

SUBCHAPTER 14. LOANS—ABP RETIREMENT PLAN, ACTS,  
AND CLOSED PLAN

17:7-14.1 Loan permitted

(a) A participant may borrow from his or her employee account up to the amounts allowed under Federal law while still employed. The employee account and employer account shall be used solely to qualify for the amount of a policy loan.

1. Terms of loans. All loans shall be made on such terms and conditions as the Plan Administrator may determine and in accordance with the rules and procedures of the applicable DSP, provided that all loans:

- i.-iii. (No change.)
- iv. Shall provide for repayment in full on or before the earlier of:
  - (1) (No change.)

(2) The date when distribution of the participant's [ABP Retirement] Plan benefit is fully distributed (including payments after retirement out of Plan distributions); **and**

- v. (No change.)

2. Amount of loan. The minimum amount of any new loan made to a participant shall be established by, and be subject to the loan rules and procedures of, the applicable DSP. The maximum amount of any new loan made to a participant shall be offset by the balance (principal plus accrued interest) due on any outstanding loans to the participant from the ABP Retirement Plan and ACTS (and from any other plans of the employer that are qualified employer plans under IRC § 72(p)(4)). In accordance with IRC § 72(p)(2), the principal amount of the new loan shall not exceed the lesser of:

- i. Fifty thousand dollars, reduced by the greater of:

(1) The outstanding balance on any loan from the [ABP Retirement] Plan (and from any other plans of the employer that are qualified employer plans under IRC § 72(p)(4)) to the participant on the day the loan is made; or

- (2) (No change.)

- ii. (No change.)

- 3.-7. (No change.)

SUBCHAPTER 16. ADMINISTRATION OF DISTRIBUTIONS—  
ABP RETIREMENT PLAN AND ACTS

17:7-16.1 Claim for distribution

(a) Any distribution shall be paid only upon a claim made on the applicable form, and submission of additional information requested by the Plan Administrator, including, but not limited to:

1. [If the distribution is made under N.J.A.C. 17:7-8.1, appropriate] **Appropriate** evidence that the participant has a severance from employment;

2. If the distribution is an Eligible Rollover Distribution (as defined in N.J.A.C. 17:7-9.2), the distributee's instruction as to whether the distribution (or a portion of the distribution) is to be paid directly to an eligible [ABP] Retirement Plan (as defined in N.J.A.C. 17:7-9.2), and if any amount is to be paid directly to such an eligible [ABP] Retirement Plan, the name and address of the trustee or plan administrator of that eligible [ABP] Retirement Plan together with any other information that the Plan Administrator or DSP reasonably requests pursuant to Treasury Reg. § 1.401(a)(31)-1;

- 3.-8. (No change.)

(a)

**NEW JERSEY OFFICE OF INFORMATION  
TECHNOLOGY**

**9-1-1 EMERGENCY TELEPHONE SYSTEM**

**Proposed Readoption: N.J.A.C. 17:24**

Authorized By: Odysseus Marcopoulos, Acting Chief Technology Officer, New Jersey Office of Information Technology.

Authority: N.J.S.A. 52:17C-15.b.

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

Proposal Number: PRN 2018-023.

Submit written comments by May 4, 2018, to:

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The agency proposal follows:

**Summary**

Pursuant to N.J.S.A. 52:17C-1 et seq., N.J.A.C. 17:24, the 9-1-1 Emergency Telephone System rules were scheduled to expire on March 23, 2018. As the New Jersey Office of Information Technology (NJOIT) submitted this notice of proposal to the Office of Administrative Law prior to that date, the expiration date was extended 180 days to September 19, 2018, pursuant to N.J.S.A. 52:14B-5.1.c(2). This proposed readoption is designed to readopt all 11 subchapters without change.

An administrative review has been conducted, and a determination made that all subchapters be continued because the rules are necessary, reasonable, adequate, efficient, and responsive for the purposes for which they were originally promulgated.

The rules establish the technical requirements and operational standards for all components of the Statewide 9-1-1 Enhanced Emergency Telephone System. They define and allocate responsibility for planning, equipping, staffing, establishing, operating, and maintaining Public Safety Answering Points, Public Safety Dispatch Points, and the Enhanced 9-1-1 Network, and they define and allocate responsibility for providing information necessary to establish and maintain the Automatic Location Information capability of the System.

