

(a)

DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF VETERINARY MEDICAL EXAMINERS

Consent for Veterinary Student Providing Veterinary Services; Fee schedule

Adopted Amendment: N.J.A.C. 13:44-5.1

Adopted New Rule: N.J.A.C. 13:44-4.13

Proposed: June 17, 2019, at 51 N.J.R. 938(a).
Adopted: October 30, 2019, by the State Board of Veterinary Medical Examiners, Mark W. Logan, VMD, President.
Filed: January 2, 2020, as R.2020 d.012, without change.
Authority: N.J.S.A. 45:16-3.
Effective Date: February 3, 2020.
Expiration Date: October 2, 2024.

Summary of Public Comment and Agency Response:
The official comment period ended August 16, 2019. No comments were received.

Federal Standards Statement

A Federal standards analysis is not required because there are no Federal laws or standards applicable to the adopted amendment or new rule.

Full text of the adoption follows:

SUBCHAPTER 4. GENERAL RULES OF PRACTICE

- 13:44-4.13 Consent for veterinary student providing veterinary services
(a) A licensee providing direct supervision to a veterinary student who is providing veterinary services pursuant to N.J.S.A. 45:16-9 shall:
1. Provide the Board with written notification that he or she will be providing direct supervision to the veterinary student;
2. Maintain written documentation from an instructor at the student's accredited veterinary school identifying the duties or actions assigned to the student; and
3. Provide the owner of an animal receiving services from the student with written notification identifying the licensed veterinarian providing the student with direct supervision and notifying the animal's owner that the veterinary student is not a licensed veterinarian. The licensed veterinarian shall maintain a copy of this notification, signed by the animal's owner, in his or her patient records.

SUBCHAPTER 5. FEE SCHEDULE

- 13:44-5.1 Fee schedule
(a) The following fees shall be charged by the Board:
1. Application fee \$150.00
2.-10. (No change.)

PUBLIC UTILITIES

(b)

BOARD OF PUBLIC UTILITIES
Renewable Energy and Energy Efficiency
Adopted Amendment: N.J.A.C. 14:8-2.4

Proposed: September 16, 2019, at 51 N.J.R. 1457(a).
Adopted: January 8, 2020, by the Board of Public Utilities, Joseph L. Fiordaliso, President; Mary-Anna Holden, Dianne Solomon, Upendra J. Chivukula, and Robert M. Gordon, Commissioners.
Filed: January 9, 2020, as R.2020 d.016, with a non-substantial change not requiring additional public notice or comment (see N.J.A.C. 1:30-6.3).
Authority: N.J.S.A. 48:2-1 et seq., in particular 48:2-13, 48:3-51, and 48:3-87; and P.L. 2018, c. 17.
BPU Docket Number: QX19060720.
Effective Date: February 3, 2020.
Expiration Date: May 20, 2026.

Summary of Public Comments and Agency Responses:
Timely comments were submitted by: IGS Solar (IGS); Morris County Improvement Authority (MCIA), Somerset County Improvement Authority (SCIA), and the New Jersey School Boards Association (NJSBA), together (MCIA/SCIA/NJSBA); New Jersey Resources (NJR); True Green Capital (TGC); Public Service Electric and Gas Company (PSE&G); Rockland Electric Company (RECO); and Solar Energy Industries Association (SEIA).

N.J.A.C. 14:8-2.4(b)6

- 1. COMMENT: IGS identified a conflict regarding the Board of Public Utilities' (Boards') proposed amendments to the Solar Renewable Energy Certificate (SREC) registration program provisions within the Renewable Portfolio Standards for reporting forecasts on the status of attainment of the 5.1 percent milestone. The summary statement in the notice of proposal advises that Board staff anticipates that the 5.1 percent milestone will be reached on or about June 2020, and that Board staff will provide quarterly forecasts on the status toward attainment until it appears that the milestone will be reached within six months and will provide monthly forecasts thereafter. The amendment to N.J.A.C. 14:8-2.4(b)6 proposes that starting in March 2020, the Board shall report monthly. IGS recommends the reference to March 2020 be removed and replaced with a reference to monthly reporting once the market is within six months of Board staff's estimated date for achieving the 5.1 percent milestone.
2. COMMENT: MCIA/SCIA/NJSBA recommends the rule be amended to state that reporting will start in January 2020.
3. COMMENT: SEIA encourages the Board to dispense with the amendment to issue quarterly reports and begin reporting on a monthly basis in January 2020, since the notice of proposal Summary references June 2020 as an approximate month for the attainment of the 5.1 percent milestone.

