

BANKING
DEPARTMENT OF BANKING AND INSURANCE
DIVISION OF BANKING

Check Cashier License Fees

Proposed Amendment: N.J.A.C. 3:24-1.4

Authorized By: Holly C. Bakke, Commissioner, Department of Banking and Insurance

Authority: N.J.S.A. 17:1-8.1, 17:1-15e, 17:15C-9(c), 17:15A-40, 17:16C-8, 17:16C-82,
17:16D-4 and 45:22-4 and 11

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

Proposal: PRN 2004 - 82

Submit comments by May 14, 2004 to:

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The agency proposal follows:

Summary

The Department of Banking and Insurance (Department) proposes to amend N.J.A.C. 3:24-1.4, which deals with the check cashier license fees for a principal office, full branch office and a mobile office. The proposed amendment is necessary to make this rule consistent with N.J.A.C. 3:23 as readopted on November 18, 2002, at which time the license fees for check cashers were increased from \$1,200 to \$1,400. At that time the Department should have also amended N.J.A.C. 3:24-1.4, to refer to the increase in the license fees for check cashers' principal offices, full branch offices and mobile offices from \$1,200 to \$1,400.

The Department's rule proposal provides for a comment period of 60 days, and, therefore, pursuant to N.J.A.C. 1:30-3.3(a)5, is not subject to the provision of N.J.A.C. 1:30-3.1 and 3.2 governing rulemaking calendarz.

Social Impact

The proposed amendment has no social impact because it merely renders N.J.A.C. 3:24-1.4 consistent with N.J.A.C. 3:23-2.1, which increased license fees for check cashers from \$1,200 to \$1,400.

Economic Impact

The proposed amendment would have a neutral economic impact on the industry because license fees for check cashers were increased when the rule governing licenses fees for check cashers, N.J.A.C. 3:23-2.1, was readopted in November 2002.

Federal Standards Statement

A Federal standard analysis is not required because the proposed amendment is not subject to any Federal requirements or standards.

Jobs Impact

The Department does not anticipate that any jobs will be generated or lost as a result of the proposed amendment.

Agriculture Impact Statement

The Department does not expect any agriculture industry impact from the proposed amendment.

Regulatory Flexibility Analysis

Most licensees are small businesses as defined in the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. The license fees collected from them are used to reimburse the State for some of the costs it incurs in providing regulatory services. Thus the fees are related to the services provided to these businesses and not to their size. Accordingly, the Department does not differentiate the fees based on the size of the business. The Department believes that the compliance requirements to pay the license fees specified are not unduly burdensome and finds that they are consistent with prudent regulatory practices. The Department does not anticipate that outside professional services will be required for compliance.

Smart Growth Impact

The proposed amendment will have no impact on the achievement of smart growth and implementation of the State Development and Redevelopment Plan.

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

3:24-1.4 License fees; reporting fee

(a) The Department shall charge the following biennial fees to apply for or renew a license pursuant to this chapter:

1. A licensing fee of [\$1,200] **\$1,400** for a principal office;
2. A licensing fee of [\$1,200] **\$1,400** for a full branch office; and
3. A licensing fee of [\$1,200] **\$1,400** for a mobile office.

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