

(m) Whenever a person uses a CMV in the commission of a felony involving an act or practice of severe forms of trafficking in persons, the person's commercial driving privileges shall be revoked for life.

(a)

MOTOR VEHICLE COMMISSION

Transportation Network Companies

Proposed Readoption of Specially Adopted Amendments with Amendments: N.J.A.C. 13:21-26.1, 26.2, 26.3, and 26.7

Proposed Readoption of Specially Adopted New Rules with Amendments: N.J.A.C. 13:21-26.8 and 26.9 and 13:21-26 Appendix

Authorized By: Motor Vehicle Commission, B. Sue Fulton, Chair and Chief Administrator.

Authority: N.J.S.A. 39:5H-23 and 39:5H-23.1.

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

Proposal Number: PRN 2020-076.

Submit comments by September 18, 2020, to:

Kate Tasch, Director
Legal and Regulatory Affairs
Motor Vehicle Commission
225 East State Street
PO Box 162
Trenton, NJ 08666-0162
or via email to: rulecomments@mvc.nj.gov

The agency proposal follows:

Summary

Effective November 7, 2019, the New Jersey Motor Vehicle Commission (Commission), specially adopted amendments at N.J.A.C. 13:21-26.1, 26.2, 26.3 and 26.7 and new rules at N.J.A.C. 13:21-26.8 and 26.9 and 13:21-26 Appendix, as authorized by and in compliance with P.L. 2019, c. 128 (Sami's Law). The specially adopted rules were scheduled to expire on November 26, 2020 (one year after the effective date of the rulemaking), pursuant to Sami's Law. As the Commission filed this notice of re-adoption prior to the expiration of the specially adopted amendments and new rules, this expiration date is extended 180 days to May 25, 2021, pursuant to N.J.S.A. 52:14B-5.1.c(2).

The Commission proposes to re-adopt the specially adopted amendments to N.J.A.C. 13:21-26.1, 26.2, 26.3 and 26.7 and new rules at N.J.A.C. 13:21-26.8 and 26.9 and an appendix to the rules at 13:21-26 Appendix. The purpose of the rules is to improve safety for consumers of prearranged ride services requested through a digital network. The amendments and new rules make it easier and clearer for riders to confirm the identity of an Uber, Lyft, or other prearranged ride vehicle before the rider enters the vehicle. There are currently only three permitted prearranged ride providers in New Jersey (referred to as "Transportation Network Companies" or "TNCs"), namely Uber, Lyft, and River North Transit (VIA). All current and future permitted providers of prearranged rides (TNCs) must comply with these important consumer safety rules. The amendments and new rules implement statutory requirements that mandate that TNC drivers have reflective or illuminated identifying markers, or both, two-dimensional barcodes or other machine-readable codes or images, and identifying credential placards displayed on their personal vehicles.

Although the specially adopted new rules and amendments are already effective, the following information is intended to all the public to offer public comment at this point in time and to discuss further amendments the Commission is proposing at this time to the specially adopted new rules and amendments.

The specially adopted amendments proposed herein for re-adoption at N.J.A.C. 13:21-26.1 include new definitions relevant to the new and amended rules, including, "credential placard," "high resolution picture,"

"machine-readable code or image," "mobile application," "personal mobile device," "times of darkness," and "two-dimensional barcode," and amendment to the definition of "identifying marker." Notably, the "credential placard" definition is clarified to make clear that the rule applies to every TNC driver who provides prearranged rides that begin/originate in New Jersey, end/terminate in New Jersey, or both begin/originate and end/terminate in New Jersey.

The specially adopted amendments proposed herein for re-adoption at N.J.A.C. 13:21-26.2 reflect that each TNC applicant must include, as part of its application, proof that the TNC has established three things: an identifying marker in compliance with N.J.S.A. 39:5H-23.b; two-dimensional barcodes or other machine-readable codes or images in compliance with N.J.S.A. 39:5H-23.c; and credential placards in compliance with N.J.S.A. 39:5H-23.1.a. The credential placards, pursuant to N.J.S.A. 39:5H-23.1.a, must comply with the uniform credential placard template designed by the Chief Administrator of the Commission. The two-dimensional barcodes or other machine-readable codes or images may be included on the credential placards or produced as separate documents.