RESPONSE TO COMMENTS 1, 2, AND 3: The Board acknowledges the conflicting dates addressing the scheduled release of reports and will delete the reference to March 2020 upon adoption. The removal of this reference will result in the Board reporting on a monthly basis following the effective date of this rulemaking.

N.J.A.C. 14:8-2.4(b)6i, ii, and iii

- 4. COMMENT: MCIA/SCIA/NJSBA recommends that, rather than adopt the proposed practice of estimating solar electricity production from installed capacity based upon the placed in-service date, the Board should model annualized solar electricity production. The commenters believe that the proposed method relies upon annualized retail sales estimates, that it should, therefore, annualize solar electricity production as well.
RESPONSE: The Board disagrees that the proposed methodology for estimating retail electricity sales over the trailing 12 months relies upon annualized retail sales estimates. Rather, the proposed method simply adjusts PJM-EIS reports of load served to account for transmission and distribution line losses. In other words, the proposed method converts the

reported wholesale electricity sales into retail electricity sales. Both the solar electricity production (the numerator) and the retail sales (the denominator) in the calculation of the ratio are measured over the same time period. This choice intentionally aligns the time periods covered by numerator and denominator, so that the calculation comports with the statutory language requiring SREC Registration Program (SRP) closure upon “attainment of 5.1 percent of kilowatt hours sold.”

5. COMMENT: NJR argues that the proposed methodology for calculating the fraction of retail electricity sales provided from solar electric generation facilities will irrevocably oversupply the SREC market. NJR’s analysis presumes closure in November 2020, at which time it estimates cumulative installed capacity will total approximately 3420 MWdc. NJR believes that this amount will be 150 to 200 MW higher than that required to supply 5.1 percent of retail sales. The commenter asserts that, as a result, this approach conflicts with the intent of the Clean Energy Act. NJR recommends that the Board close the market to new applications when installed capacity is capable of meeting the 5.1 percent target, on an “annualized, prospective basis.” This “prospective” methodology results in reaching the 5.1 percent milestone and SRP closure in June 2020, when NJR forecasts cumulative installed capacity will reach 3270 MWdc.

6. COMMENT: TCG agrees with and supports NJR’s positions in Comment 5.

RESPONSE TO COMMENTS 5 AND 6: It is not entirely clear how the commenter has arrived at a projection of 5.1 percent attainment in November 2020, using the methodology in the proposed rule. The Board issued an Order on SREC market changes in February 2019, that applied the same methodology under two sets of installed capacity assumptions. The higher installed capacity assumption of 40 MWdc per month resulted in a projection for the 5.1 percent milestone in April or May 2020. In the subject rulemaking, published on September 16, 2019, the Board projected that the 5.1 percent milestone would be reached in June 2020.

7. COMMENT: SEIA cites the rule proposal’s summary statements, which acknowledges that the methodology for calculating the attainment of the 5.1 percent milestone may have market implications. It references the industry estimates that under the proposed methodology the SREC market would be oversupplied, with between 150 to 200 MW more than needed to meet the 5.1 percent milestone. SEIA proposes that the Board establish an annual “market divergence test,” similar to the practice adopted by New York to implement its Clean Energy Standard. SEIA envisions a process that would involve the Board seeking stakeholder input on the development of measurements for market balance, on monitoring the closed SREC market, and on remedies to respond to swings in SREC supply or demand.

