

383.51. No person may operate a CMV if the person has failed to meet the requirements of this subchapter or N.J.A.C. 13:60. No person may operate a CMV if the person has failed to meet the physical qualifications at 49 CFR 391.41, Physical Qualifications for Drivers. A waiver from the physical qualifications [of] at 49 CFR 391.41, granted by the Federal Motor Carrier Safety Administration for interstate commerce pursuant to 49 U.S.C. § 31315, is limited to interstate commerce only. The Commission shall not issue waivers to persons who do not meet the physical requirements [of] at 49 CFR 391.41.

(b)-(l) (No change.)

(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.] is convicted of a crime involving an act or practice described at section 1 of P.L. 2005, c. 77 (N.J.S.A. 2C:13-8) or involving an act or practice of one or more of the severe forms of trafficking in persons as described at paragraph (11) of 22 U.S.C. § 7102, the Federal Trafficking Victims Protection Act of 2000, the person's CMV driving privilege shall be revoked for life and the person shall be permanently disqualified from operating a CMV.

TREASURY—GENERAL

(a)

DIVISION OF STATE LOTTERY

Internet Sales of Lottery Tickets by the Division of State Lottery

Proposed New Rule: N.J.A.C. 17:20-1.5

Authorized By: New Jersey Lottery Commission, James A. Carey, Executive Director.

Authority: N.J.S.A. 5:9-7.

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

Proposal Number: PRN 2022-125.

Submit written comments by November 18, 2022, to:

Patricia Coppel
 Division of State Lottery
 PO Box 041
 Trenton, NJ 08625-0041
 Email: Patricia.Coppel@lottery.nj.gov

The agency proposal follows:

Summary

The Division of State Lottery (Division) is proposing a new rule that would allow the Division to directly sell Lottery tickets to consumers in New Jersey through its website and mobile application(s), for draw-based games. This proposed new rule is consistent with the provisions at N.J.A.C. 17:20-12.1(a), which allows the Division to engage in the sale of tickets through a network operated by the Division or on its behalf.

A 60-day comment period is provided on this notice of proposal and, therefore, pursuant to N.J.A.C. 1:30-3.3(a)5, this notice is excepted from the provisions at N.J.A.C. 1:30-3.1 and 3.2 governing rulemaking calendars.

Social Impact

The proposed new rule is expected to have a favorable social impact by giving access to potential players that might not currently be able to play the Lottery due to mobility restrictions, restrictions resulting from COVID-19, and other factors. The proposed new rule will also keep the risk of fraud at a minimum, while opening up the Lottery to a younger generation that prefers the convenience of online play and enables players to purchase tickets for draw-based games directly from the Division.

Economic Impact

The proposed new rule provides an additional authorized game purchasing option and adds a service that may benefit customers and

provide additional incentives to attract players. This proposed new rule should increase Lottery ticket sales and maintain or increase the Division's revenue contribution to the State's pension systems pursuant to the Lottery Enterprise Contribution Act, N.J.S.A. 5:9-21.

Federal Standards Statement

A Federal standards analysis is not required because the proposed new rule is not subject to any Federal standards or requirements. The proposed new rule authorizes internet ticket sales only to customers located within the geographic boundaries of the State of New Jersey.

Jobs Impact

The proposed new rule may generate additional jobs within the Division to implement the proposed new rule. The Division does not anticipate any jobs will be lost as a result of the proposed new rule.

Agriculture Industry Impact

The proposed new rule will not have an impact on the agriculture industry. The proposed rule has no effect on agriculture, as it pertains to Lottery services.

Regulatory Flexibility Statement

The proposed new rule does not require a regulatory flexibility analysis in accordance with N.J.S.A. 52:14B-16 et seq., as the proposed new rule does not affect existing requirements, nor impose additional reporting, recordkeeping, and compliance requirements on small businesses, as defined in the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. The proposed new rule only affects the Division, in that it allows the Division to directly sell Lottery tickets to consumers in the State of New Jersey.

Housing Affordability Impact Analysis

The proposed new rule will have no impact on the affordability of housing in this State, nor will it have any impact on the average costs associated with housing, as the proposed new rule pertains to expanding Lottery services available to consumers in the State of New Jersey, by the Division.

Smart Growth Development Impact Analysis

The proposed rule will have no impact on the number of housing units in the State and will have no effect on smart growth development in Planning Areas 1 or 2, or within designated centers, under the State Development and Redevelopment Plan, as the proposed new rule pertains to expanding Lottery services available to consumers in the State of New Jersey by the Division. Accordingly, no further analysis is required.

Racial and Ethnic Community Criminal Justice and Public Safety Impact

The Division has evaluated this rulemaking and has determined that it will not have an impact on pretrial detention, sentencing, probation, or parole policies concerning juveniles and adults in the State.

Full text of the proposed new rule follows:

SUBCHAPTER 1. GENERAL PROVISIONS

17:20-1.5 Internet sales of lottery tickets by the Division of State Lottery

The Division may directly sell tickets for draw-based games, to customers located in New Jersey at the time of purchase, through the New Jersey Lottery webpage and/or mobile application(s). Each such sale shall be recorded on the gaming system with a unique ticket identification number and associated with the purchasing customer. The unique ticket identification number for each such purchase shall serve as the purchasing customer's record of such purchase and as a ticket for all purposes pursuant to this chapter.