules proposed for readoption have had an advantageous impact on the regulation and conduct of racing, industry participants, and racetrack permitholders. The chapter proposed for readoption contains 32 subchapters, described as follows:

Subchapter 1, General Rules, contains the chapter’s rules of general applicability, including applicability of the rules, standards of behavior, and racetrack policing requirements.

Subchapter 2, Definitions, defines various terms used in Chapter 70, including the definition of racing terminology as relevant to the thoroughbred industry.

Subchapter 3, Racing Associations, sets forth various requirements placed upon permitted racing associations, including conditions and procedures for licensure, equipment and facility maintenance, prohibited activities on the grounds of a racetrack, insurance maintenance requirements, and admission age criteria.

Subchapter 4, Licensing, contains the procedures and fees for licensure.

Subchapter 5, Stable Name, Corporations, Multiple Ownerships, establishes requirements and licensure procedures with respect to stable names, corporations, and multiple ownerships.

Subchapter 6, Entries and Subscriptions, sets forth the requirements for entries and subscriptions. This subchapter includes provisions with respect to the coupling of horses, tattooing requirements, and work out program requirements.

Subchapter 7, Declarations and Scratches, establishes the methods of declaring horses to start and scratching of horses.

Subchapter 8, Weights, establishes the method of assigning weights to horses and equipment requirements.

Subchapter 9, Jockeys, Jockey Apprentices and Jockey Agents, sets forth requirements and restrictions with respect to jockeys, jockey equipment and fees, jockey agents, and jockey apprentices.

Subchapter 10, Paddock to Post, sets forth the requirements for horses from paddock to post, which includes the post parade.

Subchapter 11, Post to Finish, contains the requirements for post to finish, including jockey requirements related thereto.

Subchapter 12, Claiming, sets forth the rules and procedures with respect to the claiming of horses.

Subchapter 13, Objections and Protests, sets forth the procedures to lodge objections and protests.

Subchapter 13A, Appeals, sets forth the procedures to file appeals.

Subchapter 14, Illegal Practices, sets forth illegal practices, imposes requirements on individuals to cooperate in its investigations or prosecutions and to report violations to the stewards, sets forth various responsibilities of the New Jersey State Police, and requires filing of equine fatality reports, as appropriate.

Subchapter 14A, Medication and Testing Procedures, sets forth the procedures for implementation and penalties for detection, concerning testing of horses for foreign substances and the testing of individuals subject to the Commission's jurisdiction for alcohol, controlled dangerous substances, or contraband.

Subchapter 15, Racing Officials, defines race officials and sets forth various restrictions and duties with respect thereto.

Subchapter 16, Stewards, establishes the qualifications, authority, and various duties of the thoroughbred stewards.

Subchapter 17, Starter, establishes the qualifications for starters and the responsibilities placed upon the starter.

Subchapter 18, Racing Secretary, sets forth the duties of the race secretary.

Subchapter 19, Other Officials, establishes the qualification and duties of other officials, including the clerk of scales, the jockey room custodian, paddock judge, patrol judges, placing judges, and State Veterinarians.

Subchapter 20, Trainers, establishes the qualifications and responsibilities placed upon the trainers.

Subchapter 21, Owners, sets forth the qualifications and responsibilities placed upon the owners.

Subchapter 22, Authorized Agents, establishes the qualification and responsibilities of those granted authority on behalf of another, namely authorized agents and sub-agents.

Subchapter 23, Disciplinary Actions, sets forth penalties and certain disciplinary related items.

Subchapter 24, Steeplechasing, establishes procedures in connection with steeplechase or hurdle race events.

Subchapter 25, Dead Heats, sets forth the procedures in the event a race competition ends in a dead heat.

Subchapter 26, Produce Races, sets forth the qualifications for produce races.

Subchapter 27, Vendors, establishes the licensing procedures for vendors and imposes labeling requirements with respect to drugs, etc., on race association grounds.

Subchapter 28, Winnings, establishes the procedures utilized for computing the winnings of horses.

Subchapter 29, Mutuels, sets forth the procedures and methods for computing prices to be paid to the patrons in the various types of wagering, as well as the duties of the Supervisor of Mutuels.

Subchapter 30, Initial Track Application, sets forth the qualifications for an initial application for a permit to conduct a horse racing meeting.

Subchapter 31, Violations, sets forth violations of the rules and regulations of the Commission and provides for penalties to be imposed.

Subchapter 32, Self-Exclusion List, incorporates N.J.A.C. 13:74, which establishes procedures for problem gamblers to voluntarily exclude themselves from racetracks, the account wagering system, and off-track wagering facilities, into this chapter.

The New Jersey Racing Commission has reviewed the rules and has determined them to be necessary, reasonable, and proper for the purpose for which they were originally promulgated. Pursuant to N.J.S.A. 5:5-30, and in accordance with N.J.S.A. 52:14B-5.1, these rules are readopted and shall continue in effect for a seven-year period.

(a)

NEW JERSEY RACING COMMISSION

Notice of Readoption Harness Racing

Readoption: N.J.A.C. 13:71

Authority: N.J.S.A. 5:5-30.

Authorized By: Frank Zanzuccki, Executive Director, New Jersey Racing Commission.

Effective Date: August 28, 2017.

New Expiration Date: August 28, 2024.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 13:71 were scheduled to expire on December 7, 2017. In accordance with N.J.S.A. 5:5-30, the rules at N.J.A.C. 13:71 establish the rules regulating standardbred horse racing in New Jersey. The rules at N.J.A.C. 13:71 also establish general standards of practice within the industry.

The rules proposed for readoption have had an advantageous impact on the regulation and conduct of harness racing, industry participants, and racetrack permitholders. The chapter proposed for readoption contains 30 subchapters, described as follows:

Subchapter 1, General Rules, contains the chapter's rules of general applicability, including applicability of the regulations and standards of behavior.

Subchapter 2, Violations, sets forth various penalties for violations of the law, or of the rules of the Racing Commission.

Subchapter 3, Appeals, sets forth the right of appeal with respect to determinations of violations of the rules, including the procedures and requirements for requesting an appeal.

Subchapter 4, Definitions, defines various terms used in Chapter 71, including definitions of racing terminology, as relevant to harness racing.

Subchapter 5, Tracks, contains various requirements placed upon permitted racetracks, including policing requirements, access to grounds, and prohibited forms of wagering activities thereupon.

Subchapter 6, Associations, sets forth additional requirements placed upon associations, such as compensation insurance carriage, paddock-related rules, ambulance maintenance on racetrack grounds requirements, and the race permit application review process.

Subchapter 7, Licensing, contains the procedures and fees for licensure.

Subchapter 8, Officials, sets forth the qualifications, duties and authority of the racing officials, as well as the Racing Commission's Executive Director.

Subchapter 9, Veterinarians and Veterinarian Certificates, establishes the qualifications and responsibilities of State veterinarians and practicing veterinarians, pertaining to harness racing.

Subchapter 10, Program, contains race program requirements and requires that such information be reliable.

Subchapter 11, Identification of Horses and Eligibility to Run, sets forth the procedures and qualifications for identification of horses and their eligibility to run.