RESPONSE: The Board appreciates the solar industry’s concern about the market implications of the methodology used to calculate attainment of the 5.1 percent milestone. Since SRECs have a five-year useful life, prices have remained above \$200.00 per MWh through Energy Year (EY) despite the looming oversupply that existed prior to the passage of the Clean Energy Act of 2018. Based on this history, the Board anticipates continued mitigation of SREC price volatility, such that investors will continue to receive adequate returns. The Clean Energy Act increased the solar RPS requirements to 4.3 percent. EY 2019 ended with a slight surplus in created SRECs only due to the Act’s exemption from that increase for previously contracted Basic Generation Supply (BGS). The exemption meant that all or part of the BGS load did not have to meet the increased solar RPS obligation in EY 2019, EY 2020, and EY 2021, and the Board reallocated the avoided increase for each energy year to the two subsequent energy years. Thus, the entire BGS obligation from EY 2019 was shifted to EY 2020 and EY 2021; a portion of the EY 2020 obligation was shifted to EY 2021 and EY 2022; and a smaller portion from EY 2021 to EY 2022 and EY 2023. Absent the exemption and the above-described reallocation, the statutory increase in the solar RPS would likely have resulted in a scarcity of SRECs and an associated increase in price. As a result of the reallocation, and depending upon the proportionate share of retail sales sold by BGS providers in a given energy year, the net effective solar RPS requirement rises to as much as 5.6 percent and more closely aligns with the generation capability of New Jersey’s anticipated installed solar capacity. The Board will continue to monitor SREC supply and

demand, but does not share the commenter’s concern that the immediate future holds a crash for SREC prices.

8. COMMENT: RECO supports the use of PJM-EIS’s Generation Attribute Tracking System (GATS) to estimate retail electricity sold and the use of New Jersey’s Clean Energy Program (NJCEP) data to estimate installed solar capacity. RECO supports the proposal to adjust the retail sales data for distribution line losses based upon input from stakeholders including EDCs and third-party electric suppliers.

RESPONSE: The Board appreciates the commenter’s support of the rulemaking and the offer to participate in the public stakeholder process envisioned to refine the proposed inputs to the methodology for determining attainment of the 5.1 percent milestone.

9. COMMENT: PSE&G concurs with the Board’s proposed rule and agrees that basing the 5.1 percent calculation methodology upon actual solar generation and actual kilowatt-hour sales is consistent with the statute. Similarly, PSE&G agrees with the proposed use of data from GATS. However, PSE&G does not agree that solar output should be estimated using a representative output-per-unit capacity factor developed from stakeholder input. Rather, PSE&G believes that the variability and uncertainty due to weather and other factors should be avoided to mitigate “the risk that the SREC market may never actually attain the 5.1 percent threshold.” PSE&G proposes the use of actual solar generation data, provided to GATS as part of the SREC creation process, as the most accurate source of actual solar generation.

RESPONSE: The Board has proposed a methodology to calculate the percentage of retail electricity sales met with eligible solar electricity that measures the amounts in both the numerator and denominator over the same time period. The Board believes that this approach is as close to the intent of the statute as possible, given delays in data availability. The commenter proposes an alternative methodology that can be characterized as retrospective. There is a significant lag between when the relevant solar electricity is produced and metered, and when the generation data from the meter is submitted by its owners to GATS. There is no regulatory requirement for solar owners to submit their recorded solar generation data to GATS for REC creation within an established time period. As a result, some solar owners wait to submit their generation data until the true-up period following the conclusion of the Renewable Portfolio Standard compliance period when SREC demand is firmed and prices are relatively high. Some solar owners never submit their solar generation data to create and sell SRECs, with the result that no SRECs are created despite the production of solar electricity from those systems. Although PSE&G states that the actual solar generation data is readily available, this data is not recorded contemporaneously with the production of the solar electricity. Thus, reliance upon SREC creation as a proxy for solar electricity produced ensures an inaccurate measurement of solar generation and is likely to lead to SRP closure much later than methodology in the proposed rule.

N.J.A.C. 14:8-2.4(b)7

10. COMMENT: MCIA/SCIA/NJSBA suggests that N.J.A.C. 14:8-2.4(b)7 should be clarified with respect to how the achievement of 5.1 percent will be calculated.

RESPONSE: The comment appears to be about proposed N.J.A.C. 14:8-2.4(b)6, which provides the methodology for calculating the fraction of retail electricity sales provided from solar electric power. Proposed N.J.A.C. 14:8-2.4(b)7 addresses the SREC eligibility criteria for each class of SRP registrant following the Board’s determination that the 5.1 percent milestone has been met. Pursuant to N.J.A.C. 14:8-2.4(b)6, stakeholder input on the two data points specified in that provision has been, and will continue to be, considered in the calculation of the 5.1 percent milestone.

11. COMMENT: MCIA/SCIA/NJSBA suggests that N.J.A.C. 14:8-2.4(b)7 should clarify how solar output factors will account for a lag in permission to operate (PTO) reporting. The commenters’ analysis suggests that current monthly reports of installation activity may only capture around one half of the capacity that goes into service in that month.