Proof of establishment of all three credentials is required to be supplied to the Commission as part of each TNC applicant's application. Each TNC applicant shall also attach to the application, and send by email to the Commission, full color copies for recording by the Commission, of the TNC's identifying marker, two-dimensional barcode or other machine-readable code or image, and credential placard.

The specially adopted amendments proposed herein for re-adoption at N.J.A.C. 13:21-26.3 reflect that the Chief Administrator may suspend or revoke a permit after notice and an opportunity to be heard for failure of a TNC to create, submit to the Commission, and issue two of each of the markers to each driver, specifically, reflective or illuminated identifying markers, or both, two-dimensional barcodes or other machine-readable codes or images, and identifying credential placards. In addition, the Chief Administrator may suspend or revoke a permit after notice and an opportunity to be heard for failure of a TNC to prohibit a driver who fails to display the markers, specifically, reflective or illuminated identifying markers, or both, two-dimensional barcodes or other machine-readable codes or images, and identifying credential placards, from utilizing the TNC's digital network as a driver or from providing prearranged rides.

The specially adopted amendments proposed herein for re-adoption at N.J.A.C. 13:21-26.7 clarify the location and illumination of the identifying markers, that the markers may not be obstructed, when they must be returned, and the TNC's obligation to notify TNC operators regarding the requirement to return the identifying markers. Notably, it is clarified that two identifying markers shall be displayed by the TNC driver in accordance with N.J.S.A. 39:5H-23.b(2), one on the front windshield and one on the rear window of the driver's personal vehicle while the driver is logged on to the TNC's digital network as a driver or is providing a prearranged ride. Additionally, each identifying marker must be either reflective, or capable of being illuminated, or both reflective and capable of being illuminated.

The specially new rule proposed herein for re-adoption at N.J.A.C. 13:21-26.8 addresses requirements regarding the issuance, display, and return of two-dimensional barcodes or other machine-readable codes or images.

The specially new rule proposed herein for re-adoption at N.J.A.C. 13:21-26.9 addresses requirements regarding the issuance, display, and return of credential placards. Specifically, N.J.A.C. 13:21-26.9(a)3 clarifies that the credential placards are required to include the license plate number of the personal vehicle associated with the driver and the state that issued the license plate, for each vehicle used by a driver while logged on to the TNC's digital network as a driver. The license plate number identified on the credential placard should match the license plate number of the vehicle being operated by the TNC driver. If a TNC driver operates more than one vehicle as a TNC driver, the credential placard on each vehicle operated shall have a credential placard that identifies the license plate number of that vehicle.

N.J.A.C. 13:21-26.9(b) states that a TNC shall issue two credential placards to every driver for each vehicle used. If a driver operates more than one vehicle as a TNC driver, the TNC shall issue credential placards for each vehicle operated by that driver.

N.J.A.C. 13:21-26.9(b) also states that if the credential placard contains the barcode required by N.J.S.A. 39:5H-23.c and N.J.A.C. 13:21-26.8, the barcode shall be scannable by the rider from the exterior of the vehicle while the driver is logged on to the TNC’s digital network as a driver or is providing a prearranged ride. This requirement is included because adding the barcode to the credential placard is an option available to TNCs.

N.J.A.C. 13:21-26.9(c) includes important safety measures mandating that credential placards be legible, and if the credential placard includes the barcode, which, as indicated above, is an option available to TNCs, the barcode be scannable. As a further precaution, it is required that drivers shall not allow the credential placards on their vehicles to be obstructed at any time when they are logged on to the TNC’s digital network as a driver or when they are providing a prearranged ride.

The specially adopted new rule proposed herein for readoption at N.J.A.C. 13:21-26 Appendix is in compliance with the statutory requirement that the Commission design a uniform credential placard template to be used by the TNC companies to design and issue the placards to their drivers.

The public comment period for this notice of proposal will be 60 days. This notice of proposal is, therefore, excepted from the rulemaking calendar requirement pursuant to N.J.A.C. 1:30-3.3(a)5.

