

planner/project designer training course. N.J.A.C. 8:62-4.10 would continue to establish the criteria for topics for the lead abatement worker for commercial buildings and superstructures training course. N.J.A.C. 8:62-4.11 would continue to establish the criteria for topics in the lead abatement supervisor for commercial buildings and superstructures training course. N.J.A.C. 8:62-4.12 would continue to establish criteria for the topics in the refresher training courses. N.J.A.C. 8:62-4.13 would continue to establish standards for granting certifications. N.J.A.C. 8:62-4.14 would continue to establish standards for the renewal of training agency certifications. Finally, N.J.A.C. 8:62-4.15 would continue to establish standards for the suspension or revocation of a training agency certification or instructor approval.

N.J.A.C. 8:62-5.1 would continue to establish the scope of Subchapter 5. N.J.A.C. 8:62-5.2 would continue to establish the standards for compliance. N.J.A.C. 8:62-5.3 would continue to establish standards for the statement of imminent hazard. N.J.A.C. 8:62-5.4 would continue to establish civil administrative penalties. Finally, N.J.A.C. 8:62-5.5 would establish rights for hearings.

The rules remain necessary, proper, reasonable, efficient, understandable, and responsive for the purposes for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), N.J.A.C. 8:62 is readopted and shall continue in effect for a seven-year period.

TRANSPORTATION

(a)

MOTOR VEHICLE COMMISSION REGULATORY AFFAIRS (COMMERCIAL PASSENGER TRANSPORTATION)

Zone of Rate Freedom

Adopted Amendment: N.J.A.C. 16:53D-1.1

Proposed: November 3, 2025, at 57 N.J.R. 2473(a).

Adopted: May 28, 2026, by the Motor Vehicle Commission, Rosalie Johnson, Acting Chair and Chief Administrator.

Filed: May 29, 2026, as R.2026 d.078, **without change**.

Authority: N.J.S.A. 39:2-3, 39:2A-21, 39:2A-28, 48:4-2.21, and 48:4-2.25.

Effective Date: July 6, 2026.

Expiration Date: March 4, 2032.

Summary of Public Comment and Agency Response:

No comments were received.

Federal Standards Statement

A Federal standards analysis is not required because the adopted amendment is dictated by State statutes and is not subject to Federal requirements or standards.

Full text of the adoption follows:

SUBCHAPTER 1. GENERAL PROVISIONS

16:53D-1.1 General provisions

(a) Any regular route autobus carrier operating within the State, which carrier seeks to revise its rates, fares, or charges in effect as of the time of the promulgation of this rule, shall not be required to conform with N.J.A.C. 16:51-3.10, Tariff filings that do not propose increases in charges to customers, or 3.11, Tariff petitions that propose increases in charges to customers, provided the increase or decrease in the rate, fare, or charge, or the aggregate of increases and decreases in any single rate, fare, or charge is not more than the maximum percentage increase (10 percent for 2026) or decrease (10 percent for 2026), upgraded to the nearest \$.05.

1. For illustrative purposes, the following chart sets forth the 2026 percentage maximum for increases to particular rates, fares, or charges and the resultant amount as upgraded to the nearest \$.05:

(No change in table.)

2. For 2026 purposes, the following chart sets forth the 2026 percentage maximum for decreases to particular rates, fares, or charges and the resultant amount as upgraded to the nearest \$.05:

(No change in table.)

3. (No change.)

TREASURY—GENERAL

(b)

DIVISION OF PENSIONS AND BENEFITS BOARD OF TRUSTEES OF THE POLICE AND FIREMEN'S RETIREMENT SYSTEM

Police and Firemen's Retirement System of New Jersey Rules

Readoption with Amendments: N.J.A.C. 17:4

Adopted Repeal and New Rule: N.J.A.C. 17:4-8.3

Proposed: February 17, 2026, at 58 N.J.R. 1058(a).

Adopted: May 11, 2026, by the Police and Firemen's Retirement System of New Jersey Board of Trustees, James A. Kompany, Chairman.

Filed: June 9, 2026, as R.2026 d.082, **with non-substantial changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-6.3).

Authority: N.J.S.A. 43:16A-1 et seq., specifically 43:16A-13.

Effective Dates: June 9, 2026, Readoption;
July 6, 2026, Amendments, Repeal, and New Rule.

Expiration Date: June 9, 2033.

Summary of Public Comments and Agency Responses:

The official comment period ended April 18, 2026. **No comments were received.**

Summary of Agency-Initiated Changes Upon Adoption:

1. The Board of Trustees of the Police and Firemen's Retirement System (PFRSNJ) is changing the definition of "child" at N.J.A.C. 17:4-1A.1 to remove the emancipation requirement because the requirement is not reflected in the governing statute and is inconsistent with the Supreme Court's recent interpretation of N.J.S.A. 43:16A-12.1 in *S.L.W. v. N.J. Div. of Pensions & Benefits*, 238 NJ 385, 387 (2019). This change expands eligibility consistent with *S.L.W.* and the governing statute.

2. N.J.A.C. 17:4-3.4(c) is changed to clarify the effective date of retirement for purposes of eligibility for retired death benefits consistent with N.J.A.C. 17:4-3.4(a).

3. N.J.A.C. 17:4-6.1 is changed to remove the language that inaccurately suggests that a retirement application must be filed by members in consultation with the Division of Pensions and Benefits. The change clarifies that retirement applications are filed by members with the PFRSNJ and does not alter the requirements for filing or processing a retirement application.

4. N.J.A.C. 17:4-6.1(d)2ii(3) is changed to clarify the qualifications applicable to comparable mental health providers.

5. N.J.A.C. 17:4-6.1(d)2ii(4) is changed to remove unnecessary language concerning the source of payment for an independent medical examination. The change clarifies that the acceptability of an independent medical examination report depends upon whether the report and supporting documentation support the disability retirement application, rather than upon the identity of the person who paid for the examination.

6. N.J.A.C. 17:4-6.1(e) is changed to clarify applicability of the 12-month document deadline to all disability applications, including applications filed pursuant to N.J.S.A. 43:16A-7.4. This change conforms the rule text to existing administrative practice, through

which COVID-19 disability retirement applications are processed as disability retirement applications and are subject to administrative closure if supporting documentation is not timely submitted. The change extends the document deadline from six to 12 months for COVID-19 disability retirement applications.

7. N.J.A.C. 17:4-6.15 is changed to clarify that notices to employees and employers continue to be issued in consultation with the Division of Pensions and Benefits consistent with existing operational practices and statutory responsibilities, and to ensure consistency with similar amendments throughout the chapter.

8. N.J.A.C. 17:4-6.19(e) is changed to clarify that certain retirement-related administrative functions, including post-retirement investigations, continue to be performed in consultation with the Division of Pensions and Benefits, consistent with existing operational practices and statutory responsibilities, and to ensure consistency with similar amendments throughout the chapter.

9. N.J.A.C. 17:4-6.19(f) is changed to remove redundant language and to be consistent with references to the Board throughout the chapter.

