

explanation shall include supporting data or documentation when available.

13:69K-6.8 EEBOP and PPHD assessment; statistical demonstration of compliance with obligations; demonstration of compliance through documentation of EEBOP implementation

(a) Each casino licensee or casino license applicant shall be required to demonstrate its compliance with the requirements of the Act and this chapter by participating in periodic assessment review concerning its performance under its approved EEBOP and PPHD.

(b) An EEBOP and PPHD assessment for a casino licensee shall be held as part of each casino license resubmission. A casino licensee operating under a resubmitted casino license shall also be required to participate in an interim EEBOP and PPHD assessment.

(c) EEBOP and PPHD assessment reviews for a casino license applicant shall occur on a schedule to be set by the Division, which schedule shall be based on the anticipated date of the initial casino licensure hearing of the applicant or, if a casino hotel is being built or renovated, the opening of the casino.

(d) Sixty days prior to the scheduled date of a casino license hearing, a resubmission review, or an interim EEBOP assessment, the casino licensee or casino license applicant shall submit a self-assessment of its performance under its approved EEBOP and PPHD during the assessment period, including, as applicable and without limitation, the following:

1. An internal review and evaluation of each of the areas of the EEBOP where objectives were not achieved, including documentation of specific transactions or programs that were included in the EEBOP and PPHD as a means to attain these objectives;

2. An analysis by the casino licensee or casino license applicant as to why the particular objectives were not achieved;

3. An internal review and evaluation of each programmatic portion of its approved EEBOP and PPHD as to which the Division has directed an assessment; and

4. Modifications to the approved EEBOP proposed by the casino licensee or casino license applicant as a means to improve its performance in deficient areas during the next EEBOP assessment period.

(e) Upon completion of an EEBOP and PPHD assessment for a casino licensee or casino license applicant, the Division may find that the casino licensee or casino license applicant has complied with the obligations of the Act and this chapter if:

1. The casino licensee or casino license applicant did implement and comply with the terms of its approved EEBOP during the assessment period; or

2. The casino licensee or casino license applicant has in fact made good faith efforts to comply with its approved EEBOP and its failure to do so was based on occurrences which were beyond the control of the casino licensee or casino license applicant.

(f) If, upon completion of an EEBOP and PPHD assessment, the Division determines that a casino licensee or casino license applicant has failed to comply with the requirements of the Act, this chapter, or its approved EEBOP or PPHD, the Division may impose one or more of the sanctions authorized by N.J.A.C. 13:69K-7.3.

SUBCHAPTER 7. ACTIONS AND SANCTIONS REGARDING PLANS PROHIBITING HARASSMENT AND DISCRIMINATION AND PROMOTING EQUAL EMPLOYMENT BUSINESS OPPORTUNITY

13:69K-7.1 Special EEBOP and PPHD reviews and hearings

(a) Notwithstanding any other provision of this chapter, the Division may require a casino licensee or casino license applicant to conduct a self assessment of all or any part of its approved EEBOP or PPHD whenever the Division has cause to question whether the EEBOP or PPHD or the implementation of the EEBOP or PPHD by the casino licensee or casino license applicant is likely to achieve compliance with the obligations imposed by the Act and this chapter.

(b) Any casino licensee or casino license applicant that is notified that a special review of its EEBOP or PPHD shall be conducted pursuant to this section shall supply whatever documentation or reports are requested

by the Division. A special review or hearing on the EEBOP or PPHD of the casino licensee or casino license applicant may be ordered by the Division at any time and shall be conducted under such terms and conditions as the Division may direct. The sole purpose of such review or hearing shall be to determine whether the casino licensee or casino license applicant should be required to make immediate modifications to its EEBOP or PPHD consistent with the purposes of the Act and this chapter.

13:69K-7.2 On-site monitoring and inspections

A representative of the Division shall be entitled to enter the casino hotel, casino, casino simulcasting facility, or any related facilities of a casino licensee or casino license applicant for the purposes of determining whether the casino licensee or casino license applicant is complying with the Act, this chapter, and its approved EEBOP and PPHD. In making such a determination, the Division shall be entitled to inspect or copy any relevant books or records.

13:69K-7.3 Sanctions

(a) If the Division determines that a casino licensee or casino license applicant is in violation of any applicable provision of the Act, this chapter, or its approved EEBOP or PPHD, the Division, as appropriate, may:

1. (No change.)
2. Take action to deny, suspend, or revoke the casino license;
3. Enter a cease and desist order that specifies the practice or contract to be discontinued or altered by the casino licensee or casino license applicant;
4. Issue public letters of reprimand or censure to be made a permanent part of the file of the casino licensee or casino license applicant;
5. (No change.)
6. Refer to the Attorney General, or his or her designee, circumstances that may constitute violation of the Law Against Discrimination, N.J.S.A. 10:5-1 et seq.;
7. (No change.)
8. Act to impose license conditions; and
9. (No change.)

(a)

DIVISION OF STATE POLICE

**Notice of Readoption
Private Detectives**

Readoption: N.J.A.C. 13:55

Authority: N.J.S.A. 45:19A-12.

Authorized By: Colonel Patrick Callahan, Office of the Superintendent, Division of State Police, with the approval of Gurbir S. Grewal, Attorney General.

Effective Date: January 28, 2021.

New Expiration Date: January 28, 2028.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 13:55 were scheduled to expire on April 9, 2021. The rules at N.J.A.C. 13:55 establish the standards for any person who engages in the private detective business in the State, pursuant to N.J.S.A. 45:19-8.

Specifically, the rules address the following:

N.J.A.C. 13:55-1.1 provides that any person desiring to engage in the private detective business must request in writing and file an application on a form provided by the Superintendent.

N.J.A.C. 13:55-1.2 prohibits the duplication of a license without the approval of the Superintendent.

N.J.A.C. 13:55-1.3 requires employees' statements and fingerprint cards to be consecutively numbered and requires the licensee to submit a list of employees on July 1 of each year.

N.J.A.C. 13:55-1.4 requires licensees and employees to carry and exhibit the identification card and to surrender the card on termination of employment.

N.J.A.C. 13:55-1.5 prohibits licensees from using any uniform or badge with intent to confuse the public or using a title, badge, uniform, or other insignia likely to be confused with a law enforcement officer.

N.J.A.C. 13:55-1.6 contains restrictions on the content of advertising by licensees.

N.J.A.C. 13:55-1.7 prohibits licensees from being parties to a franchise agreement and from agreeing to compensation based on the results achieved for services rendered.

N.J.A.C. 13:55-1.8 prohibits active members of a State, political subdivision, or Federal law enforcement agency from being issued a private detective license.

N.J.A.C. 13:55-1.9 concerns continuation of a license when the licensee no longer qualifies.

N.J.A.C. 13:55-1.10 requires a licensee to reapply if the form of the business changes.

N.J.A.C. 13:55-1.11 states the grounds for which the Superintendent may deny, revoke, suspend, or refuse to renew a license.

N.J.A.C. 13:55-1.12 contains the procedure for requesting a hearing.

N.J.A.C. 13:55-1.13 states the location and mailing address of State Police Headquarters.

The Division of State Police has reviewed these rules and determined them to be necessary, reasonable, and proper for the purpose for which they were originally promulgated as required by Executive Order No. 66 (1978). Therefore, pursuant to N.J.S.A. 45:19A-12, and in accordance with N.J.S.A. 52:14B-5.1.c(1), these rules are readopted without amendment and shall continue in effect for a seven-year period.