

Subchapter 19 sets forth the settlement process and the information needed in a Stipulation of Settlement and Withdrawal when it is executed by the parties.

The Office of Administrative Law has reviewed these rules and found them to be necessary, reasonable, and proper for the purposes in which they were originally promulgated, as required by Executive Order No. 66 (1978). Therefore, 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.

(a)

OFFICE OF ADMINISTRATIVE LAW

Notice of Readoption

Special Hearing Rules

Department of Children and Families Hearings

Readoption: N.J.A.C. 1:10A

Authority: N.J.S.A. 52:14F-5(e), (f), and (g).

Authorized By: Ellen Bass, Acting Director, Office of Administrative Law.

Effective Date: November 5, 2021.

New Expiration Date: November 5, 2028.

Take notice that pursuant to N.J.S.A. 52:14B-5.1.c, the special rules for matters transmitted to the Office of Administrative Law (OAL) by the Department of Children and Families (DCF) were scheduled to expire on November 5, 2022. The summary of the readopted subchapters follows:

Subchapter 1 provides for applicability of the rules to cases involving issues of abuse and neglect transmitted by the Department of Children and Families.

Subchapter 2 defines agency head for Department of Children and Families cases.

Subchapters 3 through 11 are reserved.

Subchapter 12 sets forth the process to move for access to the hearing, the record of the hearing, the initial decision, or other material protected by an order to seal.

Subchapter 13 is reserved.

Subchapter 14 sets forth the process to seal the record and close the hearing in DCF matters and the process to seal the record and close the hearing to the extent necessary to protect DCF records and reports where the DCF matter is consolidated with a matter transmitted from another State agency.

Subchapters 15 and 16 are reserved.

Subchapter 17 describes the procedure when a DCF case involving allegation of abuse and neglect is consolidated with a case transmitted by another State agency.

The Office of Administrative Law has reviewed these rules and found them to be necessary, reasonable, and proper for the purposes in which they were originally promulgated, as required by Executive Order No. 66 (1978). Therefore, 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.

(b)

OFFICE OF ADMINISTRATIVE LAW

Notice of Readoption

Special Hearing Rules

Insurance Filing Hearings

Readoption: N.J.A.C. 1:11

Authority: N.J.S.A. 52:14F-5(e), (f), and (g).

Authorized By: Ellen Bass, Acting Director, Office of Administrative Law.

Effective Date: November 5, 2021.

New Expiration Date: November 5, 2028.

Take notice that pursuant to N.J.S.A. 52:14B-5.1.c, the Special Hearing Rules for Insurance Filing Hearings were scheduled to expire on October 3, 2021. These rules outline procedures for evidence and testimony in insurance filing matters. Pursuant to Executive Order Nos. 127 (2020) and 244 (2021) and P.L. 2021, c. 103, any chapter of the New Jersey Administrative Code that would otherwise have expired during the Public Health Emergency originally declared in Executive Order No. 103 (2020) is extended through January 1, 2022. Therefore, this chapter has not yet expired and the 30-day filing date pursuant to N.J.S.A. 52:14B-5.1.c has not yet occurred, therefore, pursuant to Executive Order No. 244 (2021), and P.L. 2021, c. 103, this notice of readoption is timely filed.

The Office of Administrative Law has reviewed these rules and found them to be necessary, reasonable, and proper for the purposes in which they were originally promulgated, as required by Executive Order No. 66 (1978). Therefore, 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.

(c)

OFFICE OF ADMINISTRATIVE LAW

Notice of Readoption

Special Hearing Rules

Motor Vehicle Commission Cases

Readoption: N.J.A.C. 1:13

Authority: N.J.S.A. 52:14F-5(e), (f), and (g).

Authorized By: Ellen Bass, Acting Director, Office of Administrative Law.

Effective Date: November 5, 2021.

New Expiration Date: November 5, 2028.

Take notice that pursuant to N.J.S.A. 52:14B-5.1.c, the special rules for matters transmitted to the Office of Administrative Law (OAL) by the Motor Vehicle Commission (Commission) were scheduled to expire on May 18, 2022. The summary of the readopted subchapters follows:

Subchapter 1 sets forth the applicability of the chapter.

Subchapter 4 outlines the process of the agency settlement conference and determines at what point the Commission may transmit the matter to the OAL. Additionally, the subchapter states what information should be gathered at the settlement conference.

Subchapter 10 sets forth that the documents available in discovery are limited to the Commission records. The Commission will provide certain documents in excessive points and violator cases. The Commission will provide a copy of the records to the licensee and the licensee may make any discovery request as part of the hearing request or at a pretransmission conference conducted by the Commission.

Subchapter 14 sets forth the documents that will be used by the Commission in excessive points and persistent violator cases. It states that the judge shall issue an immediate suspension or continued suspension of the licensee's driving privileges where the licensee has failed to appear after he or she was provided with appropriate notice at a preliminary fatal accident hearing.

The Office of Administrative Law has reviewed these rules and found them to be necessary, reasonable, and proper for the purposes in which they were originally promulgated, as required by Executive Order No. 66 (1978). Therefore, 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.