Social Impact

The purpose of the specially adopted new rules and amendments proposed herein for readoption with amendments is to improve safety for consumers of prearranged ride services requested through a digital network, by making it easier and clearer for riders to confirm the identity of an Uber, Lyft, or other prearranged ride vehicle before the rider enters the vehicle. The safety of the public is enhanced by mandating that in accordance with statutory requirements, TNC drivers have reflective or illuminated identifying markers, or both, two-dimensional barcodes or other machine-readable codes or images, and identifying credential placards displayed on their personal vehicles. This in turn will increase the public’s confidence in the security of the operation of TNCs.

The specially adopted new rules and amendments proposed herein for readoption with amendments do not place any burden on the public, and to the contrary, they benefit the public by adding a layer of safety for riders who use TNCs. Any burden on TNC companies or drivers is outweighed by the significant enhancement to public safety.

Economic Impact

The Commission anticipates no economic impact on TNC riders or the general public, and it is anticipated that the TNCs will experience minimal economic impact related to the cost of issuing the new credentials to their drivers. Economic impact on the drivers is also expected to be minimal, since the job of creating and issuing the credentials falls on the TNCs. Any economic impact on the companies or drivers, however, is believed to be outweighed by the safety improvements for riders who will now have additional methods to verify the identity of their drivers and confirm that the drivers’ vehicles are also correctly identified before entering them.

Jobs Impact

The Commission does not anticipate that any jobs will be generated or lost as a result of the adoption of the specially adopted new rules and amendments proposed herein for readoption with amendments, since the specially adopted new rules and amendments proposed herein for readoption with amendments relate to statutory requirements that TNC drivers have reflective or illuminated identifying markers, or both, two-dimensional barcodes or other machine-readable codes or images, and identifying credential placards displayed on their personal vehicles.

Federal Standards Statement

A Federal standards analysis is not required because the subject matter of the specially adopted new rules and amendments proposed herein for readoption with amendments is authorized under State law and is not subject to Federal requirements or standards. There are no equivalent Federal laws or standards concerning TNCs.

Agriculture Industry Impact

The Commission does not anticipate that there will be any impact on the agriculture industry as a result of the specially adopted new rules and

amendments proposed herein for readoption with amendments, since specially adopted new rules and amendments proposed herein for readoption with amendments relate to statutory requirements that TNC drivers have reflective or illuminated identifying markers, or both, two-dimensional barcodes or other machine-readable codes or images, and identifying credential placards displayed on their personal vehicles.

Regulatory Flexibility Statement

A regulatory flexibility analysis is not required because the specially adopted new rules and amendments proposed herein for readoption with amendments do not impose reporting, recordkeeping, or other compliance requirements on small businesses, as defined in the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq.

Housing Affordability Impact Analysis

The specially adopted new rules and amendments proposed herein for readoption with amendments will have no impact on the affordability of housing and they will not evoke a change in the average costs associated with housing, since the specially adopted new rules and amendments proposed herein for readoption with amendments relate to statutory requirements that TNC drivers have reflective or illuminated identifying markers, or both, two-dimensional barcodes or other machine-readable codes or images, and identifying credential placards displayed on their personal vehicles.

Smart Growth Development Impact Analysis

The specially adopted new rules and amendments proposed herein for readoption with amendments will have no impact on smart growth and there is an extreme unlikelihood that the specially adopted new rules and amendments proposed herein for readoption with amendments would evoke a change in housing production in Planning Areas 1 or 2, or within designated centers, under the State Development and Redevelopment Plan in New Jersey, since the specially adopted new rules and amendments proposed herein for readoption with amendments relate to statutory requirements that TNC drivers have reflective or illuminated identifying markers, or both, two-dimensional barcodes or other machine-readable codes or images, and identifying credential placards displayed on their personal vehicles.

Racial and Ethnic Community Criminal Justice and Public Safety Impact

The Commission has evaluated this rulemaking and determined that it will not have an impact on pretrial detention, sentencing, probation, or parole policies concerning adults and juveniles in the State, since these proposed amendments and rules relate to statutory requirements that TNC drivers have reflective or illuminated identifying markers, or both, two-dimensional barcodes or other machine-readable codes or images, and identifying credential placards displayed on their personal vehicles.