RESPONSE: N.J.A.C. 14:8-2.4(b)6 sets forth that the trailing 12 months of solar electricity generated shall be estimated by multiplying the latest NJCEP-supplied figure on cumulative installed capacity for the

previous 12 months by a corresponding solar output factor. Board staff shall produce this output factor, based upon stakeholder input, as an estimate of expected energy output in MWh from one MWdc of installed solar capacity that is representative of the fleet of New Jersey solar installations. The commenters correctly point out that each monthly NJCEP solar installation report updates the most recent monthly report because installations from previous months continue to be reported for several months after installation occurs. However, the remaining half of the unreported capacity is ultimately reported in the next two to three months. For example, an October report will not reflect all previous installations because some of the completed installations from the previous month will not have been reported prior to the issuance of the October report. Additional reports of completed installations from previous months will continue to be received after the October report is issued and will be reflected in subsequent reports. At an average of 35 MW of installed capacity per month, roughly 18 MW of aggregate capacity will report commencing commercial operations in the month following the issuance of its "Permission to Operate"; nine MW of aggregate capacity will report achieving commercial operations in each of the two following months. Nine MW of installed capacity operating for one month and 18 MW of installed capacity operating for two months before being recorded in the NJCEP solar installation report results in a relatively inconsequential amount of electricity produced in relation to 2,800 MW operating over 12 months. However, the Board admits that this typical lag in reported capacity together with the anticipated surge in projects seeking to qualify for SREC eligibility before SRP closure must be accounted for to accurately determine the date of milestone attainment. The Board envisions incorporating stakeholder input on these variables into the monthly estimates of solar electricity as soon as practicable after that input has been received and reviewed.

N.J.A.C. 14:8-2.4(h)4ii and 4iii

12. COMMENT: RECO recommends that the proposed language addressing the registration length and opportunity for an extension for facilities registered after August 7, 2019, should be changed, to provide certainty and clarity and to minimize the bill impacts of the SREC program for customers. RECO would like the proposed language suggesting facilities registered after August 7, 2019 "may not be granted a full 12-month registration length" to be changed to "will not be granted a full 12-month registration length." Similarly, RECO recommends that the proposed language suggesting facilities registered after August 7, 2019 "may not be granted an extension" be changed to "will not be granted an extension."

RESPONSE: The Board proposed this language to provide notice within the rules that the mere act of registering for SREC eligibility does not automatically grant eligibility in light of the statutory requirement for SRP closure upon the 5.1 percent milestone attainment. The August 7th date was included since this is when the Board approved the rulemaking. On further review, the Board has determined that the statute, the stakeholder proceedings that have been occurring as the Board has worked toward implementing the law, the related Board Orders, and continuing public notices about the impending need to close the SRP provide sufficient notice to market participants.

Federal Standards Statement

N.J.S.A. 52:14B-1 et seq., requires State agencies that adopt, readopt, or amend State rules exceeding any Federal standards or requirements to include in the rulemaking document a Federal standards analysis. The solar, class I, and class II rules have no Federal analogue and are not promulgated under the authority of, or in order to implement, comply with, or participate in any program established under Federal law or under a State statute that incorporates or refers to Federal law, Federal standards, or Federal requirements. Accordingly, N.J.S.A. 52:14B-1 et seq., does not require a Federal standards analysis for this rulemaking.

Full text of the adoption follows (addition to proposal indicated in boldface with asterisks *thus*; deletion from proposal indicated in brackets with asterisks *[thus]*):

SUBCHAPTER 2. RENEWABLE PORTFOLIO STANDARDS

14:8-2.4 Energy that qualifies for an SREC; registration requirement; additional approval, designation, and certification processes for grid supply projects; termination of registration program

(a) (No change.)

(b) To be eligible for issuance of an SREC usable for compliance with this subchapter, electricity shall:

1.-5. (No change.)

