

9A:12-1.3 Project eligibility

- (a)-(d) (No change.)
- (e) For a project to be eligible to receive a grant, the institution must:
 - 1.-3. (No change.)
 - 4. Commit to paying one-third (1/3) of debt service on the bonds issued to fund the capital improvement project if a public institution and one-half (1/2) of debt service if a private institution.

9A:12-1.4 Grant applications

(a) Following approval by its governing board at a duly authorized meeting, an institution may apply to the Secretary for a grant from the capital improvement fund. The institution’s application shall include the following items:

- 1.-13. (No change.)
- 14. Any additional information the institution deems necessary to demonstrate how the institution’s proposed project meets the objectives identified [in] at N.J.A.C. 9A:12-1.5(b); [and]

15. Any information regarding the prioritization of deferred maintenance projects, including those supported by a review done by an outside facilities data analytics and planning company;

16. Documentation supporting the energy efficiency of the proposed project, including manufacturer information or engineer reports; and

- [15.] 17. (No change in text.)
- (b)-(c) (No change.)

9A:12-1.5 Application review and approval process

- (a) (No change.)
- (b) In determining whether an application shall be approved for a grant, the Secretary shall consider the degree to which the proposed capital improvement project supports the following objectives:
 - [1. Advancement of student education in the State of New Jersey;] Recodify existing 2. and 3. as 1. and 2. (No change in text.)
 - [4. Promotion of innovation and improvement in the delivery of higher education;
 - 5. Advancement of study at all levels in science, technology, engineering, and mathematics education;]
 - [6.] 3. (No change in text.)
 - 4. The cost-effectiveness of the project;**
 - [7.] 5. (No change in text.)
 - [8. The cost-effectiveness of the project;]
 - [9.] 6. (No change in text.)
 - [10. Consistency of the project with the State’s goals and priorities for development and redevelopment, including the promotion of industry clusters, job and business opportunities in areas designated by the State for growth, transportation choice, and efficient mobility of goods and people, and promotion of access to opportunity for all New Jersey residents;]
 - [11.] 7. (No change in text.)
 - [12. Whether it serves the best interests of higher education in the State as a whole.]

8. Directly addresses deferred maintenance concerns or projects that will mitigate the need for future maintenance; and

9. Any other information relating to a specific application that the Secretary may require.

(c) Preference will be given to projects that promote energy efficiency.

9A:12-1.6 Authorization process

- (a)-(h) (No change.)
- (i) **In the event that an institution requires a modification to an approved project, a formal request must be sent to the Secretary prior to any action being taken by the institution, in order for the Secretary to evaluate the merits of the proposed project modification against the objectives set forth at N.J.A.C. 9A:12-1.5(b). The Secretary may exercise discretion to allow a grantee to modify its project if such modification is reasonable and consistent with the scope, objectives, purpose, and intent of the originally approved project and if such modification does not constitute a material change. Project modifications will be reviewed on a case-by-case basis and must be authorized under the terms and conditions of the grant**

agreement, tax certificate, and any other applicable bond documents. Material modifications to the grant agreement are prohibited. Additionally, the Secretary may, in a manner consistent with the allocations provided in the Act, allocate any balance in an approved grant to another approved grant of the same institution.

9A:12-1.7 Payment of principal and interest

(a) Each four-year public institution shall pay the Authority, or the bond trustee, if so directed by the Authority, one-third (1/3) and each four-year private institution shall pay the Authority, or bond trustee, if so directed by the Authority, one-half (1/2) of the amount necessary to pay the principal and interest on the portion of bonds allocated to finance the capital improvement projects for the institution and in accordance with its [lease] grant agreement.

(b) If an institution fails or is unable to pay to the Authority in full, when due, any such obligation of an institution to the Authority, an amount sufficient to satisfy the deficiency shall be retained by the State Treasurer from State aid or any other State appropriation [payable] allotted to the institution. As used in this subsection, “obligation of an institution” means any amount payable by the institution for the principal and interest on the bonds, notes, or other obligations of the Authority issued to finance projects for the institution under this program. The Authority shall notify the State Treasurer of the amount to be retained to satisfy the obligation of each institution. A copy of such notification shall be submitted to the Secretary.