10. The definition of “Medical Review Board” at N.J.A.C. 17:4-8.2 is changed to remove redundant language and to be consistent with references to the Board throughout the chapter.

11. N.J.A.C. 17:4-8.3(c) is amended upon adoption to remove an inaccurate cross-reference to subsection (b). The amendment is technical in nature and does not alter the documentation required to establish eligibility for the World Trade Center presumption, nor does it expand or restrict the class of persons eligible to invoke the presumption.

12. N.J.A.C. 17:4-8.3(d) is changed to remove redundant language in order to be consistent with references to the Board throughout the chapter and to replace the term “member” with the more accurate term “retiree.” The change clarifies that subsection (d) applies to retirees seeking recalculation of an existing retirement allowance, consistent with the governing statute.

13. N.J.A.C. 17:4-8.3(d)3 is changed to remove duplicative language and to include language directly from the governing statute that provides additional means of satisfying the evidentiary requirement concerning the absence of a qualifying condition or impairment of health upon entry into public service.

14. N.J.A.C. 17:4-8.3(e) is changed to replace the term “member” with the more accurate term “retiree.” The change clarifies that subsection (e) applies to retirees seeking recalculation of an existing retirement allowance, consistent with the governing statute.

15. N.J.A.C. 17:4-8.3(f)2 is changed to include language directly from the governing statute that provides additional means of satisfying the evidentiary requirement concerning the absence of a qualifying condition or impairment of health upon entry into public service.

16. N.J.A.C. 17:4-8.3(f)3 is changed to remove redundant language and to be consistent with references to the Board throughout the chapter.

17. N.J.A.C. 17:4-8.3(g) is changed to clarify applicability of the World Trade Center presumption procedures to retirees, consistent with the governing statute and similar provisions throughout the chapter, and to remove the language that inaccurately suggests that members and/or retirees file documentation identified at subsection (f) in consultation with the Division of Pensions and Benefits. The change clarifies that members file the documentation identified at subsection (f) with PFRSNJ.

18. N.J.A.C. 17:4-8.4 is restructured upon adoption. N.J.A.C. 17:4-8.4(b)1 is merged into N.J.A.C. 17:4-8.4(b) to clarify applicability of this section to retirees, to correct a technical error, and to refer to the correct cross-reference. N.J.A.C. 17:4-8.4(b)2, 3, and 4 are recodified as N.J.A.C. 17:4-8.4(c), (d), and (e), respectively, and changed to correct a legacy cross-reference that was carried forward from an earlier version of the rule and to refer to the applicable retirement system (PFRSNJ).

Federal Standards Statement

The rules readopted with amendments, repeal, and new rule meet the applicable Federal standards, that is, 26 U.S.C. § 403(b). There are no other Federal standards applicable to the subject matter of these rules.

Full text of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C. 17:4.

Full text of the adopted amendments and new rule follows (additions to proposal indicated in boldface with asterisks *thus*; deletions from proposal indicated in brackets with asterisks *[thus]*):

SUBCHAPTER 1. ADMINISTRATION

17:4-1.2 Fiscal year

(a) (No change.)

(b) All reports and statements will consider such a fiscal year except special reports not having a direct relationship to the financial transactions of the PFRSNJ.

17:4-1.3 Officers and committees

(a) (No change.)

1. (No change.)

2. A representative to the State Investment Council shall be elected pursuant to N.J.S.A. 52:18A-83 from the PFRSNJ’s membership for the next term.

(b)-(d) (No change.)

17:4-1.4 Election of active member-trustee

(a) The election procedures as required pursuant to N.J.S.A. 43:16A-13 for the election of a police or fire trustee representative to the Board are set forth in this section. For purposes of this section, the election cycle begins upon distribution of the notice of election and ends with the certification of the results by the Board.

(b) Eligible candidates shall include any active member of the PFRSNJ. Only police members may seek police seats, and only fire members may seek firefighter seats on the Board. All candidates shall comply with any and all requirements as provided by law and this chapter. Any candidate who fails to comply with the law and this chapter is automatically disqualified as a candidate.

(c) The following shall apply to the notice of election:

1.- 4. (No change.)

5. Election notices shall be distributed electronically to each eligible member through the certifying officer of each employing location. Employers will prominently post such notice. In addition, this notice will be posted to the Division’s website. Only active members of the PFRSNJ may vote in an election of member-trustee of the Board.

(d) The following shall apply to the nominating process:

1. The instructions for the nominating process shall be available at the Office of the Board Secretary of the PFRSNJ and on the Division’s website;

2.-10. (No change.)

(e)-(j) (No change.)

17:4-1.5 Certifying officer (employer)

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

(c) The certifying officer shall be responsible for all other duties relating to matters concerning the PFRSNJ.

(d) Upon the request of the Board, the certifying officer shall be required to sign a statement, verifying that any information reported is accurate to the best of the officer’s knowledge, and conforms with the statutes and rules governing the PFRSNJ.

17:4-1.6 Records

(a) (No change.)

(b) The annual report of the PFRSNJ’s actuary shall not be released until it has been accepted by the Board.

(c) (No change.)

17:4-1.11 Proof of age

(a) All members shall establish proof of their age with the PFRSNJ. Acceptable proofs of age include birth or baptismal certificates,

passports, naturalization papers, Biblical records, affidavits of older members of the immediate family, or primary school records.

(b) In the event a member dies before satisfactory evidence of the member's date of birth has been filed with the PFRSNJ, appropriate evidence may be required before any death claim is processed for settlement.

(c) In the event proof of age has not been filed with the PFRSNJ before retirement, such proof must be filed before any retirement benefits may be disbursed.

17:4-1.13 Election of retired member-trustee

(a) The election procedures as required pursuant to N.J.S.A. 43:16A-13 for the election of a retired member-trustee to the Board are set forth within this section. For purposes of this section, the election cycle begins upon distribution of the notice of election and ends with the certification of the results by the Board.

(b) Eligible candidates shall include all retired members of the PFRSNJ. A retired member is one who meets the criteria set forth at N.J.A.C. 17:4-6.3(a). All candidates shall comply with any and all requirements as provided by law and this chapter. Any candidate who fails to comply with the law and this chapter is automatically disqualified as a candidate.

(c) (No change.)

(d) The following shall apply to the nominating process:

1. The instructions for the nominating process shall be available at the Office of the Board Secretary of the PFRSNJ;

2.-7. (No change.)

(e)-(i) (No change.)

SUBCHAPTER 1A. DEFINITIONS

17:4-1A.1 Definitions

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

...
 "Board of Trustees" or "Board" means the Board of Trustees of the PFRSNJ established pursuant to N.J.S.A. 43:16A-13.

"Child," for purposes of determining a survivor's benefit pursuant to N.J.S.A. 43:16A-12.1 and 43:16A-1(21), shall mean a deceased member's or retiree's unmarried child that is:

1.-3. (No change.)

