

Federal Standards Statement

The adopted amendment does not include any standards or requirements that exceed standards or requirements imposed by Federal law. The amendment adjusts the maximum weekly workers' compensation benefit rate and is governed entirely by State law; specifically, the New Jersey Workers' Compensation Act, N.J.S.A. 34:15-1 et seq. As a result, an explanation or analysis of the adopted amendment pursuant to N.J.S.A. 52:14B-23 or N.J.A.C. 1:30-5.1 is not required.

Full text of the adoption follows:

SUBCHAPTER 1. GENERAL PROVISIONS**12:235-1.6 Maximum workers' compensation benefit rates**

(a) In accordance with the provisions at N.J.S.A. 34:15-12.a, the maximum workers' compensation benefit rate for temporary disability, permanent total disability, permanent partial disability, and dependency is hereby promulgated as being \$1,159 per week.

(b) The maximum compensation shall be effective as to injuries occurring in the calendar year 2025.

TRANSPORTATION**(a)****DIVISION OF RIGHT-OF-WAY AND ACCESS MANAGEMENT****LOGO SIGN PROGRAM****Notice of Readoption****Specific Service Sign (Logo) Program****Readoption with Technical Changes: N.J.A.C.****16:41E**

Authority: N.J.S.A. 27:1A-5 and 27:1A-6.

Authorized By: Francis K. O'Connor, Commissioner, Department of Transportation.

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

Effective Dates: November 14, 2024, Readoption;
December 16, 2024, Technical Changes.

New Expiration Date: November 14, 2031.

Take notice that, pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 16:41E were scheduled to expire on December 18, 2024. The Department of Transportation (Department) has reviewed the rules and determined that they should be readopted with technical changes to update websites and mailing addresses. The rules are necessary, reasonable, adequate, and responsive for the purpose for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), these rules are readopted and shall continue in effect for a seven-year period.

These rules establish standards and procedures for the implementation of the Specific Service Sign (Logo) Program along eligible designated freeways and interstate highways of New Jersey. The Logo Program is intended to enhance motorist safety by providing signs that identify specific services and provide directional information to eligible gas, food, lodging, camping, and attractions for the benefit of the travelling public. The signs must comply with the standards established in the Manual on Uniform Traffic Control Devices (MUTCD). Participation in the Logo Program is elective and is offered to facilities that meet the standards.

A summary of the chapter follows:

Subchapter 1 provides the purpose and scope of the chapter and states that the program complies with the standards of the Manual on Uniform Traffic Control Devices, which is incorporated into this chapter by reference, as amended and supplemented. The MUTCD is the manual periodically published and revised by the United States Department of Transportation, Federal Highway Administration, which establishes standards for all signage. Website information is provided for the list of highways available for Logo signage.

Subchapter 2 provides the definitions that are used throughout the chapter.

Subchapter 3 provides the eligibility and requirements and standards for those facilities wishing to take part in the program; lists of eligible and ineligible facilities; closure conditions; general conditions; and waiver provisions. Waivers from the distance requirements established in this chapter may be allowed in certain conditions pursuant to this subchapter.

Subchapter 4 provides information on the application, approval, and participation procedures.

Subchapter 5 establishes the annual and non-annual fees.

Subchapter 6 provides for the design, construction, and maintenance of the signs.

Subchapter 7 references temporary closures.

Subchapter 8 references Departmental determinations of non-compliance and provides the appeal process.

Subchapter 9 references program termination.

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

SUBCHAPTER 1. GENERAL PROVISIONS**16:41E-1.2 Scope**

(a) The Logo Program will be implemented only on certain designated limited access highways and interstate highways that the Department has identified as available for logo signage. The list of highways is available at [<http://www.state.nj.us/transportation/business/signs/logo/>] www.nj.gov/transportation/business/signs/logo/.

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

SUBCHAPTER 2. DEFINITIONS**16:41E-2.1 Definitions**

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

...

"Supplemental Guide Signing Manual" means a manual published, as amended and supplemented, by the Department that provides the standards, criteria, and limitations for the installation of supplemental guide signing for traffic generators and motorist attractions along the highway system and which can be found at [<http://www.state.nj.us/transportation/eng/documents/SGSM/>] www.nj.gov/transportation/eng/documents/SGSM/.

...

SUBCHAPTER 3. ELIGIBILITY REQUIREMENTS**16:41E-3.4 Restrictions on eligibility**

(a) A facility shall not be allowed to participate in the Logo Program if any of the following circumstances exist:

1.-3. (No change.)

4. The Department determines that the installation of any sign required for participation in the Logo Program including, but not limited to, logo sign panels, specific service signs, and trailblazer signs, would cause an unsafe condition, create an unnecessarily complex traffic maneuver, or fail to meet the requirements of the MUTCD, State law, or the Department's Supplemental Guide Signing Manual, which can be found at [<http://www.state.nj.us/transportation/eng/documents/SGSM/>] www.nj.gov/transportation/eng/documents/SGSM/; or

(b) (No change.)

SUBCHAPTER 4. PROGRAM PARTICIPATION**16:41E-4.1 Application**

(a) Applications shall be submitted to the Department's vendor on forms approved by the Department. Application forms can be found at: [<http://www.state.nj.us/transportation/business/signs/logo/>] www.nj.gov/transportation/business/signs/logo/. Applications shall include, but are not limited to, the following information: corporate or company name of applicant, address and phone number of applicant, contact person for the application, and name and

physical address of the facility. Incomplete applications will be returned to the applicant.