9A:12-1.8 Reporting requirements

(a) **Each institution shall annually submit, by May 31st or such other date, as determined by the Secretary, a report to the Authority pursuant to and in accordance with the requirements set forth by the grant agreement.**

(b) **Each institution shall, whenever requested by the Authority, provide and certify, in a form satisfactory to the Authority, such information concerning the institution and the project, the operations and finances of the institution, and such other matters that the Authority considers to be necessary in order to enable the Authority to make any reports, including reports to the Secretary, which are required by any law or governmental regulations in connection with the bonds issued under the Act.**

LAW AND PUBLIC SAFETY

(a)

DIVISION OF STATE POLICE

Traffic Control and Parking on State Property in Trenton

Proposed Readoption with Amendments: N.J.A.C. 13:56

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

Authority: N.J.S.A. 39:4-208.

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

Proposal Number: PRN 2021-061.

Submit comments by September 17, 2021, to:

Colonel Patrick Callahan, Office of the Superintendent
 Attn: State House Complex Security Unit
 New Jersey State Police
 225 W. State St.
 Trenton, New Jersey 08608
 or by email to: ParkingRegulations@njsp.org

The agency proposal follows:

Summary

The rules governing parking were originally promulgated by the Division of State Police (Division) in 1972 and were not subject to Executive Order No. 66 (1978). Pursuant to N.J.S.A. 52:14B-5.1.c, these rules were scheduled to expire on April 9, 2021. Pursuant to Executive Order No. 127 (2020) and P.L. 2021, c. 104, any chapter of the New Jersey Administrative Code that would otherwise have expired during the Public Health Emergency originally declared in Executive Order No. 103 (2020) was extended through January 1, 2022. Therefore, this chapter has not yet expired and is extended 180 days from the later of the existing expiration date or the date of publication of this notice of proposed re-adoption, whichever is later, which date is January 15, 2022, pursuant to N.J.S.A. 52:14B-5.1.c, Executive Order No. 244 (2021), and P.L. 2021, c. 104.

These rules describe the process for issuing visitor and employee parking permits and establish general rules for traffic control on State parking lots. The Division has reviewed the rules and has determined them to be necessary, reasonable, and proper for the purpose for which they were originally promulgated and proposes to re-adopt the rules with amendments. N.J.A.C. 13:56 currently contains one subchapter, a description of the rules and proposed amendments follows.

N.J.A.C. 13:56-1.1 provides that a permit is required for parking but spaces are on a first come, first served basis. The Division proposes a technical amendment at subsection (a) for grammar.

N.J.A.C. 13:56-1.2 explains the rules for visitor parking.

N.J.A.C. 13:56-1.3 sets forth the application procedure.

N.J.A.C. 13:56-1.4 restricts permits to full-time State employees or those connected with State government in Trenton.

N.J.A.C. 13:56-1.5 describes the content and requirements for display of parking permits. The Division proposes an amendment to this section to replace existing subsection (b) to indicate all parking permits must be hung from the rear view mirror with the serial number facing forward.

N.J.A.C. 13:56-1.6 prohibits counterfeiting or loaning of parking permits.

N.J.A.C. 13:56-1.7 and 13:56-1.8 are reserved.

N.J.A.C. 13:56-1.9 concerns recordkeeping requirements.

N.J.A.C. 13:56-1.10 concerns temporary permits.

N.J.A.C. 13:56-1.11 concerns reserved parking.

N.J.A.C. 13:56-1.12 concerns emergency parking conditions, as determined by State Police.

N.J.A.C. 13:56-1.13 concerns parking at the State House Complex. The Division proposes amendments to this section to update the entrances of designated parking areas and to remove time restrictions.

N.J.A.C. 13:56-1.14 concerns parking in driveways.

N.J.A.C. 13:56-1.15 requires that vehicles be parked only in marked spaces.

N.J.A.C. 13:56-1.16 provides that illegally parked vehicles may be towed at the owner's expense.

N.J.A.C. 13:56-1.17 requires operators to obey all traffic control devices and police officers.

N.J.A.C. 13:56-1.18 establishes an offense of careless driving.

N.J.A.C. 13:56-1.19 establishes a maximum speed of 15 miles per hour in State parking areas.

N.J.A.C. 13:56-1.20 requires operators to obey the directions of traffic or police officers on duty.

N.J.A.C. 13:56-1.21 provides for the revocation of a parking permit for violation of Chapter 56.

N.J.A.C. 13:56-1.22 concerns overflow of parking.

N.J.A.C. 13:56-1.23 requires permit holders to notify the permit issuer of a change in vehicle registration number.