4. Of any age, when, at the time of the member's or retiree's death, the child is disabled because of an intellectual disability or physical incapacity, is unable to do any substantial, gainful work because of the impairment, and his or her impairment has lasted, or can be expected to last, for a continuous period of not less than 12 months, as affirmed by the medical review board of the Board. *[For purposes of determining whether a child qualifies pursuant to this paragraph, the child's disability must have developed before the child's emancipation.]*

"Direct supervision" and "general supervision" includes conducting performance evaluations, disciplining, adjusting grievances, rewarding, and assigning and directing the work of other employees.

...
 "Final compensation" means the base salary received for the 12 months immediately preceding retirement. For employees enrolled into the PFRSNJ on or after May 21, 2010, "final compensation" means the average annual compensation for the last three years of service, or any three fiscal years of membership that provide the largest possible benefit to the member or the member's beneficiary. Final compensation does not include extra compensation or money given in anticipation of retirement.

"Firefighter" shall have the meaning ascribed to that term pursuant to P.L. 1989, c. 204 (N.J.S.A. 43:16A-1).

...
 "PFRSNJ" means the Police and Firemen's Retirement System of New Jersey as defined and established at N.J.S.A. 43:16A-2.

"Police officer" shall have the meaning ascribed to that term pursuant to P.L. 1989, c. 204 (N.J.S.A. 43:16A-1).

...

"Years of service" means the amount of membership service credited to the member's PFRSNJ account.

SUBCHAPTER 2. ENROLLMENT

17:4-2.1 Eligible positions

(a) All public employees actively employed in positions meeting the statutory definition "police officer" or "firefighter" found at N.J.S.A. 43:16A-1(2)(a) and (b) shall be members of the PFRSNJ of New Jersey.

(b)-(d) (No change.)

(e) If an employee of a "law enforcement" or "firefighting unit" holds a position that has not been deemed eligible for inclusion in the PFRSNJ pursuant to P.L. 1989, c. 204 (N.J.S.A. 43:16A-1.2), and the employee or employer contends the duties of the position meet the definitions of police officer or firefighter as found at N.J.S.A. 43:16A-1 et seq., the employee or employer may submit a written request indicating why the position meets the above definitions. The appropriate documentation must accompany the request.

(f) The Director shall review the position and documentation to determine whether the duties and responsibilities of the position meet the definition of "police officer" or "firefighter." The Director shall then make a recommendation to the Board as to whether the position qualifies for inclusion in the PFRSNJ.

(g) If, after considering the recommendation of the Director, the Board determines that the employee meets the definition of "police officer" or "firefighter," the Board shall, prior to making a final determination, publish in the New Jersey Register a notice that it proposes to include the employee's position in the PFRSNJ. Interested parties shall be given at least 30 days to comment on the proposal.

(h)-(j) (No change.)

(k) To determine the PFRSNJ eligibility for Civil Service and non-Civil Service fire positions for employers with an established firefighting unit with a State, county, regional services, or municipal firefighting department or unit, the Board requires the following items:

1.-9. (No change.)

(l) To determine the PFRSNJ eligibility for police positions for Civil Service and non-Civil Service employers in an established law enforcement unit with a State, county, or municipal police department or unit, the Board requires the following items:

1.-11. (No change.)

17:4-2.2 Compulsory enrollment

Pursuant to N.J.A.C. 17:4-2.3, 2.4, and 2.5, membership in the PFRSNJ is mandatory, and a condition of employment for every "police officer" or "firefighter" pursuant to the provisions at N.J.S.A. 43:16A-1 et seq.

17:4-2.3 Medical requirements

The employer must certify evidence of good health sufficient to satisfy the Board. If the Division or the Board has a question regarding the evidence of good health provided, the Division or Board may request that the applicant be examined by an independent physician designated to conduct such an examination for the PFRSNJ.

17:4-2.4 Training requirements

(a) (No change.)

(b) As required pursuant to N.J.S.A. 43:16A-1(2)(b), permanent, full-time firefighters are subject to the training and physical and mental fitness requirements applicable to the position of municipal firefighter established by the agency authorized to establish these requirements on a Statewide basis, or comparable training and physical and mental fitness requirements, as determined by the Board, before PFRSNJ enrollment may occur. The New Jersey Department of Environmental Protection (DEP) is the only agency authorized to establish the training requirements and qualifications for State Forest Fire Service firefighters in the DEP's Division of Parks and Forestry, while the New Jersey Department of Community Affairs (DCA) is the only agency authorized to establish the municipal firefighter training and certification standards cited at N.J.S.A. 43:16A-1(2)(b).

1. Permanent, full-time firefighters whose training and certification standards are established by the Division of Fire Safety's Office of

Training and Certification in the DCA, are required to successfully complete the Firefighter 1 certification prescribed pursuant to N.J.A.C. 5:73-4.2, 4.3, and 4.4, as a condition of enrollment in the PFRSNJ. Comparable fire service training will be evaluated on the basis of the guidelines established by the Division of Fire Safety's Office of Training and Certification in the DCA.

2. State Forest Fire Service firefighters (also referred to as wildland and forestland firefighters at N.J.A.C. 5:73-1.3(a)1), whose titles and training fall under the authority of the DEP in the Division of Parks and Forestry's State Forest Fire Service, are required to complete mandatory training for fire service in accordance with N.J.S.A. 13:9-7.1.

i. (No change.)

ii. Forest Fire Service firefighters will be enrolled in the PFRSNJ based on the DEP's confirmation that the applicant has completed the established fire service training standards, which include the training standards and qualifications of the National Wildfire Coordinating Group and the National Interagency Incident Management System.

17:4-2.5 Age requirements

(a) (No change.)

(b) The age of candidates for positions covered by the PFRSNJ with employers who have adopted the provisions of Title 11A of the New Jersey Statutes (Civil Service) is determined at the announced closing date of the examination offered by the Civil Service Commission for those positions. Candidates must not be one day past the date of their 35th birthday on the announced closing date of the examination. Those candidates meeting the age requirements at that time will be considered as having met the age maximum requirement for the duration of the list promulgated as a result of such examination.

(c) N.J.S.A. 38:23A-1 et seq. is recognized as a modification of the age maximum for certain "veterans." Persons having served in the active military service of the United States during "time of war" and conflict as defined at N.J.S.A. 43:16A-11.7 can, for the purpose of meeting the maximum age requirement for entrance into PFRSNJ, reduce their actual age by the stipulated period of such military service. Should this reduced age meet the age maximum in effect, the applicant will be considered as having met the age maximum for enrollment.

(d)-(f) (No change.)

(g) Individuals seeking employment with a municipality in an eligible PFRSNJ title who are over age 35 on the closing date of the examination with a Civil Service employer or over age 35 on the date of hire with a non-Civil Service employer, even after "reductions in age" have been taken into account, cannot establish membership in any State-administered retirement system. Since enrollment in the PFRSNJ is a condition of employment (N.J.S.A. 43:16A-3(1)), these individuals cannot be hired.

(h) Municipal statutes provide that in some situations volunteer and exempt firefighters in municipalities may be appointed to full-time firefighter positions if they are not over 40 years of age at the time of their appointments. This proper appointment of someone who is past their 35th birthday to a municipal fire department does not negate the eligibility requirement that someone not be past their 35th birthday to be enrolled in the PFRSNJ. Therefore, any appointees under this provision are required to enroll in the PERS.