Full text of the specially adopted new rules and amendments proposed herein for readoption follow (additions indicated in boldface **thus**; deletions indicated in brackets [thus]; additions to the specially adopted new rules and amendments are indicated in italicized boldface *thus*; deletions from the specially adopted new rules and amendments are indicated in italicized braces {*thus*}):

SUBCHAPTER 26. TRANSPORTATION NETWORK COMPANIES

13:21-26.1 Definitions

The following words and [ter(ms) **terms**, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise:

...
“Credential placard” means a removable sign issued by a TNC to every TNC driver who provides prearranged rides that originate or terminate in the State, the form of which complies with the uniform credential template designed pursuant to N.J.S.A. 39:5H-23, and includes the first name of the driver; a high resolution, color picture of the driver; the license plate number of each personal vehicle associated with the driver; the state that issued the license plate; and the name of the TNC issuing the credential placard.

“High resolution picture” means a picture with a minimum resolution of 300 pixels per inch.

“Identifying marker” means a transportation network company’s (TNC) distinctive sign, symbol, emblem, mark, and/or insignia, that is reflective, capable of being illuminated, or both, that identifies the TNC and that is issued to each TNC driver by the TNC.

“Machine-readable code or image” means an optical label provided by a TNC to a driver that can be scanned by a rider using a special scanner or personal mobile device with a built-in camera through the TNC’s digital network.

“Mobile application” means a TNC’s online-based technology application software that runs on a personal mobile device, such as a smartphone or tablet computer.

... “Personal mobile device” means any mobile device that an individual uses to connect to a TNC platform.

... “Times of darkness” means the time from a half-hour after sunset to a half-hour before sunrise; whenever rain, mist, snow, or other precipitation or atmospheric moisture requires the use of windshield wipers by motorists; and during any time when, due to smoke, fog, unfavorable atmospheric conditions, or for any other cause, there is not sufficient light to render clearly discernable persons and vehicles on the highway at a distance of 500 feet ahead.

... “Two-dimensional barcode” means a machine readable image that is created and provided by the TNC and is unique to each individual driver and driver’s personal vehicle used to provide prearranged rides, and is capable of being scanned by a rider with a special scanner or a personal mobile device through the TNC’s digital network or mobile application to confirm the identity of the driver and the personal vehicle for the prearranged ride. The barcode must store information on both the horizontal and vertical planes.

13:21-26.2 Application

(a)-(i) (No change.)

(j) Each application for a TNC permit shall be accompanied by proof that the TNC has established an identifying marker as required by N.J.S.A. 39:5H-23.b, a two-dimensional barcode or other machine-readable code or image as required by N.J.S.A. 39:5H-23.c, and a credential placard in compliance with, and as required by, N.J.S.A. 39:5H-23.1.a, and 39:5H-23.d *{and attachment off}*. *The TNC applicant shall attach the TNC’s identifying marker, two-dimensional barcode or other machine-readable code or image, and credential placard in full color for recording by the Commission. The identifying marker, two-dimensional barcode, or other machine-readable code or image, and credential placard shall also be submitted to the Commission by [e-mail] email, to the address indicated on the application, in jpeg format, within 10 days of the TNC applicant’s submission of the TNC application. The two-dimensional barcode or other machine-readable code or image may be included on the credential placard or as a separate document.*

(k)-(n) (No change.)

13:21-26.3 Grounds for denial, suspension, or revocation of transportation network company permit; fines; issuance of a cease and desist order

(a) The Chief Administrator may deny an application for a permit or a renewal, permit, or issue a cease and desist order for:

1.-5. (No change.)

6. Failure to establish and submit an identifying marker as required by N.J.S.A. 39:5H-23.b; two-dimensional barcode or other machine-readable code or image as required by N.J.S.A. 39:5H-23.c; or credential placard as required by N.J.S.A. 39:5H-23.d;

7.-9. (No change.)

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

(d) The Chief Administrator may suspend or revoke a permit, after notice and an opportunity to request a hearing, for a TNC’s failure to create, submit to the Commission, and issue two of each of the following to every driver that utilizes the TNC’s digital network as a driver: a compliant identifying marker pursuant to N.J.S.A. 39:5H-23.b(1); a compliant two-dimensional barcode or other machine-readable code or image pursuant to N.J.S.A. 39:5H-23.c(1);

and a compliant credential placard pursuant to N.J.S.A. 39:5H-23.d(1).