N.J.A.C. 13:56-1.24 sets forth penalties.

N.J.A.C. 13:56-1.25 requires the permit holders to surrender permits on termination of employment.

The Division has provided a 60-day comment period for this notice of proposal. Therefore, the notice is excepted from the rulemaking calendar requirement pursuant to N.J.A.C. 1:30-3.3(a)5.

Social Impact

The rules proposed for re-adoption with amendments provide for the orderly distribution of parking permits for State employees and visitors to government offices in Trenton. The rules proposed for re-adoption with

amendments also establish traffic control standards for State parking facilities and thereby contribute to public safety and security at State offices.

Economic Impact

The rules proposed for re-adoption with amendments do not impose any costs on employees or visitors. Persons who violate parking rules are subject to the fines prescribed by N.J.S.A. 39:4-209 and at N.J.A.C. 13:56-1.24.

Federal Standards Statement

A Federal standards analysis is not required because the rules proposed for re-adoption with amendments are not subject to any Federal laws, rules, or standards.

Jobs Impact

The rules proposed for re-adoption with amendments will not result in the generation or loss of jobs in New Jersey.

Agriculture Industry Impact

The rules proposed for re-adoption with amendments will not have an impact on the agriculture industry of the State.

Regulatory Flexibility Statement

A regulatory flexibility analysis is not required because the rules proposed for re-adoption with amendments do not impose reporting, recordkeeping, or other compliance requirements on small businesses, as that term is defined in the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. The rules proposed for re-adoption with amendments apply to State employees who are issued parking permits, to visitors who park at State facilities in Trenton, and to the issuing authority, none of which are small businesses.

Housing Affordability Impact Analysis

The rules proposed for re-adoption with amendments will have an insignificant impact on the affordability of housing in New Jersey and there is an extreme unlikelihood that the rules proposed for re-adoption with amendments would evoke a change in the average costs associated with housing because the rules proposed for re-adoption with amendments concern parking on State property in Trenton.

Smart Growth Development Impact Analysis

The rules proposed for re-adoption with amendments will not have any impact upon the achievement of smart growth. There is an extreme unlikelihood the rules proposed for re-adoption with amendments would evoke a change in housing production within Planning Areas 1 or 2, or within designated centers, under the State Development and Redevelopment Plan because the rules proposed for re-adoption with amendments concern parking on State property in Trenton.

Racial and Ethnic Community Criminal Justice and Public Safety Impact

The Division has evaluated the rules proposed for re-adoption with amendments and determined that they will not have an impact on pretrial detention, sentencing, probation, or parole policies concerning adults and juveniles in the State. Accordingly, no further analysis is required.

Full text of the rules proposed for re-adoption may be found in the New Jersey Administrative Code at N.J.A.C. 13:56.

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

SUBCHAPTER 1. GENERAL PROVISIONS

13:56-1.1 Parking permit

(a) Except as hereinafter provided, the operator of a vehicle shall not park the vehicle in any parking area constructed, owned, and maintained in Trenton by the State of New Jersey, unless such vehicle is registered with, and a valid parking permit is issued by, the Department of Treasury, Division of Property Management and Construction.

(b)-(c) (No change.)

13:56-1.5 Contents and display of parking permits

(a) (No change.)

[(b) Except as otherwise provided in this chapter, the permit shall be designed for pasting and shall be affixed to the front and rear bumper of the vehicle or displayed so as to be clearly visible through the front windshield. Car pool parking permits issued for designated areas shall be displayed from the driver's sun visor in such a manner to be visible through the front windshield of the vehicle.]

(b) All State parking permits shall be hung from the rearview mirror with the serial number facing forward.

13:56-1.13 Entrances to parking areas

(a) All vehicles entering the State House [complex] **Complex** parking areas shall enter at the [Lafayette Boulevard] **Barracks Street** entrance **at the intersection with Lafayette Boulevard.**

[(b) The Annex and Education driveways shall be closed to all traffic from 6:00 P.M. to 9:00 A.M. daily; and at all times on holidays and weekends. This shall be accomplished by placing a locked chain across the driveway.

(c) During hours that the Annex and Education drives are closed, all vehicles shall exit through the Lafayette Boulevard exit.]

[(d)] **(b)** The entire **State House Complex** parking [complex] **area**, may be closed at anytime deemed necessary to provide security to the State House and buildings within the State House [complex] **Complex** parking area.