17:4-2.6 Enrollment date

(a) Pursuant to N.J.A.C. 17:4-2.3, 2.4, and 2.5, an employee who is appointed to a regular classified appointment from a Civil Service list to a PFRSNJ position shall be considered for PFRSNJ enrollment upon successful completion of the police or firefighting training.

1.-2. (No change.)

(b) Pursuant to N.J.A.C. 17:4-2.3, 2.4, and 2.5, an employee in the unclassified service shall be considered as beginning service on the date employment began. The compulsory enrollment date for employers who report on a monthly basis shall be fixed as the first of the following month after successful completion of the police or firefighting training. The compulsory enrollment date for employers who report on a biweekly basis shall be fixed as the first day of the following biweekly pay period after successful completion of the police or firefighting training.

(c) Pursuant to N.J.A.C. 17:4-2.3, 2.4, and 2.5, an employee who is appointed in a regular budgeted position with an employer not covered by Civil Service shall be considered for PFRSNJ enrollment upon successful completion of the police or firefighting training.

1.-2. (No change.)

(d) Employees (both Civil Service and non-Civil Service locations) who are hired into approved PFRSNJ titles and are otherwise eligible, will not be permitted enrollment in PFRSNJ, until the employer certifies that the employees have successfully completed the police or firefighting training.

(e) (No change.)

17:4-2.7 Enrollment following deferred retirement

(a) For a member who has enrolled in the PFRSNJ prior to May 21, 2010, the membership account pursuant to which a member elected deferred retirement who resumes regular service prior to age 55 shall be continued provided the member returns to service within the two-year period stipulated pursuant to N.J.S.A. 43:16A-3(3), or the longer period provided pursuant to N.J.S.A. 43:16A-3(5).

(b) Should a member who has enrolled in the PFRSNJ prior to May 21, 2010, who elected a deferred retirement, resume regular service prior to age 55 after the period for continued membership stipulated pursuant to N.J.S.A. 43:16A-3(3) or 43:16A-3(5) has expired, then such member shall be enrolled in the PFRSNJ pursuant to a new membership account and shall be subject to such benefits and requirements as shall apply to new members of the PFRSNJ as of the date of such new enrollment, except that such member shall not be required to again satisfy the age requirements for enrollment in the PFRSNJ.

(c) In the event that (b) above applies, the member may elect to transfer all service credit associated with the previously vested membership to the new membership account and such service credit will be subject to the benefits and requirements as shall apply to new members of the PFRSNJ as of the date of such new enrollment. Should the member elect not to transfer the service credit associated with the vested membership to the new membership account, no benefits shall be payable from the previous application for deferred retirement until such time as the member has terminated all PFRSNJ-eligible employment.

SUBCHAPTER 3. INSURANCE AND DEATH BENEFITS

17:4-3.4 Survivor benefits

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

(c) If a member files an application for disability retirement while in service and otherwise meets the requirements for disability retirement, but dies before the retirement takes effect, the retirement shall be considered effective ***on the first of the month following the member's death***, and the eligible survivors of that member shall qualify for retired death benefits.

SUBCHAPTER 4. MEMBERSHIP

17:4-4.1 Creditable compensation

(a) The compensation of a member subject to pension contributions and creditable for retirement and death benefits in the PFRSNJ shall be limited to base salary, and shall not include extra compensation.

1. (No change.)

2. "Extra compensation" means individual salary adjustments which are granted primarily in anticipation of a member's retirement or as additional remuneration for performing temporary duties beyond the regular workday. Forms of compensation that have been identified as extra compensation include, but are not limited to:

i.-x. (No change.)

xi. Any form of compensation which is not included in the base salary of all employees in the same position or covered by the same collective bargaining agreement or employment policy who are members of the PFRSNJ and who receive the compensation;

xii.-xiii. (No change.)

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

(d) With respect to all claims for benefits, the Division of Pensions and Benefits shall investigate increases in compensation reported for credit which exceed reasonably anticipated annual compensation increases for members of the PFRSNJ based upon consideration of the Consumer Price Index for the time period of the increases, the table of assumed salary increases recommended by the actuary and adopted by the Board, and the annual percentage increases of salaries as indicated in data from the Public Employment Relations Commission, or through other reliable industry sources of information regarding average annual salary increases. Those cases where a violation of the statute or rules is suspected shall be referred to the Board.

(e) In connection with an investigation of an increase in compensation, the Board:

1. May require that a notarized statement under oath be obtained from the member's employer that the reported compensation was not granted primarily in anticipation of retirement, and conforms with the statutes and rules governing the PFRSNJ;

2.-3. (No change.)

(f) (No change.)

(g) A determination by the Board that a member's compensation for pension purposes includes extra compensation may result in:

1.-4. (No change.)

5. Repayment to the PFRSNJ by the retiree of any benefits received based upon the extra compensation.

(h)-(i) (No change.)

17:4-4.2 Prior service

(a) Any period of prior service credit paid for by an employer at the adoption of the PFRSNJ will reflect identical credit when calculating membership credit.

(b) (No change.)

17:4-4.3 Continuance of membership; transfer

Once an employee establishes membership in the PFRSNJ, the member is eligible to continue such membership should the member be temporarily employed in a position covered by the PFRSNJ.

17:4-4.5 Deductions

(a) A full deduction shall be taken for the PFRSNJ in any payroll period in which the member is paid a sufficient amount to make a full normal deduction. If wages are sufficient, deductions should also be made for any arrears or loan deductions then in effect.

(b) No deductions shall be taken in any pay period in which the employee's salary is not sufficient to cover the required deductions for the PFRSNJ.

17:4-4.8 Maximum compensation limit

(a) Employees who are enrolled on or after May 21, 2010, are subject to a maximum compensation limit for pension contributions. The maximum compensation limit is based on the annual maximum wage contribution base for Social Security, which is subject to change each calendar year. Compensation above the maximum will be subject to Defined Contribution Retirement Program (DCRP) rules.

(b) Members enrolled in the PFRSNJ, who also participate in the DCRP pursuant to (a) above will receive service credit in their corresponding PFRSNJ account, and will be eligible to retire pursuant to the rules of the PFRSNJ. The salaries used in the calculation of the retirement benefits are limited to the maximum compensation amounts in effect when the salary is earned.

17:4-4.9 Loans

(a) Only active contributing members of the PFRSNJ may exercise the privilege of obtaining a loan. The member's total outstanding loan balance shall not exceed the lesser of 50 percent of the accumulated deductions posted to the member's account or \$50,000. The loan is subject to I.R.C. § 72(p) of the Internal Revenue Code.

(b) (No change.)

17:4-4.10 Termination; withdrawal

(a) Pursuant to the terms of the statutes, a member may withdraw from the PFRSNJ only if the member terminates all employment.

(b) No application shall be approved if:

1.-2. (No change.)

3. The member has been dismissed or suspended from employment. In this event, such a member will be eligible to withdraw if the member has formally resigned from the position and there is no legal action contemplated or pending and the dismissal has been adjudged final. If the member or employer does not advise the Division that there is an appeal and the withdrawal application is processed, the member must repay the PFRSNJ the full amount of contributions with interest before the account may be reinstated; or

4. (No change.)