(e) The Chief Administrator may suspend or revoke a permit, after notice and an opportunity to request a hearing, for a TNC’s failure to prohibit a driver who has not displayed the identifying markers, barcodes, or placards as required, from utilizing the TNC’s digital network as a driver and from providing prearranged rides as required pursuant to N.J.S.A. 39:5H-23.g(1).

13:21-26.7 [Display] Issuance, display, and return of identifying markers

(a) A TNC shall issue [an] two identifying markers to every TNC driver, which shall be displayed by the TNC driver in accordance with N.J.S.A. 39:5H-23.b(2), on the front windshield and rear window of the driver’s personal vehicle [when] while the driver [logs] is logged on to the TNC’s digital network as a driver or [provides] is providing a prearranged ride. The identifying markers shall be reflective, capable of being illuminated, or both.

(b) (No change.)

(c) If the identifying markers are capable of being illuminated, the driver shall have the identifying markers illuminated and visible from the outside of the vehicle from a distance of 500 feet during times of darkness while the driver is logged on to the TNC’s digital network as a driver or when the driver is providing a prearranged ride.

(d) A driver shall not allow the identifying markers on the driver’s vehicle to be obstructed at any time when the driver is logged on to the TNC’s digital network as a driver or when the driver is providing a prearranged ride.

[(c)] (e) The [TNC’s] identifying markers may be removable, but no [person shall operate their] driver shall log on to the digital network as a driver or provide a prearranged ride in his or her personal vehicle as a [TNC] driver without displaying the [TNC] TNC’s identifying markers in accordance with this section.

[(d)] (f) No person shall operate a vehicle bearing a TNC’s identifying markers issued in accordance with this section without the authorization of the TNC issuing the identifying markers.

(g) A driver shall return the identifying markers issued pursuant to this section to the TNC within 30 days of the date the driver notifies the TNC that the driver is terminating status as a driver, or within 24 hours if the driver’s status is terminated by the TNC and shall not provide prearranged rides using the TNC’s digital network.

(h) The TNC shall notify the driver of this requirement to return identifying markers, and the timeframe in which the driver is to return them within 15 days after the date that the driver notifies the TNC that the driver is terminating status as a driver, or simultaneously with the notice of termination if the TNC terminates the driver.

13:21-26.8 Issuance, display, and return of two-dimensional barcodes or other machine-readable codes or images

(a) A TNC or its third-party designee shall create, and the TNC shall issue, two copies of a two-dimensional barcode or other machine-readable code or image to every driver, which shall be displayed by the driver in accordance with N.J.S.A. 39:5H-23.c, on the driver and passenger side rear windows of the driver’s personal vehicle, and shall be scannable by a rider from the exterior of the vehicle while the driver is logged on to the TNC’s digital network as a driver or is providing a prearranged ride. The two-dimensional barcode or other machine-readable code or image may be included on the credential placard required at N.J.A.C. 13:21-26.9.

(b) The two-dimensional barcode or other machine-readable code or image shall be unique to each driver and to the driver’s personal vehicle that is being used to provide prearranged rides, and it shall be capable of being scanned by a rider through the digital network or mobile application from the exterior of the vehicle to confirm the identity of the driver for a prearranged ride and the personal vehicle being used to provide the prearranged ride before the rider enters the vehicle.

(c) A driver shall not allow the two-dimensional barcode or other machine-readable code or image on the driver’s vehicle to be obstructed at any time when the driver is logged on to the TNC’s

digital network as a driver or when the driver is providing a prearranged ride.

(d) The two-dimensional barcode or other machine-readable code or image may be removable, but no driver shall log on to the TNC's digital network as a driver or provide a prearranged ride in their personal vehicle as a driver without displaying the two-dimensional barcode or other machine-readable code or image in accordance with this section.

(e) A driver shall return all copies of the two-dimensional barcode or other machine-readable code or image to the TNC within 30 days of the date that the driver notifies the TNC that it is terminating status as a driver, or within 24 hours if the driver's status is terminated by the TNC, and shall not provide prearranged rides using the TNC's digital network.

(f) The TNC shall notify the driver of this requirement to return all copies of the two-dimensional barcode or other machine-readable code or image and the timeframe in which the driver is to return them within 15 days after the date that the driver notifies the TNC that the driver is terminating status as a driver, or simultaneously with the notice of termination if the TNC terminates the driver.

