

RULE ADOPTIONS

CHILDREN AND FAMILIES

(a)

COMMISSIONER

Notice of Readoption Rulemaking Procedures

Readoption with Technical Changes: N.J.A.C. 3A:2

Authority: N.J.S.A. 9:3A-7.f, 52:14B-3(2), and 52:14B-4(a)(1) and (3) and (f).

Authorized By: Christine Norbut Beyer, M.S.W., Commissioner,
Department of Children and Families.

Effective Date: March 18, 2024, Readoption;
April 15, 2024, Technical Changes.

New Expiration Date: March 18, 2031.

Take notice that pursuant to N.J.S.A. 52:14B-5.1.c, the rules at N.J.A.C. 3A:2 were scheduled to expire on April 17, 2024. The rules allow the Department of Children and Families (Department) to comply with New Jersey statutes and rules regarding rulemaking.

Subchapter 1 sets forth the chapter's purpose, scope, and definitions. Subchapter 2 describes the procedures and requirements for petitions for rulemaking. Subchapter 3 establishes the methods by which the Department may provide additional publicity of a notice of proposal and to whom the Department may send advance notice of rule proposals. Subchapter 4 sets forth the Department's requirements related to requests for extending the comment period on a notice of proposal. Subchapter 5 describes requirements for requesting and conducting a public hearing on a proposed rulemaking. Subchapter 6 sets forth the internet website address where the Department maintains its policies, procedures, forms, and form instructions.

The Department has reviewed the rules at N.J.A.C. 3A:2 and determined that the rules should be readopted without substantial changes; however, technical changes are needed at N.J.A.C. 3A:2-2.1(a) and 6.1 to update website addresses and weblinks. The rules are necessary, reasonable, and proper for the purposes for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), these rules are readopted with technical changes and shall continue in effect for a seven-year period.

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

SUBCHAPTER 2. PETITION FOR RULEMAKING

3A:2-2.1 Petition for rulemaking procedures

(a) An interested person may petition the Department to adopt a new rule or amend or repeal any rule of the Department. The petitioner shall submit the petition in writing to:

1.-2. (No change.)

3. The electronic mailing list accessed at [<https://www.nj.gov/dcf/contact/email.html>] <https://public.govdelivery.com/accounts/NJDCF/subscriber/new?preferences=true#tab1>.

(b)-(f) (No change.)

SUBCHAPTER 6. RULES OF PRACTICE

3A:2-6.1 Rules of practice posted

The Department shall maintain its policies, procedures, forms, and form instructions on its internet website, [http://www.nj.gov/dcf/policy_manuals/toc.shtml] <https://dcfpolicy.nj.gov/>.

COMMUNITY AFFAIRS

(b)

DIVISION OF FIRE SAFETY

Uniform Fire Code

Fire Code Enforcement

High Level Alarms

Standards for the Certification of Fire Protection

Equipment Contractors

Fire Service Incident Management System

Adopted Amendments: N.J.A.C. 5:70-2.3, 2.4A, 2.4B, 2.5, 2.7, 2.11, 2.19, 2.21, 3.1, 4.7, 4.9, 4.19; 5:71-2.6, 2.9, 2.11, 3.3, 3.7; 5:72-2.8; 5:74-2.7; and 5:75-1.7

Adopted Repeal and New Rule: N.J.A.C. 5:70-3.2

Proposed: June 5, 2023, at 55 N.J.R. 1058(a).

Adopted: March 20, 2024, by Jacquelyn A. Suárez, Acting
Commissioner, Department of Community Affairs.

Filed: March 21, 2024, as R.2024 d.035 with non-substantial changes not requiring additional public comment (see N.J.A.C. 1:30-6.3).

Authority: N.J.S.A. 52:27D-25d, 25k, 25gg, 25hh, 198, and 219.

Effective Date: April 15, 2024.

Operative Dates: October 15, 2024, as to N.J.A.C. 5:70-3.2 (except N.J.A.C. 5:70-3.2(a)3x and xi);
April 15, 2025, as to N.J.A.C. 5:70-3.2(a)3x and xi.

Expiration Dates: N.J.A.C. 5:70, January 9, 2025;
N.J.A.C. 5:71, June 27, 2025;
N.J.A.C. 5:72, July 6, 2024;
N.J.A.C. 5:74, July 6, 2024; and
N.J.A.C. 5:75, January 10, 2025.

Summary of Public Comments and Agency Responses:

Comments were received from: Robert Beattie, Deputy Chief/Fire Official, North Plainfield Fire Department; Dennis Boone, President, AFAANJ; Debra Brewin-Wilson, Priest-in-Charge, St. Mary's by-the-Sea Episcopal Church; Philip I. Brilliant, Interfaith Coordinator, Congregation B'Nai Israel; Dale F. Chant, Interfaith Coordinator, Christ Episcopal Church; Patrick J. Ciarlariello, Greenbrook Township Fire Marshal; Tim Coyle, Fire Official, South Bound Brook Bureau of Fire Prevention and Ex-Chief, the Volunteer #55 Fire Department of South Bound Brook; Frank D'Amore, Fire Official Bernards Township and Bernardsville; Joseph DeLuca, President, North Jersey Chapter of ASCET; Steven Dill, Fire Official, Peapack Gladstone, Far Hills, and Bedminster; Carol Dorn, Interfaith Coordinator, St. Paul Lutheran Church and Holy Cross Lutheran Church; John Drucker; Joy Goldrick, Our Lady of Guadalupe Parish; Linda Halm, Interfaith Volunteer, Our Lady of Guadalupe Parish; Glenn Jacobs, President, Congregation B'Nai Israel; Matthew Janora, Chief Inspector, Fire Official, Toms River Bureau of Fire Prevention; Samuel Jones III, Interfaith Coordinator, St. Andrew UMC; William Kramer, Jr., Chief/Fire District Administrator, Cinnaminson Fire Department; Daniel Lawson, Fire Official, Raritan Bureau of Fire Prevention; John Lazorchak, Chairman, Hillsborough Board of Fire Commissioners; Robert Lynn, Fire Official, Somerville; Mitch Malec; Roy Mondri, Fire Marshal, Montgomery Township; Steve McConlogue, President, Professional Firefighters Association of New Jersey (PFANJ); Joseph Moschello, Lieutenant/Fire Protection Subcode Official, Summit Fire Department; Kathleen Mozolic, Interfaith Volunteer, Our Lady of Guadalupe Parish; Marian Muoio, Board Secretary, Interfaith Family Services; Joseph Pacia; David T. Phelan; Magdalena Plewik, Board Chair, Interfaith Family Services; Patricia A. Rainer, Interfaith Coordinator, Our Lady of Guadalupe Parish; John J. Romando, Interfaith Volunteer, Our