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

SUBCHAPTER 8. DETERMINATIONS AND APPEALS

16:41E-8.2 Appeals

(a) (No change.)

(b) An informal meeting shall be initiated by the submission of a letter to the Manager of the Logo Program at the following address:

[New Jersey Department of Transportation
Office of Outdoor Advertising and Wireless Services]
Division of Right-of-Way & Access Management
[TODS &] Logo Sign Program
PO Box 600
Trenton, NJ 08625
[(Fax) 609-530-2624]

The letter shall include a statement describing the nature of the appeal and the facts on which the appeal is based. The letter must be received within 30 days of the date of the Department's denial or determination.

1. (No change.)

(c) If the dispute is not fully resolved through an informal meeting, the applicant may request a formal hearing by submitting a letter to the Director of the Division within 30 days of the issuance of the written decision from the informal meeting. The request shall be sent to:

Director, Division of Right-of-Way & Access Management
New Jersey Department of Transportation
PO Box 600
Trenton, NJ 08625
[(Fax) 609-530-2624]

1.-3. (No change.)

TREASURY—TAXATION

(a)

DIVISION OF TAXATION

Motor Fuel Tax

Readoption with Amendments: N.J.A.C. 18:18

Proposed: September 3, 2024, at 56 N.J.R. 1781(a).

Adopted: November 14, 2024, by Marita Sciarrotta, Acting Director, Division of Taxation.

Filed: November 14, 2024, as R.2024 d.121, **without change, but with the proposed amendment at N.J.A.C. 18:18-7.6(c) not adopted but still pending.**

Authority: N.J.S.A. 56:7-31.

Effective Dates: November 14, 2024, Readoption;
December 16, 2024, Amendments.

Expiration Date: November 14, 2031.

Summary of Public Comments and Agency Responses:

Comments were received from Jean Publice and Eric DeGesero, Executive Vice President, FMA.

General Comments

1. COMMENT: A comment was received from Jean Publice and is included verbatim: "i am not in favor of extending the motor fuel taxes, which is real harm to all citizens of nj and is further overtaxation so that nj is the most heavily taxed state in this nation. the monies collected are not being used judiciously and are frittered away. our roads are in disastrous shape, so that the monies are not making any changes that help the citizens. this law should not be extended. all of nj needs tax relief, not more taxes pushed through in an irresponsible manner by our legislature. jean publice jxxxx1@gmail.com" (email truncated).

RESPONSE: The Division of Taxation (Division) thanks Jean Publice for her comments and the information she provided. The Motor Fuel Tax is established by statute at N.J.S.A. 54:39-101 and the enacting legislation to repeal the Motor Fuel Tax is beyond the scope of the rulemaking process.

N.J.A.C. 18:18-7.6

2. COMMENT: Due to differing methods of fuel delivery based on the type of customer served, FMA believes proposed N.J.A.C. 18:18-7.6(c) should be withdrawn until FMA and the Division have an opportunity to discuss in further detail to ensure it does not cause market disruption.

RESPONSE: The Division thanks the commenter for pointing out this issue. The Division will further evaluate any potential impacts and upon adoption, N.J.A.C. 18:18-7.6(c) will not be adopted, but will remain pending.

Federal Standards Statement

A Federal standards analysis is not required because the rulemaking authority is granted by the operative provisions of the Motor Fuel Tax Act, N.J.S.A. 54:39-101 through 150, and is not subject to any Federal requirements or standards.

Full text of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C. 18:18.

Full text of the adopted amendments follows:

SUBCHAPTER 1. DEFINITIONS

18:18-1.1 Words and phrases defined

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

"Blender" means and includes any person that produces blended fuel outside the terminal transfer system. As used in this definition, the term "terminal transfer system" means and consists of refineries, pipelines, vessels, and qualified terminals. Motor fuel in any supply tank or any tank car, tanker, or other equipment suitable for ground transportation is not considered to be within the terminal transfer system. A person that engages in "splash blending" involving only taxed liquids or *de minimis* untaxed liquids is not considered to be a blender within the meaning of this rule and N.J.S.A. 54:39-102.

Example: S heating oil company drives its tank truck to a terminal in Linden. The truck contains No. 2 heating oil. At the terminal a quantity of kerosene is added to the load. The truck drives away, and as it travels over bumps in the road, the two products mix in the tank. Based on this activity the heating oil company does not qualify as a blender within the meaning of the term.

"Common Carrier" means any person engaged in or employed in the business of carrying fuel for others for hire.

"Splash blending" means to blend or mix motor fuel with another motor fuel, blend stock, or other liquid other than a *de minimis* amount, in a cargo tank or storage tank, or any other device or location outside the terminal transfer system.

SUBCHAPTER 3. SUPPLIER'S LICENSE; BONDS REQUIRED; RECORDS

18:18-3.1 Supplier's license; application

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

(d) Licensed suppliers are authorized to act as Aviation Fuel Dealers, as defined at N.J.S.A. 54:39-102.

18:18-3.3 Distributor's license

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

(d) A licensed distributor is only permitted to engage in activities that are specifically designated on the distributor license. All licensed distributors are authorized by their license to purchase and sell motor fuel in New Jersey outside the terminal transfer system. A specified licensed distributor designation is not required to engage in this activity.

(e) A licensed distributor must possess a license with the specified designation for the following activities that occur outside the terminal transfer system, in order to engage in such activities:

1. Importing motor fuel outside the terminal transfer system from another state or country;
2. Exporting motor fuel outside the terminal transfer system to another state or country;
3. Blending, as defined at N.J.S.A. 54:39-102;