13:21-26.9 Issuance, display, and return of credential placards

(a) The Chief Administrator shall design a uniform credential placard template, as set forth at N.J.A.C. 13:21-26 Appendix, incorporated herein by reference. A TNC or its third-party designee shall create credential placards in a minimum size of four inches by six inches conforming to the template for each driver, which shall include the following information:

1. The first name of the driver, which name must be identical to the driver's name as it appears on the TNC's digital network and mobile application;

2. A high resolution, color picture of the driver, which picture must be identical to the driver's picture as it appears on the TNC's digital network and mobile application;

3. The license plate number of each the personal vehicle associated with the driver and the state that issued the license plate, *for each vehicle used by a driver while logged on to the TNC's digital network as a driver*;

4. The name of the TNC issuing the credential placard; and

5. As an option, the two-dimensional barcode or other machine-readable code or image required at N.J.A.C. 13:21-26.8.

(b) A TNC shall issue two credential placards to every driver *for each vehicle used by the driver when logged on to the TNC's digital network as a driver*, which shall be displayed by the driver in accordance with N.J.S.A. 39:5H-23.d, on the driver and passenger side rear windows of the driver's personal vehicle, clearly legible, and *if the credential placard contains the barcode required by N.J.S.A. 39:5H-23.c and N.J.A.C. 13:21-26.8*, the barcode shall be scannable by the rider from the exterior of the vehicle while the driver is logged on to the TNC's digital network as a driver or is providing a prearranged ride.

(c) The credential placards must be legible, and *if the credential placard contains the barcode required by N.J.S.A. 39:5H-23.c and N.J.A.C. 13:21-26.8*, the barcode must be scannable, and a driver shall not allow the credential placards on the driver's vehicle to be obstructed at any time when the driver is logged on to the TNC's digital network as a driver or when the driver is providing a prearranged ride.

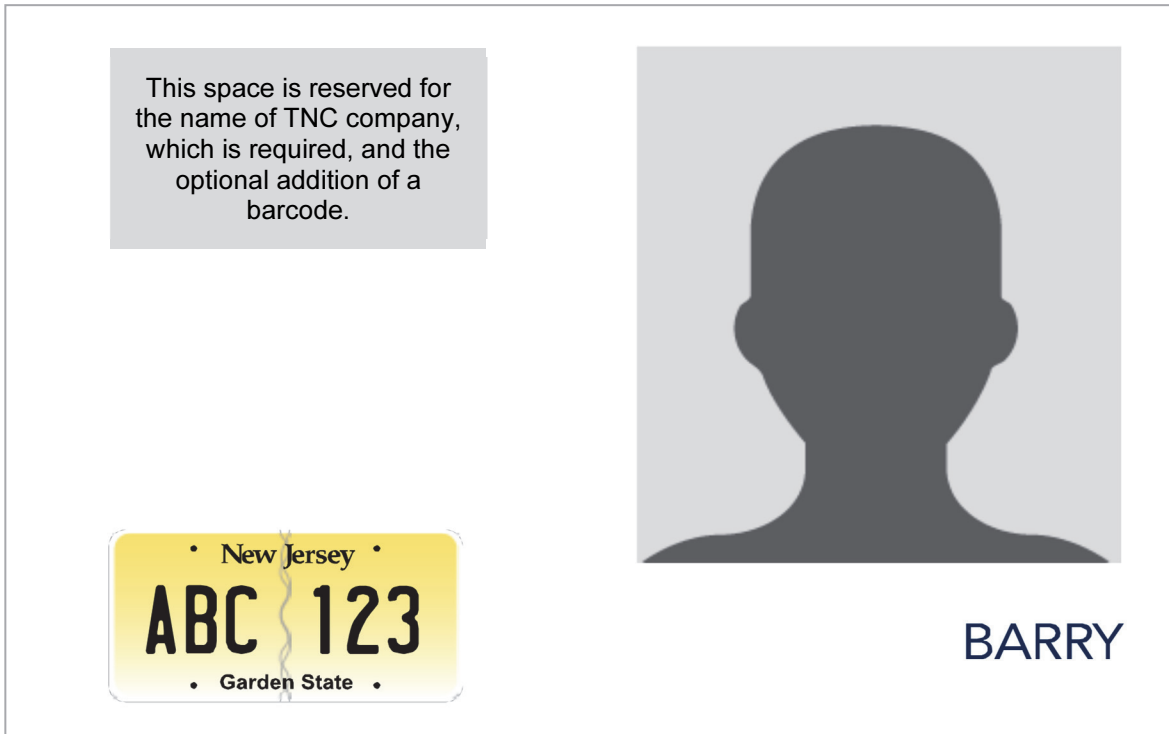
(d) The credential placards may be removable, but no driver shall log on to the TNC's digital network as a driver or provide a prearranged ride in their personal vehicle as a driver without displaying the credential placards in accordance with this section.