The 9-1-1 system now in place enables those facing an emergency to dial 9-1-1 anywhere in the State and be connected to a Public Safety Answering Point (PSAP). 9-1-1 calls placed from a "wire line" type phone, that is, residential, business, or coin/pay phone, will be connected to the correct PSAP, which will automatically receive the name and address registered to the telephone placing the call and the identity of the police, fire, and emergency medical services agencies responsible for that location. The call-taker at the PSAP then transfers the call to the appropriate emergency service agency at the press of a button or dispatches the emergency service directly, depending on the option chosen by the localities it serves.

A subchapter summary of the rules contained in N.J.A.C. 17:24 proposed for readoption follows:

Subchapter 1 describes the general provisions applicable to the emergency 9-1-1 telephone system, including the purpose of the rules and defines the terms used. Subchapter 1 also describes Office of Emergency Telecommunications Services' (OETS) inspection and enforcement authority.

Subchapter 2 outlines the staffing and equipment requirements for PSAPs. This subchapter also contains the operational standards and recordkeeping requirements applicable to PSAPs.

Subchapter 3 sets forth the staffing and equipment requirements for Public Safety Dispatch Points (PSDPs), as well as their operational standards.

Subchapter 4 sets forth the design features for the 9-1-1 network. These design requirements are mandatory for telephone companies doing business in New Jersey. Subchapter 4 also sets forth requirements for maintaining and backing up the system in the event of component failure. NJOIT has begun the planning for Next Generation 9-1-1 (NG9-1-1), an IP infrastructure, and anticipates the need for amendments to this subchapter in the future when the infrastructure design and build nears completion.

Subchapter 5 sets forth the responsibilities of municipalities, including the appointment of a municipal 9-1-1 coordinator, and the assembling and provision of information concerning the emergency service agencies that serve the municipalities for inclusion in the 9-1-1 database.

Subchapter 6 sets forth the responsibilities of the counties, including the appointment and duties of the county 9-1-1 coordinator and the preparation of the county 9-1-1 plans, which were due within 120 days of the adoption of the original rules.

Subchapter 7 requires wireless telephone companies doing business in New Jersey to provide certain cell-specific information so that 9-1-1 emergency calls received over a wireless telephone may be routed to the appropriate PSAP.

Subchapter 8 requires suppliers of 9-1-1 equipment to obtain OETS' approval prior to connection of their equipment to the New Jersey 9-1-1 network. It also prohibits the use of certain automatic dialing devices and devices to block outgoing 9-1-1 calls.

Subchapter 9 requires all public telephones, including coin and credit card telephones, to be configured to allow a caller to dial and complete a 9-1-1 call without inserting a coin or any other device, and requires the posting of 9-1-1 instructions on each such telephone.

Subchapter 10 sets forth requirements for the use of the phrase "9-1-1" and the publication of emergency numbers.

Subchapter 11 sets forth requirements for integrating the Certified Local Exchange Carriers (CLECs) into the 9-1-1 network. It further requires CLECs to provide toll free numbers for their network operation center for reporting problems and a toll free fax number for database correction forms.

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

#### **Social Impact**

The enactment and implementation of the 9-1-1 legislation in New Jersey is the culmination of a study process which, in the United States, began in 1967 when the President's Commission on Law Enforcement and Administration of Justice recommended that a "single number should be established" for reporting police emergencies. In January of 1986, the Emergency Response System Study Commission recommended the enactment of legislation to create a Statewide, enhanced 9-1-1 emergency telephone system in the State of New Jersey. Pursuant to this recommendation N.J.S.A. 52:17C-1 et seq., was enacted in January of 1989.

The New Jersey 9-1-1 system allows a person dialing 9-1-1 anywhere in the State to be connected automatically, without charge, to a PSAP operated on a 24-hour basis, seven days a week, servicing the area in which the caller's telephone is located. The PSAP attendant receiving the call has a display of the caller's telephone number, address, and the identified emergency response agencies serving that location for wire line type 9-1-1 calls; however, limited information is provided on wireless type 9-1-1 calls. The PSAP will dispatch directly or transfer to the appropriate PSDP.