SUBCHAPTER 5. PURCHASES AND ELIGIBLE SERVICE

17:4-5.1 Eligibility for purchase

(a) Only active members of the PFRSNJ shall be eligible to make application for the purchase of credit. Active members who are not currently contributing to the PFRSNJ must purchase their requested service in a lump sum.

(b)-(d) (No change.)

17:4-5.3 Optional purchases of eligible service

(a) (No change.)

(b) The types of purchases indicated at (b)1 through 5 below are considered to be full-cost purchases. A member may purchase all or a portion of such eligible service. The lump sum purchase cost shall be calculated on the basis of the actuarial purchase factor established for the member's nearest age at the time of the purchase request times the higher of either the member's current actual base salary or highest fiscal year base salary. The computed lump sum purchase cost shall then be doubled to establish the full cost to the member. This cost is calculated in this manner as N.J.S.A. 43:16A-11.9, 11.11, and 11.12 provide that the employer shall not be liable for any costs of purchasing this service; therefore, the member must pay both the employee and employer share.

1.-4. (No change.)

5. Up to three years of service credit for police members who were laid off in good standing and not by removal for cause or charges of misconduct or delinquency from employment in police service positions and subsequently rehired in PFRSNJ police service positions in accordance with P.L. 1999, c. 338, N.J.S.A. 43:16A-11.13, or up to three years of service credit for firefighter members who were laid off in good standing and not by removal for cause or charges of misconduct or delinquency from employment in firefighter positions and subsequently rehired in PFRSNJ firefighter positions in accordance with P.L. 2001, c. 228. The purchase cost is based on the actuarial purchase factor established for the member's nearest age at the time of the purchase request and the member's salary during the 12 months preceding the layoff. The computed lump sum purchase cost will then be doubled to establish the full cost to the member.

(c) (No change.)

17:4-5.5 Reinstatement of membership credit

(a) A member, whose account has been terminated by the withdrawal of contributions from the Annuity Savings Fund or whose account has been terminated because of a two-year lapse in contribution, may be reinstated to the PFRSNJ pursuant to the provisions at P.L. 1967, c. 199 (N.J.S.A. 11A:4-9), P.L. 1969, c. 303 (N.J.S.A. 40:47-11.1 and 11.2), or P.L. 1981, c. 439 (N.J.S.A. 11A:4-9), provided that the member meets the requirements of the PFRSNJ other than the age maximum.

1. (No change.)

17:4-5.6 Elected officials

Any member accepting an elective position may continue PFRSNJ membership and contribute on the salary being received as an elected official, as long as the member holds elective office and remains a member of the PFRSNJ.

SUBCHAPTER 6. RETIREMENT

17:4-6.1 Applications

(a) Applications for retirement must be made on forms required by the PFRSNJ. Such forms must be completed in all respects and filed

with the PFRSNJ*[, in consultation with the Division,]* before the requested date of retirement. A member's retirement application becomes effective on the first of the month following receipt of the application unless a future date is requested. Applications can be filed no more than one year in advance unless filing for a deferred retirement and the member's PFRSNJ eligible employment has ended.

(b) (No change.)

(c) Before an application for retirement may be processed, the PFRSNJ must receive proof of the member's age, if none is already in the member's record, and a completed Certification of Service and Final Salary form from the employer setting forth the employment termination date and the salaries reported for contributions in the member's final year of employment.

(d) As to an application for disability retirement, the following shall apply:

1. An application for a physical disability retirement must be supported by the following documentation:

i. At least one medical report form, in a format prescribed by the Board, which shall be completed by the member's personal or attending physician. The medical report form shall be accompanied by treatment records and diagnostic test results, as applicable. If the only personal or attending physician to the member is a Worker's Compensation physician and the physician does not indicate on the medical report form that the member is totally and permanently disabled, but does indicate that the member has permanent restrictions, the medical report shall be deemed acceptable, as long as the findings are supported by treatment records and diagnostic test results, as applicable.

ii. The member must also submit one of the following:

(1) A second medical report form, in a format prescribed by the Board, completed by a second physician, which shall be accompanied by all treatment records and all diagnostic test results, as applicable;

(2) A second medical report form, in a format prescribed by the Board, completed by an independent medical examiner (IME) that is accompanied by a narrative report that lists and provides copies of the records the IME reviewed in order to complete their evaluation; or

(3) Hospital records, records from an inpatient or outpatient surgical center, or other comparable records as determined by the Disability Supervisor of PFRSNJ. Such records may include, but are not limited to, treatment records, operative reports, test results, imaging, and discharge summary;

2. An application for a mental health medical disability retirement must be supported by the following:

i. One medical report form, in a format prescribed by the Board, that is completed by the member's personal or attending psychologist, psychiatrist, physician, or advanced practice nurse. In the event a personal or attending advanced practice nurse completes the medical report form under a joint protocol with a collaborating physician, or as otherwise permitted by law, that medical report form shall be deemed acceptable. If the only personal or attending psychologist, psychiatrist, physician, or advanced practice nurse attending to the member is a Worker's Compensation psychologist, psychiatrist, physician, or advanced practice nurse and they do not indicate on the medical report form that the member is totally and permanently disabled, but do indicate that the member has permanent restrictions, the medical report shall be deemed acceptable, as long as the findings are supported by treatment records and diagnostic test results, as applicable.

ii. The member must also submit one of the following:

(1) A second medical report form, in a format prescribed by the Board, completed by a physician;

(2) A second medical report form, in a format prescribed by the Board, completed by a psychologist or psychiatrist;

(3) A medical report form, in a format prescribed by the Board, completed by a licensed clinical social worker, master in social work, licensed professional counselor, advanced practice nurse, or other comparable *[mental-health]* **mental health*** professional possessing substantially similar qualifications and *[legal]* authority to diagnose and treat *[mental-health]* **mental health*** disorders, as determined by the Disability Supervisor of PFRSNJ;

(4) A second medical report form, in a format prescribed by the Board, completed by an IME *[paid for by the member or their

attorney]* that is accompanied by a narrative report that lists and provides copies of the records reviewed in order to complete their evaluation; or

(5) Hospital records, treatment records from an inpatient or outpatient treatment program, or other comparable records as determined by the Disability Supervisor of PFRSNJ. Such records may include, but are not limited to, examination reports, clinical interviews, test results, and discharge summaries;

3. A member filing for a disability retirement shall not file a separate application for any other type of retirement, while a disability application is pending;

4. If a disability retirement application is denied by the Board and the applicant qualifies for any other retirement benefit, the applicant must submit a written statement accepting the alternate retirement type. If the applicant submits the written statement within 30 days of the Board's decision, the applicant may retain the retirement date designated on the disability retirement application; and

5. Notwithstanding the provisions of this subsection, any member making an application for disability retirement pursuant to P.L. 2020, c. 54 (N.J.S.A. 43:16A-7.4), shall make an application on the form prescribed by the Board. The form shall be accompanied by medical records, as applicable. Such records may include hospital records, treatment records, or other comparable records as determined by the Disability Supervisor of PFRSNJ, including, but not limited to, operative reports, test results, imaging, and discharge summaries.