6. No new SREC registration program submittal shall be accepted following a determination by the Board that 5.1 percent of the kilowatt-hours sold in the State by each electric power supplier and each basic generation provider comes from solar electric power generators connected to the State's electric distribution system has been attained. The Board shall announce the State's attainment of the 5.1 percent milestone when the installed solar capacity reported through New Jersey's Clean Energy Program (NJCEP) is estimated to have produced 5.1 percent of the retail electricity sales estimated to have been sold over the previous 12 months. *[Starting in March 2020, the] *The* Board shall report no later than the last business day of each month the estimated solar electricity generated over the previous 12 months. The trailing 12 months of solar electricity generated shall be estimated by multiplying the latest NJCEP-supplied figure on cumulative installed solar capacity for the previous 12 months by a corresponding solar output factor for each month. The solar output factor is an estimate of solar MWh output from one MWdc of capacity. Board staff shall produce, based upon stakeholder input, an estimate of solar electricity in MWh expected energy output from one MWdc of installed solar capacity representative of the fleet of New Jersey solar installations. An estimate of retail electricity sold in the previous 12 months shall be calculated from data supplied by PJM-EIS GATS for load served adjusted for distribution line losses through a factor based upon stakeholder input. The Board's monthly report on estimated solar electricity generated as a percent of estimated retail sales shall include the variables and methodology used for calculation, which will include:

i. An estimate of the trailing 12 months of solar electricity generated, based upon:

(1) The monthly cumulative installed solar capacity reported to the SREC Registration program; and

(2) The solar output factors for each of the previous 12 months and how they were derived;

ii. An estimate of retail electricity sold and how it was calculated from PJM-EIS GATS load served, including the distribution line loss factor and its derivation; and

iii. The resulting equation and the figure it produces.

7. Following a report that 5.1 percent of retail sales were attained from solar electric generation or that attainment of 5.1 percent of retail sales from solar electric generation is imminent within the next month, the Board shall authorize:

i. Solar facilities registered in the SRP pipeline described in (p) below to be eligible for SRECs if:

(1) A solar facility commenced commercial operations prior to the 5.1 percent milestone attainment and had submitted a complete registration or application for designation or conditional certification on or before October 29, 2018. Such a facility shall be eligible for the 15-year SREC qualification life; or

(2) A solar facility commenced commercial operations prior to the 5.1 percent milestone attainment and had submitted a complete registration or application for designation or conditional certification after October 29, 2018. Such a facility shall be eligible for the 10-year SREC qualification life;

ii. Solar facilities registered in the SRP pipeline described in (p) below that have not commenced commercial operations prior to the 5.1 percent milestone attainment to have their eligibility determined as follows:

(1) Such a solar facility, if it submitted a complete registration or application for designation or conditional certification on or before October 29, 2018, may be eligible for a 15-year SREC qualification life subject to its maintaining all other eligibility requirements; or

(2) Such a solar facility, if it submitted a complete registration or application for designation or conditional certification after October 29, 2018, shall not be eligible for SRECs;

iii. The commencement of commercial operations shall be determined by the date on which the electric distribution company grants the facility permission to operate as referenced in N.J.A.C. 14:8-5 or the date the facility is granted permission to operate through PJM Interconnection LLC; and

iv. Termination of the SREC registration program shall occur no later than June 1, 2021.

(c)-(g) (No change.)

(h) Registration of a solar electric generating facility requires completion of the following process:

1.-3. (No change.)

4. If the solar facility as described in the initial registration package meets SREC eligibility requirements, Board staff shall issue notice to the registrant of a conditional registration for the facility. The notice of the conditional registration shall:

i. State that, if the solar facility is constructed as described in the initial registration package, Board staff will issue a New Jersey State Certification Number for the solar facility upon construction completion and inspection subject to conditions referenced in (b)7 above; and

ii. Include an expiration date 12 months after the date of the notice for facilities that are net metered, provide on-site generation, or provide power for a qualified customer engaged in aggregated net metering. Subject to the date of the Board's determination on the State's attainment of the 5.1 percent milestone, facilities that are registered after August 7, 2019, may not be granted a full 12-month registration length and may not be eligible for an extension; and

iii. Include an expiration date 24 months after the effective date of Board approval, designation, or conditional certification for solar electric generation facilities where Board approval, designation, or conditional certification is required. Subject to the Board's determination on the State's attainment of the 5.1 percent milestone, projects that applied to the Board for approval, conditional approval, or conditional certification after October 29, 2018, may not be granted a full 24-month registration length and may not be offered an extension; and

5. (No change.)

