

Recodify existing N.J.A.C. 16:41C-8.7 and 8.8 as 8.8 and 8.9 (No change in text.)

(a)

**DIVISION OF CAPITAL PROGRAM MANAGEMENT
OFFICE OF OUTDOOR ADVERTISING AND
WIRELESS SERVICES**

**Tourist Oriented Directional Signs Program (TODS)
Adopted Amendments: N.J.A.C. 16:41D-2.1 and 3.2**

Proposed: August 21, 2017, at 49 N.J.R. 2779(a).
Adopted: November 8, 2017, by Richard T. Hammer,
Commissioner, Department of Transportation.
Filed: November 9, 2017, as R.2017 d.229, **without change**.
Authority: N.J.S.A. 27:1A-5, 27:1A-6, and 27:7-21.12.
Effective Date: December 4, 2017.
Expiration Date: June 20, 2018.

Summary of Public Comments and Agency Responses:
Comments were received from Ryan Krill, President, Garden State Craft Brewers Guild and Cape May Brewing Company on behalf of Garden State Craft Brewers Guild.

COMMENT: Mr. Krill expressed the organization’s support of the proposed amendments, which update eligibility requirements for participation in the TODS program. The Guild advocated for passage of P.L. 2015, c. 139, which alleviated small businesses from public telephone and free water eligibility requirements. He believes that this change will result in increased participation in the TODS program by limited license breweries. The Guild will continue to support reforms to the program, which afford the craft breweries easier access to the program and increases exposure to the businesses.

RESPONSE: The Department thanks Mr. Krill and the Guild for their comments and continued support.

Federal Standards Statement

Pursuant to N.J.S.A. 39:4-183.6, all official highway signs must conform to the Manual of Uniform Traffic Control Devices (MUTCD). The adopted amendments do not pertain to signage, therefore a Federal standards analysis pursuant to Executive Order No. 27 (1994) P.L. 1995, c. 65, is not required.

Full text of the adoption follows:

SUBCHAPTER 2. DEFINITIONS

16:41D-2.1 Definitions

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

...

SUBCHAPTER 3. ELIGIBILITY AND GENERAL REQUIREMENTS

16:41D-3.2 Participation requirements

(a) Each eligible facility must satisfy the following general requirements:

- 1.-3. (No change.)
Recodify existing 5.-8. as 4.-7. (No change in text.)

(b) Each eligible facility shall satisfy the following specific requirements. If a specific requirement conflicts with a general requirement, the specific requirement will apply.

- 1. (No change.)
- 2. The facility-specific requirements for camping facilities are as follows; the facility shall:
 - i. Be located within 10 miles of the State highway on which the intersection approach sign is erected; and
 - ii. Be open a minimum of seven days each week, 360 days per year, unless designated as seasonal.

3. The facility-specific requirements for fuel facilities are as follows; the facility shall:

- i.-iv. (No change.)
- v. Provide compressed air for tire inflation and free water for batteries and radiators.

4. The facility-specific requirements for lodging facilities are as follows; the facility shall:

- i. Be open a minimum of seven days each week, 360 days per year, unless designated as seasonal.

5. The facility-specific requirements for restaurants are as follows:

- i. (No change.)
- ii. A restaurant located in a mall, shopping center or other enclosed structure shall have a primary entrance from the public parking area, which is dedicated for the restaurant’s exclusive use.

- 6. (No change.)

TREASURY—GENERAL

(b)

**DIVISION OF ADMINISTRATION
Small Business Set Aside Rules**

Adopted New Rules: N.J.A.C. 17:13

Proposed: June 5, 2017, at 49 N.J.R. 1348(a).
Adopted: November 8, 2017, by Ford Scudder, State Treasurer.
Filed: November 8, 2017, as R.2017 d.227, **without change**.

Authority: N.J.S.A. 52:18A-30(d), 52:27H-21.7 et seq., 52:32-31, 52:34-6 et seq., 52:34-12, and 52:34-13; P.L. 2008, c. 27; and Executive Order Nos. 71 (2003) and 34 (2006).

Effective Date: December 4, 2017.
Expiration Date: December 4, 2024.

Summary of Public Comment and Agency Response:
No comments were received.

Federal Standards Statement

A Federal standards analysis is not required because the expired rules adopted herein as new rules relate strictly to the State of New Jersey and its small business and veteran-owned business registration process and small business set-aside process. The expired rules adopted herein as new rules are independent from any Federal systems or requirements.

Full text of the expired rules adopted herein as new rules can be found in the New Jersey Administrative Code at N.J.A.C. 17:13.

Full text of the adopted amendments to the expired rules adopted herein as new rules and the adopted new rule follows:

CHAPTER 13
SMALL BUSINESSES SET-ASIDE AND VETERAN-OWNED
BUSINESS REGISTRATION

SUBCHAPTER 1. PURPOSE, SCOPE, AND DEFINITIONS

17:13-1.1 Purpose and scope

(a) The rules in this chapter are promulgated by the Department of the Treasury to implement N.J.S.A. 52:32-17 et seq., P.L. 2008, c. 27, and Executive Order No. 71, dated October 2, 2003, to establish a set-aside program that, in part, requires State agencies with contracting authority to make a good faith effort to award State contracts and subcontracts to eligible small businesses. Executive Order No. 71 (2003) requires at least 25 percent of the total dollar value of State contracts to be set aside for small businesses. This percentage goal is an overall program goal for each State contracting agency. State contracting agencies are expected to apply their business judgment when establishing set-aside goals for individual contracts.

(b) The rules in this chapter apply to both State contracts for goods and services awarded by any State contracting agency and to the award