(e) The required documentation at (d)1 *[and]**, *2*, and *5* above must be received within 12 months of the date of filing the disability retirement application, unless an extension of up to three months is granted by the Disability Supervisor of PFRSNJ upon written request and for good cause shown. If the documentation is not received within the prescribed period, the application shall be cancelled and the member must complete a new application for a future retirement date.

(f) If a member's previous retirement allowance has been cancelled due to the member's return to employment and reenrollment in the PFRSNJ pursuant to the provisions of N.J.S.A. 43:16A-15.3, a new retirement application must be filed with the PFRSNJ in accordance with (a), (b), and (c) above. The previous retirement allowance shall then be reinstated, and the new retirement allowance, based on the member's subsequent covered employment, shall commence. Except in the case of disability, the previous and subsequent retirement allowances shall then be combined and paid in one monthly benefit check. The retirement allowance shall become effective on the first of the month following receipt of the application unless a future date is requested.

17:4-6.7 Disability determination

(a) A member for whom an application for accidental disability retirement allowance has been filed by the member, by the member's employer or by one acting on behalf of the member, will be retired on an ordinary disability retirement allowance if the Board finds that:

1. The applicant was considered a member in service at the time of filing the application for a disability retirement allowance. A "member in service" means that the member or the employer was making pension contributions to the PFRSNJ at the time of filing the application for a disability retirement allowance. It may also mean that the member was on an approved leave of absence, paid or unpaid, or suspension, paid or unpaid, at the time of filing the application for a disability retirement allowance, and it has not been more than the time frames permitted pursuant to N.J.S.A. 43:16A-9(5)a for active membership since the member's last contribution to the PFRSNJ. If the member had pending litigation for wrongful termination filed against the employer, the member has 30 days from the date the litigation is resolved to file for disability retirement in order to be considered a "member in service";

2.-4. (No change.)

(b) (No change.)

17:4-6.8 Employment after retirement

(a) A member, who is pending retirement or whose retirement has become effective pursuant to N.J.A.C. 17:4-6.2, is required to re-enroll in the PFRSNJ pursuant to N.J.S.A. 43:16A-15.3, regardless of whether the member is over age 35, if:

1. The member returns to the employment in a PFRSNJ-covered position;

2. The member continues in the same, or substantially the same, position held prior to retirement with no lapse in service after the retirement date. In this case, the member would not be considered to have a bona fide retirement and would not be entitled to any retirement benefits. The member would be reinstated to the former PFRSNJ membership; or

3. The member returns to employment in a position which is the same, or substantially similar, to the position held by the member prior to retirement, and:

i. The position became a PFRSNJ position for that member prior to retirement due to the provisions of N.J.S.A. 43:16A-1(2)(a) or (b) or 43:16A-3.1, which permit a member of the PFRSNJ to continue membership if serving in an appointive administrative or supervisory capacity over police or firefighters, and the member returned to employment with the same employer;

ii. The position became a PFRSNJ position at the option of the member prior to retirement pursuant to N.J.S.A. 43:16A-3.5 or other statutory authority; or

iii. The position remained a PFRSNJ position pursuant to the provisions at N.J.S.A. 43:16A-1.2 for those serving in the position at the time of the P.L. 1989, c. 204 review.

(b) If a member is eligible to contribute to the PFRSNJ from a position, then the position is a PFRSNJ position.

(c) If the position is not for a title which is eligible for enrollment in the PFRSNJ and the member is not eligible to contribute to the PFRSNJ due to having reached the mandatory retirement age of 65 (N.J.S.A. 43:16A-5), the position is not covered under the provisions of the PFRSNJ, and the member is not eligible to re-enroll or contribute to the PFRSNJ from that position. The member may work in that position without affecting his or her retirement allowance.

17:4-6.10 Employer initiated disability retirement application

(a) If an application for an accidental disability retirement benefit or for an ordinary disability retirement benefit is filed by an employer for an employee, the member will be promptly notified by letter that:

1.-4. (No change.)

5. The member will be required to appear for an examination before a physician designated to conduct such an examination for the PFRSNJ; and

6.-7. (No change.)

17:4-6.11 Service or special retirement; eligibility

(a) A member becomes eligible for "service" retirement:

1. (No change.)

2. On the first of the month following the attainment of 20 years of service credit in the PFRSNJ, if the member was enrolled in the PFRSNJ as of January 18, 2000.

(b) (No change.)

17:4-6.12 Disability retirant; annual medical examinations

(a) All disability retirants may be required to undergo a medical examination each year for at least five years or for good cause thereafter by a physician designated by the PFRSNJ as of the anniversary date of their retirement, unless such examination requirement has been waived by the Board. "Good cause" means the receipt by the Board of credible information that a member who is receiving a disability allowance is no longer disabled.

(b) (No change.)

17:4-6.13 Medical examinations; physicians

N.J.S.A. 43:16A-13(11) requires the PFRSNJ or the Board to designate physicians to perform medical examinations. A designated physician shall not be a member's personal physician, except in the case of a member whose personal physician has identified the member as having a probable abbreviated life expectancy if sufficient corroborating medical evidence of the diagnosis can be obtained.

17:4-6.14 Compulsory retirement

(a)-(d) (No change.)

(e) The PFRSNJ, in consultation with the Division, shall send written notice to the member and the member's employer between 120 and 180 days in advance of the date on which the member shall be required to retire.

(f)-(g) (No change.)

(h) When such a member files an application with the PFRSNJ, the member shall be eligible to receive retirement benefits for the months that have elapsed since the compulsory retirement date, provided satisfactory evidence is received to show that the member terminated employment as of the compulsory retirement date.

(i) (No change.)

(j) Any member in service who attains 65 years of age shall be retired on a service retirement allowance on the first day of the next calendar month, except that a member hired prior to January 1, 1987, may remain a member of the PFRSNJ until the member attains age 68 years or 25 years of creditable service, whichever comes first, pursuant to N.J.S.A. 43:16A-5.

17:4-6.15 Employer and employee notices

If an applicant for accidental disability retirement is found to be physically or mentally incapacitated for the performance of duty but is rejected for accidental disability retirement because the Board finds that the disability was not a direct result of a traumatic event occurring during and as a result of the performance of the applicant's regular or assigned duties, and if the applicant does not meet the minimum statutory requirements for any other type of retirement allowance, the PFRSNJ *, in consultation with the Division,* will notify both the member and the member's employer that the member was found to be physically or mentally incapacitated for the continued performance of duty, as was previously certified.

17:4-6.19 Retiree reemployment; compliance with Internal Revenue Code

(a) Definitions. In addition to the definitions at N.J.A.C. 17:4-1A.1, the following words and terms used in this section shall have the following meanings:

1. "Defined benefit plans" means the PFRSNJ.

2. (No change.)

