

were originally promulgated. Accordingly, pursuant to N.J.S.A. 52:14B-5.1.c(1), the rules are readopted and shall continue in effect for a seven-year period, with the following technical changes to correct a typographical error and to delete a cross-reference to a statute that has been repealed. Specifically, the following technical change is made:

At N.J.A.C. 11:13-8.4(b)1 the change deletes the cross-reference to N.J.S.A. 17:30A-8a(9), which was deleted by legislation.

Full text of the technical change follows (deletion indicated in brackets [thus]):

**SUBCHAPTER 8. COMMERCIAL LINES INSURANCE:
PROSPECTIVE LOSS COSTS FILING
PROCEDURES**

11:13-8.4 Prospective loss costs filing requirements for insurers

(a) (No change.)

(b) Insurers may vary expense loads by individual lines, sublines or classifications of insurance. Insurers may use variable or fixed expense loads or a combination of these to establish their expense loadings.

1. An insurer's loss cost multiplier based on its expenses plus any profit provision shall not include the surtax or the Property-Liability Insurance Guaranty Association's assessments on private passenger automobiles pursuant to N.J.S.A. [17:30A-8a(9) and] 17:33B-49.

(c)-(e) (No change.)

TRANSPORTATION

(a)

DIVISION OF MULTIMODAL SERVICES

Notice of Readoption Transportation Utilities

Readoption: N.J.A.C. 16:65

Authority: N.J.S.A. 27:1A-5, 27:1A-6, 48:2-12, 48:2-13, 48:12-35.1, 48:12-125.1, and 52:14B-3; and the October 5, 1978 Executive Reorganization Plan.

Authorized By: Diane Gutierrez-Scaccetti, Commissioner,
Department of Transportation.

Effective Date: April 12, 2022.

New Expiration Date: April 12, 2029.

Take notice that, pursuant to N.J.S.A. 52:14B-5.1.c, the rules found at N.J.A.C. 16:65 were scheduled to expire on July 2, 2022. Pursuant to N.J.S.A. 52:14B-5.1.c(1), the Department of Transportation readopts these provisions without change.

The rules provide a regulatory scheme for uniformly safe, proper, and adequate service by transportation utilities throughout the State. These utilities include railroads, street railways, traction railways, and subways, and are identified collectively as "transportation utilities."

The rules are necessary, reasonable, adequate, and responsive for the purpose for which they were originally promulgated. The Department of Transportation has reviewed the rules and determined that they should be readopted without change. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), these rules are readopted and shall continue in effect for a seven-year period.

OTHER AGENCIES

(b)

NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

Authority Assistance Programs Emerge Program Rules

Adopted Repeal and New Rule: N.J.A.C. 19:31-22.16

Adopted Amendments: N.J.A.C. 19:31-22.1 through
22.8, 22.10, 22.11, and 22.14

Proposed: January 18, 2022, at 54 N.J.R. 124(a).

Adopted: March 24, 2022, by the New Jersey Economic
Development Authority, Tim Sullivan, Chief Executive Officer.

Filed: April 13, 2022, as R.2022-0058, without change, but with
the proposed amendments at N.J.A.C. 19:31-22.9 and 22.15
not adopted, but still pending.

Authority: P.L. 2021, c. 160

Effective Date: May 16, 2022.

Expiration Date: May 8, 2025.

Take notice that the New Jersey Economic Development Authority ("NJEDA" or "Authority") proposed amendments to the rules implementing the EmERGE program pursuant to recently enacted statutory revisions at P.L. 2021, c. 160 (approved July 2, 2021), at 54 N.J.R. 124(a). The public comment period ended March 19, 2022.

The NJEDA, as noted in the "Filed:" line above, is not adopting sections from the original proposal at N.J.A.C. 19:31-22.9 and 22.15, but is proposing to make substantial changes to those sections to be adopted, as published elsewhere in this issue of the New Jersey Register.

Summary of Public Comment and Agency Response:

No public comments were received.

Federal Standards Statement

A Federal standards analysis is not required because the adopted amendments and new rule are not subject to any Federal requirements or standards.

Full text of the adopted amendments and new rule follows:

SUBCHAPTER 22. EMERGE

19:31-22.1 Applicability and scope

The rules in this subchapter are promulgated by the New Jersey Economic Development Authority to implement the provisions of the New Jersey Economic Recovery Act of 2020, establishing the EmERGE Program Act (Act), sections 68 through 81 of P.L. 2020, c. 156, as amended by P.L. 2021, c. 160. The Act authorizes the Authority to administer the program to encourage economic development, job creation, and the retention of significant numbers of jobs in imminent danger of leaving the State. The Authority Board may approve the award of tax credits to a business upon application of the business demonstrating its eligibility under the Act and this subchapter and following the execution of a letter of intent and the payment of fees, subject to the limitations set forth in this subchapter. The value of all tax credits approved by the Authority for businesses eligible pursuant to section 71 of P.L. 2020, c. 156 shall be subject to the limitations set forth at section 98 of P.L. 2020, c. 156.

19:31-22.2 Definitions

The following words and terms, as used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

"Business" means an applicant proposing to own or lease premises in a qualified business facility that is: a corporation that is subject to the tax imposed pursuant to section 5 of P.L. 1945, c. 162 (N.J.S.A. 54:10A-5); sections 2 and 3 of P.L. 1945, c. 132 (N.J.S.A. 54:18A-2 and 54:18A-3); section 1 of P.L. 1950, c. 231 (N.J.S.A. 17:32-15); or N.J.S.A. 17B:23-5, or is a partnership, S corporation, limited liability company, or non-profit