

# RULE ADOPTIONS

## BANKING

### (a)

#### DEPARTMENT OF BANKING AND INSURANCE

##### DIVISION OF BANKING

##### Notice of Readoption

##### Bank Service Corporations

##### Readoption: N.J.A.C. 3:14

Authority: N.J.S.A. 17:1-15.e and 17:9A-24.4.

Authorized By: Justin Zimmerman, Acting Commissioner,  
Department of Banking and Insurance.

Effective Date: October 23, 2023.

New Expiration Date: October 23, 2030.

**Take notice** that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 3:14 were scheduled to expire on November 22, 2023. The rules implement N.J.S.A. 17:9A-24.1 through 24.6 et seq., and provide the banking industry with standards for the formation of, and services provided by, bank service corporations. Bank service corporations perform bank services, other than the taking of deposits, for their stockholders or other institutions.

The rules set forth the definitions of key terms, such as “affiliate,” “appropriate Federal banking agency,” “bank,” “bank services,” “bank service corporation,” “banking institution,” “invest,” “limited liability company,” and “person.”

The rules identify services that bank service corporations are permitted to provide without application to the Commissioner of the Department of Banking and Insurance (Commissioner). The rules also identify services that may be performed only upon application to the Commissioner, the procedure for filing such applications, and the standards for the Commissioner’s approval or disapproval of such applications.

The chapter also prohibits a bank service corporation from discriminating in providing bank services to banking institutions that do not own stock in the bank service corporation, except that a bank service corporation may charge nonstockholding banking institutions a price reflecting the full cost of providing such services, including the cost of capital and a reasonable return thereon, and except that a bank service corporation may refuse to provide bank services if the services are available elsewhere at a comparable cost or are beyond the reasonable capacity of the bank service corporation.

The Department of Banking and Insurance has reviewed these rules and has determined that the rules are necessary, reasonable, and proper for the purpose for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c, these rules are readopted and shall continue in effect for a seven-year period.

## CHILDREN AND FAMILIES

### (b)

#### DIVISION OF CHILD PROTECTION AND PERMANENCY

##### Dispute Resolution

##### Readoption: N.J.A.C. 3A:5

Proposed: July 3, 2023, at 55 N.J.R. 1315(a).

Adopted: October 25, 2023, by Christine Norbut Beyer, M.S.W.,

Commissioner, Department of Children and Families.

Filed: October 25, 2023, as R.2023 d.134, **without change**.

Authority: N.J.S.A. 9:3A-7g, 9:3A-9, 30:4C-4.d, and 52:14B-9.1.

Effective Date: October 25, 2023.

Expiration Date: October 25, 2030.

##### Summary of Public Comment and Agency Response:

The official comment period ended on September 1, 2023. **No comments were received.**

##### Federal Standards Statement

The readopted rules comply with, and do not exceed the requirements of, the Federal Child Abuse Prevention and Treatment Act’s requirements for New Jersey’s State Plan. In particular, the State Plan must include provisions, procedures, and mechanisms by which individuals who disagree with an official finding of child abuse or neglect can appeal the finding. N.J.A.C. 3A:5 is also in compliance with New Jersey’s State Plan for Title IV-E of the Social Security Act. Requirements for the State plan include 42 U.S.C. § 671(a)12, which requires an opportunity for a fair hearing for any individual whose claim for benefits is denied or not acted on with reasonable promptness. These readopted rules establish opportunities for dispute resolution, and thus assist New Jersey to be eligible for Title IV-E funds. The Division of Child Protection and Permanency’s FY 2023 appropriation is \$188,255,000.

**Full text** of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C. 3A:5.

## COMMUNITY AFFAIRS

### (c)

#### DIVISION OF CODES AND STANDARDS

##### Notice of Readoption

##### Ski Lifts

##### Readoption: N.J.A.C. 5:12

Authority: N.J.S.A. 34:4A-4; and Reorganization Plan No. 002-1998.

Authorized By: Jacquelyn A. Suárez, Acting Commissioner.

Effective Date: October 17, 2023.

New Expiration Date: October 17, 2030.

**Take notice** that, pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 5:12 were scheduled to expire on January 17, 2024. These rules establish standards for ski lifts and aerial tramways, including requirements for registration, insurance, the submittal of plans for new or alterations to existing ski lifts or aerial tramways, the adoption of technical standards by reference, procedures in the event of accidents or mechanical issues, and procedures for evacuations. Subchapter 1 sets forth the general provisions of the chapter; Subchapter 2 sets forth the definitions of words and terms used in the chapter; Subchapter 3 establishes administrative requirements; Subchapter 4 sets forth the requirements for passenger tramways; and Subchapter 5 sets forth the requirements for evacuation of passenger tramways.

The Department of Community Affairs has reviewed the rules and has determined that they should be readopted without change. The rules are necessary, reasonable, and proper for the purpose for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c, these rules are readopted and shall continue in effect for a seven-year period.