(b) Qualified plan status. In accordance with N.J.S.A. 43:3C-18, the PFRSNJ is a defined benefits plan established as a qualified governmental defined benefits plan in accordance with Internal Revenue Code sections 401(a) and 414(d), or such other provision of the Federal Internal Revenue Code, as applicable, regulations of the United States Department of the Treasury, and other guidance of the Federal Internal Revenue Service.

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

(e) Investigation. In order to comply with Federal law, if an employee who has applied for and commenced a retirement benefit is reemployed by the same employer (as used in this subsection, this term shall include the agencies of a single employer) within fewer than 90 days after the specified date of termination, the PFRSNJ*, **in consultation with the Division,*** may, but is not required to, do the following:

1.-2. (No change.)

(f) If after investigation at (e) above, the Board *[of Trustees]* determines that there was not a bona fide severance from employment, the Board *[of Trustees]* shall revoke the retirement of the member and require the repayment of benefits in order to protect the qualified status of the defined benefit plans in accordance with (b) above.

(g) The PFRSNJ shall ensure that, as required by Federal law, a Form 1099-R is issued with respect to any retired member who receives a taxable distribution from the defined benefit plan. To accomplish this requirement, the PFRSNJ will contract with the Division of Pensions and Benefits to perform this tax-related function, and to undertake the steps required to ensure compliance. These required steps include the identification of those retired members who may be subject to a premature distribution penalty (10 percent of the taxable amount of the benefit). In the case of a retired member who returns to employment with the same employer (as defined at (e) above) within the 90-day period specified at (e) above, if the retired member has not attained age 59 1/2 during the time that some or all distributions were made from

the defined benefit plans, the Division of Pensions and Benefits shall code the Form 1099-R to indicate that the distribution is an “early distribution” and that no known exception from the penalty applies.

(h)-(i) (No change.)

SUBCHAPTER 7. TRANSFERS

17:4-7.1 Interfund transfers/State-administered retirement systems

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

(c) The PFRSNJ will transfer membership to any State-administered retirement system as follows:

1.-6. (No change.)

(d)-(e) (No change.)

(f) A member is subject to all age and medical requirements for enrollment into the PFRSNJ before an interfund transfer into the PFRSNJ shall take effect.

17:4-7.3 Transfer of PFRSNJ membership and return to employment from retirement

(a) Employees enrolled in the PFRSNJ on or before May 21, 2010, who transfer employment within the PFRSNJ, will retain his or her original membership status provided that there has not been a break in membership, two years or more without a pension contribution, and/or the member has not withdrawn his or her PFRSNJ account.

(b) If there has been a break in membership, the member has withdrawn his or her account, or the member is a PFRSNJ retiree who is returning to PFRSNJ-covered employment (except for disability retirees approved for return to active employment), upon meeting the eligibility requirements, the member will be regarded as a new enrollee; whereupon, the provisions at N.J.S.A. 43:16A-1 will apply.

SUBCHAPTER 8. WORLD TRADE CENTER ACCIDENTAL DISABILITY

17:4-8.1 Purpose of this Subchapter

The Bill Ricci World Trade Center Rescue, Recovery, and Cleanup Operations Act (Act), P.L. 2019, c. 157, as amended at P.L. 2025, c. 117, permits certain members or retirees of the Police and Firemen’s Retirement System of New Jersey (PFRSNJ), State Police Retirement System (SPRS), and Public Employees’ Retirement System (PERS) to receive an accidental disability retirement allowance for disability resulting from participation in 9/11 World Trade Center rescue, recovery, or cleanup operations. The purpose of this subchapter is to establish the rules necessary to implement the provisions of this law.

17:4-8.2 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise.

“Medical Review Board” shall mean the medical board designated by the Board *[of Trustees]* as provided for at N.J.S.A. 43:16A-13a(11).

...

17:4-8.3 Eligibility

(a) For a member who participated in World Trade Center rescue, recovery, or cleanup operations for a minimum of eight hours, it shall be presumed by law that the member’s total and permanent disability from a qualifying condition or impairment of health is the direct result of the member’s participation in the World Trade Center rescue, recovery, or cleanup operations, and occurred during and as a result of the performance of the member’s regular or assigned duties and not the result of the member’s willful negligence, unless the contrary can be proved by competent evidence as provided for at (g) below.

(b) A member who did not participate in World Trade Center rescue, recovery, or cleanup operations for a minimum of eight hours shall be eligible for the presumption ***pursuant to this subsection***; provided that:

1. The member participated in the rescue, recovery, or cleanup operations at the World Trade Center site between September 11, 2001 and September 12, 2001;

2. The member sustained a documented physical injury at the World Trade Center site between September 11, 2001 and September 12, 2001, that is a qualifying condition or impairment of health resulting in a disability to the member that prevented the member from continuing to participate in World Trade Center rescue, recovery, or cleanup operations for a minimum of eight hours; and

3. The documented physical injury that resulted in a disability to the member that prevented the member from continuing to participate in World Trade Center rescue, recovery, or cleanup operations for a minimum of eight hours is the qualifying condition or impairment of health for which the member seeks a presumption pursuant to this subsection.

(c) In order to be eligible for the presumption provided pursuant to *(b) above* ***this subsection***, a member shall have successfully passed a physical examination for entry into public service or shall present such sufficient evidence of one or more medical examinations or results performed within a reasonable period of time before or after entry into public service, which failed to disclose evidence of the qualifying condition or impairment of health that formed the basis for the permanent and total disability.

(d) A member who retired on a service retirement, special retirement, accidental disability retirement, or an ordinary disability retirement and thereafter incurred a disability caused by a qualifying condition or impairment of health shall be eligible to apply to the Board *[of Trustees]* to have their retirement allowance recalculated as an accidental disability retirement allowance for benefit payments on or after the application for recalculation, if the ***[member]* *retiree***:

1. Participated in the World Trade Center rescue, recovery, or cleanup operations;

2. Is totally and permanently disabled by a qualifying condition or impairment of health, as a direct result of participation in World Trade Center rescue, recovery, or cleanup operations;

3. ***[Provides]* *Presents*** evidence *[of one or more medical examinations or results performed within a reasonable period of time before or after entry into public service]* ***showing the retiree successfully passed a physical examination for entry into public service*** or ***[shall]* present*s*** such sufficient evidence of one or more medical examinations or results performed within a reasonable period of time before or after entry into public service, which failed to disclose evidence of the qualifying condition or impairment of health that formed the basis for the permanent or total disability; and

4. Filed an application for such recalculation within 180 days of the date that the retiree knew or should have known of the existence of such disability and its relation to the rescue, recovery, or cleanup operations.

(e) If the retiree previously filed an eligibility registration form with PFRSNJ pursuant to (d) above and the ***[member]* *retiree*** was denied because the ***[member]* *retiree*** did not file within the required registration period in effect prior to July 23, 2025, the ***[member]* *retiree*** shall be permitted to petition the Board for reconsideration.