(e) A driver shall return all copies of the credential placards to the TNC within 30 days of the date that the driver notifies the TNC that the driver is terminating status as a driver, or within 24 hours, if the driver's status is terminated by the TNC, and shall not provide prearranged rides using the TNC's digital network.

(f) The TNC shall notify the driver of this requirement to return all copies of the credential placard and the timeframe in which the driver is to return them within 15 days after the date a driver notifies the TNC that the driver is terminating status as a driver, or simultaneously with the notice of termination if the TNC terminates the driver.

(Agency Note: N.J.A.C. 13:21-26 Appendix published below is not boldfaced as new text in order for the boldface elements of the document to be depicted correctly.)

APPENDIX



(a)

**MOTOR VEHICLE COMMISSION
Motorcycle Safety Education Program
Proposed Readoption with Amendments: N.J.A.C. 13:85**

Authority: N.J.S.A. 39:2A-21, 39:2A-28, 39:3-10.31, 27:5F-36, and Reorganization Plan No. 001-2005.

Authorized By: Motor Vehicle Commission, B. Sue Fulton, Chair and Chief Administrator.

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

Proposal Number: PRN 2020-074.

Submit written comments by September 18, 2020, to:
Kate Tasch, APO Legal and Regulatory Affairs
Motor Vehicle Commission
225 East State Street
PO Box 162
Trenton, New Jersey 08666-0162
or via email to rulecomments@mvc.nj.gov

The agency proposal follows:

Summary

Pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 13:85 were scheduled to expire on August 28, 2020. As the Motor Vehicle Commission (Commission) has filed this notice of re-adoption with the Office of Administrative Law prior to that date, the chapter expiration date is extended 180 day to February 24, 2021, pursuant to N.J.S.A. 52:14B-5.1.c(2).

The purpose of this chapter is to continue the Motor Vehicle Commission’s Motorcycle Safety Education Course (“MEC” or “MSE”), to set forth the requirements for participation in, and successful completion of, the course, and to create standards for instructors, including public and private educational institutions, and New Jersey licensed new motorcycle dealers, which are approved by the Chief Administrator to provide the course. The provisions also include the Commission’s continued reimbursement to providers of the MEC for certain expenses incurred while running Commission-approved motorcycle safety education and training classes.

The chapter contains rules on the following topics: N.J.A.C. 13:85-1: purpose and scope; definitions; establishment of MSE courses and levels of instruction; and annual in-service and rider preparations courses. N.J.A.C. 13:85-2: qualifications to participate in MSE courses; a requirement that participants under the age of 18 submit written and notarized parental permission for participation in the MSE course; identification of the protective gear required to be worn by participants and rider coaches in range training and instruction in the MSE course; participation requirements, and motorcycle criteria for the motorcycles permitted to be used as training motorcycles in the Basic Skills Level (BSL) course; requirements for participation in the Basic Rider Course (“BRC” or “BRC 2”) 2 level course; and requirements for participation in the Additional Practice Riding (APR) course. N.J.A.C. 13:85-3: the requirements for successful completion of the three courses, BSL, BRC, and APR. In addition, the chapter contains, at N.J.A.C. 13:85-4, standards for registration fees for participation in the courses; standards for making course scheduling information available to the public; the use and maintenance of registration forms, attendance rosters, and a written record of participant performance in the courses; and the Commission’s option to supplement the course schedule with additional classes as required. N.J.A.C. 13:85-5 sets forth the application requirements for MSE course providers to participate in the MSE program; program standards and requirements for providers; insurance requirements for course providers; provider facilities and equipment standards; and equipment standards; provider reporting and