The Statewide 9-1-1 system permits the use of the simple, easily remembered numbers "9-1-1," to summon all emergency services from any telephone within the State. When calls are placed from wire line type phones, the person answering the call receives identification of the telephone and location from which the call is placed and the identity of the appropriate emergency services. The response time is minimized. The call-taker will have that information automatically available in those situations in which the caller is unable to identify himself or herself. When calls are placed to 9-1-1 from wireless devices, the person

answering the call receives limited information and, at this time, must usually rely on the caller's ability to indicate their exact location.

In 1990, rules were adopted to assure the public that, when a 9-1-1 call was placed in New Jersey, the emergency call would be answered at the proper PSAP by a trained call-taker. In 1995, the rules were readopted, continuing this public safety service. Since 1995, changes in the public's expectation of 9-1-1 prompted OETS and the 9-1-1 Commission (now the Statewide Public Safety Communications Commission), to amend the training requirements to enhance the quality of emergency medical dispatching during the 2000 readoption process. In 2005, the rules were readopted without change. In 2011, the rules were readopted with amendments updating several definitions in Subchapter 1, the amendments also permitted the electronic storage of call detail information in Subchapters 2 and 4. The 2011 amendments included a requirement that the CPR certification in Subchapter 2 be in a program approved by the Department of Health. No new social impact is anticipated from the rules proposed for readoption.

#### **Economic Impact**

The rules contained in this readoption have not changed since the 2011 readoption. There is no change in the economic impact. The bulk of the cost of the New Jersey 9-1-1 system is funded by the State of New Jersey, which is responsible for payment of costs related to the network, including the dedicated telephone lines, the network switching equipment, and the database. The cost to the local municipalities is limited to the equipment and staff necessary for a PSAP and/or PSDP operation. These costs may be shared on a regional or countywide basis by municipalities that participate in joint PSAPs or dispatch operations.

#### **Federal Standards Statement**

The rules proposed for readoption do not impose standards that exceed any Federal law or standard, specifically 47 CFR 20.18 and the Wireless Communications and Public Safety Act of 1999, Pub. L 106-81.

#### **Jobs Impact**

The rules proposed for readoption have no impact on the number of jobs in PSAPs, PSDPs, the telephone industry, or elsewhere in the State.

#### **Agriculture Industry Impact**

The rules proposed for readoption have no impact on the agriculture industry.

#### **Regulatory Flexibility Analysis**

The rules proposed for readoption do not place any reporting, recordkeeping, or compliance requirements on small businesses as the term is defined by the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq., unless such small businesses seek to manufacture 9-1-1 terminal equipment for use in PSAPs located throughout New Jersey. Such small businesses would include those that manufacture telecommunications equipment that connects to the public switched telephone network. Businesses seeking approval would not likely incur any additional expenses beyond the normal costs involved in product research and development. No outside professional services will need to be employed. There is no cost charged by the State for the required approval process. Once approved, there are no annual compliance costs that would be imposed. To safeguard the public, there is no provision for reducing the requirements for small businesses that manufacture 9-1-1 equipment. Any reduction in the requirements for small businesses would create a threat to public safety and endanger those utilizing the 9-1-1 system should equipment manufactured not perform to the accepted standards.

#### **Housing Affordability Impact Analysis**

The rules proposed for readoption have no impact on housing affordability and are unlikely to evoke a change in the average costs associated with housing in New Jersey. The rules proposed for readoption establish technical requirements and operational standards for all components of the Statewide 9-1-1 Enhanced Emergency Telephone System.

#### **Smart Growth Impact Analysis**

The rules proposed for readoption have no impact on the achievement of smart growth in New Jersey and are unlikely to evoke a change in

housing production within Planning Areas 1 or 2, or within designated centers, under the New Jersey State Development and Redevelopment Plan. The rules proposed for readoption establish technical requirements and operational standards for all components of the Statewide 9-1-1 Enhanced Emergency Telephone System.

**Full text** of the rules proposed for readoption may be found in the New Jersey Administrative Code at N.J.A.C. 17:24.

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