(f) A member or retiree has satisfied the burden of proving total and permanent disability from a qualifying condition if he or she submits the following:

1. Medical documentation from either the World Trade Center Health Program or from the member’s treating physician indicating that the member has a qualifying condition or impairment of health that is totally and permanently disabling;

2. Evidence ***showing that the member or retiree successfully passed a physical examination for entry into public service or evidence*** of one or more medical examinations or results performed within a reasonable period of time before or after entry into public service, which failed to disclose evidence of the qualifying condition or impairment of health that formed the basis for the claimed permanent and total disability; and

3. Evidence showing that the member ***or retiree*** participated in the World Trade Center rescue, recovery, or cleanup operations, which may be satisfied by filing a written and sworn statement with the PFRSNJ on a form provided by the ***[PFRSNJ Board of Trustees]* *Board*** thereof indicating the dates and locations of service.

(g) When the member ***or retiree*** provides the documentation set forth at (f) above to the PFRSNJ, ***[in consultation with the Division,]*** the presumption provided for at N.J.S.A. 43:16A-7 attaches. Upon attachment of the presumption, the burden of producing competent evidence to rebut the presumption shifts to the PFRSNJ. Such competent evidence may include, but is not limited to:

1. Evidence of medical examinations performed, or results received within a reasonable period of time before or after entry into public service, which disclosed evidence of a qualifying condition or impairment of health unrelated to the World Trade Center rescue, recovery, or cleanup operations;
2. A documented history of chronic smoking;
3. A pre-existing asthma diagnosis; or
4. Admissions by the member.

17:4-8.4 Filing requirements

(a) A ***[member or]*** retiree must file a written and sworn Eligibility Registration Form with the PFRSNJ indicating the dates, locations of service, and number of hours of participation in World Trade Center rescue, recovery, or cleanup operations to qualify for the presumption or recalculation pursuant to N.J.A.C. 17:4-8.3.

(b) A ***[member or]*** retiree seeking recalculation of a retirement allowance pursuant to N.J.A.C. 17:4-8.3***(b)**(d)*** ***[shall take the steps required pursuant to this subsection.**

1. A member or retiree**]*** must file an application for recalculation, on a form prescribed by the Board, within 180 days of the date that the ***[member]*** ***retiree*** knew, or should have known, of the existence of a total and permanent disability caused by a qualifying condition or impairment of health and its relation to World Trade Center rescue, recovery, or cleanup operations.

[2.] ***(c)*** A ***[member or]*** retiree with an Eligibility Registration Form on file with the Division must file an application with the prospective date of retirement pursuant to N.J.A.C. 17:5-***[5.1]**6.1***.

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

[4.] ***(e)*** The Medical Review Board shall review the documentation submitted pursuant to N.J.A.C. 17:4-8.3***(d)**(f)*** for completeness and compliance, including confirmation that the documentation addresses total and permanent disability, a qualifying medical condition or impairment of health, and participation in the World Trade Center rescue, recovery, or cleanup operations. If the Medical Review Board determines that the documentation is not complete, an independent medical examination shall be required.

OTHER AGENCIES

(a)

NEW JERSEY TURNPIKE AUTHORITY

Notice of Administrative Changes

New Jersey Turnpike Authority Rules

N.J.A.C. 19:9-2.2, 2.7, 2.8, 2.9, 4.1, 5.2, 5.4, 5.6, 5.8, and 6.5

Effective Date: May 26, 2026.

Take notice that the New Jersey Turnpike Authority (Authority) requested, and the Office of Administrative Law agreed to permit, administrative changes at N.J.A.C. 19:9 to provide a new website address for the Authority and webpage addresses through which various inquiries and records requests may be transmitted. This update ensures that the public has accurate contact information for the Authority. This notice is published pursuant to N.J.A.C. 1:30-2.7(c)3.

A copy of this notice is also available on the Authority’s website at <https://www.njta.gov/about/regulations-and-policies/> and <https://www.njta.gov/legal-and-public-notice/>.

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

SUBCHAPTER 2. PURCHASING AND CONTRACTING

19:9-2.2 Purchases, contracts, and agreements for amounts over the applicable bid threshold, except contracts and agreements governed at N.J.A.C. 19:9-2.8 and 2.9

(a) Rules concerning advertising and awards of purchases, contracts, and agreements:

1. Advertisements soliciting purchases, contracts, and agreements over the bid threshold shall be placed in at least one newspaper or journal having a large circulation in the State, and may be advertised on the Authority’s website, [\[www.njta.com\]](http://www.njta.com) www.njta.gov, or through other electronic means. Such advertisements shall be published not less than 10 days preceding the date upon which the bids, proposals, or statements of qualifications are to be received and opened. All advertisements shall contain:

i.-iii. (No change.)

2.-3. (No change.)

(b) (No change.)

(c) Rules concerning receipt, opening, and award:

1.-3. (No change.)

4. As to electronic bids, the bids will be downloaded by the Authority, at the time designated for receipt of bids in the request for bids, from the electronic procurement platform, publicly opened, and the results posted on the electronic procurement platform’s website and/or the Authority’s website at [\[www.njta.com\]](http://www.njta.com) www.njta.gov.

5.-12. (No change.)

(d) (No change.)

19:9-2.7 Procedure for prequalification to bid on construction contracts

(a) All prospective bidders for construction contracts in excess of \$50,000 shall annually apply to be prequalified by the Chief Engineer by submitting a Contractor’s Qualifying Statement. Prospective bidders will be prequalified in a category of work at a maximum classification rating for which they are entitled to bid in accordance with the Contractor Classifications and Ratings Schedule available on the Authority’s website at [\[www.njta.com\]](http://www.njta.com) www.njta.gov. The Chief Engineer may, from time to time, add additional specialized work categories to the Contractor Classifications and Ratings Schedule. Bidders shall have effective classification rating in an amount not less than the amount of their respective bids. Instructions for prequalification for award of construction contracts are located on the Authority’s website at [\[www.njta.com\]](http://www.njta.com) www.njta.gov.

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

(d) The Chief Engineer shall reserve the right to require a prospective bidder to submit such additional evidence of qualifications as deemed necessary, and shall consider any evidence available of the financial, technical, and other qualifications and ability of the prospective bidder. The Chief Engineer may change or revoke at any time the classifications of any prospective bidder upon any evidence that such prospective bidder does not meet the financial, technical, moral, or other qualifications of the classification. The Chief Engineer may direct a Request for Qualifications Information (RFQI) process to be used in prequalifying contractors under classifications not listed in the Contractor Classifications and Ratings Schedule on the Authority’s website at [\[www.njta.com\]](http://www.njta.com) www.njta.gov, but appropriate for specialized projects involving homeland security or other exigent circumstances.

(e)-(g) (No change.)

19:9-2.8 Procedure for prequalification and award of contracts for architectural, engineering, and land surveying services

(a)-(c) (No change.)

(d) Advertisement for Requests for Expressions of Interest shall be as follows:

1. A Request for EOIs (RFEOI) shall be advertised in an appropriate newspaper or journal, having a large circulation in the State and/or advertised on the Authority’s website, [\[www.njta.com\]](http://www.njta.com) www.njta.gov, or through other electronic means. Such advertisements shall be published not less than seven calendar days preceding the date upon which the EOIs are to be received. The RFEOI shall identify the scope