(i) Construction of the solar electric generating facility shall be subject to the qualifications at (b)7 above and shall be completed prior to expiration of the conditional registration. The registrant for facilities that are net metered, provide on-site generation, or provide power for a qualified customer engaged in aggregated net metering, and which received conditional registration before December 31, 2018, may request one extension prior to the expiration of the conditional registration, and shall include an updated schedule for completion. Except for registrations submitted for projects approved or conditionally approved for designation as "connected to the distribution system" under (g) above, Board staff may authorize one extension of the project's registration on a case-by-case basis, based on the likelihood of timely and successful completion of the solar facility. An extension shall provide a new expiration date, six months from the expiration of the original conditional registration. A project that is provided conditional registration after December 31, 2018, such that it has an expiration date falling after December 31, 2019, may not be granted the full six-month extension. The conditional registration of such a project may end when the Board has determined that the 5.1 percent milestone has been attained. If the conditional registration, or extension, expires before construction is complete, the registrant shall begin the entire registration process again by submitting an initial registration package. Board staff shall treat the new registration package as if it were a first-time submittal, with no reference to the previous registration process. Facilities that require approval or certification by the Board, other than those requiring approval of designation under (g) above, must seek extensions of the conditional registration expiration date directly by application to the Board, unless otherwise directed by the Board. Registrants who file after failure to complete during the initial 18 or 24 month registration period shall not be subject to the penalty set out at (e) above if the Board finds that the failure to complete within time was reasonable. If these projects were provided conditional certification after October 29, 2018, they may not be granted a full 24 month registration length to complete the project and may not be offered an extension.

(j)-(q) (No change.)

(r) The Board shall approve, conditionally approve, or disapprove any application for designation as connected to the distribution system of a solar electric power generation facility filed with the Board after May 23, 2018, the date of enactment of P.L. 2018, c. 17 (N.J.S.A. 48:3-87.8 et seq.), no more than 90 days after receipt by the Board of a completed application. For any such application for a project greater than 25 kilowatts, the Board shall require the applicant to post a notice escrow with the Board in an amount of \$40.00 per kilowatt of DC nameplate capacity of the facility, not to exceed \$40,000. The notice escrow amount shall be reimbursed to the applicant in full upon either denial of the application by the Board or upon commencement of commercial operation of the solar electric power generation facility. The escrow amount shall be forfeited to the State if the facility is designated as connected to the distribution system pursuant to this subsection but does not commence commercial operation within two years following the date of the designation by the Board. This escrow requirement only applies to the class of grid supply projects required to file an application for designation.

(s) The qualification life shall be 10 years for all solar generation projects for which the Board receives a complete registration or application for designation as connected to the distribution system or conditional certification after October 29, 2018, which achieves commercial operation prior to attainment of the 5.1 percent milestone, and which is otherwise eligible for conditional registration.

TRANSPORTATION

(a)

MOTOR VEHICLE COMMISSION

Inspection of School Bus Driver Records

Adopted Amendments: N.J.A.C. 13:20-30.14 and 13:21-23.15

Proposed: August 5, 2019, at 51 N.J.R. 1253(a).

Adopted: December 10, 2019, by the Motor Vehicle Commission, B.

Sue Fulton, Chair and Chief Administrator.

Filed: December 27, 2019, as R.2020 d.009, **with non-substantial changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-6.3).

Authority: N.J.S.A. 39:3-10.1.

Effective Date: February 3, 2020.

Expiration Date: December 4, 2020.

Summary of Public Comments and Agency Responses:

The written comments received by the Motor Vehicle Commission (Commission) regarding its August 5, 2019, notice of proposal at 51 N.J.R. 1253(a), are available for inspection at the Office of the Chief Administrator, Legal and Regulatory Affairs, Motor Vehicle Commission, 225 East State Street, 9th Floor, Trenton, New Jersey.

The following individuals submitted timely written comments to the Commission regarding the notice of proposal, which comments are addressed below: Michael A. Vrancik, Director Governmental Relations, New Jersey School Boards Association; and J. Marsden.

1. COMMENT: Mr. Vrancik submitted a letter in support of the notice of proposal on behalf of the New Jersey School Boards Association (NJSBA), a federation of all of New Jersey's school districts. Mr. Vrancik states that the NJSBA, which believes that local boards of education should provide conditions and establish policies that will ensure the health and safety of students, supported P.L. 2018, c. 151, during the legislative process, and supports the proposed amendments that implement the law. Specifically, the NJSBA supports requiring school bus drivers to provide medical certificates to employers to prove continuing physical fitness and submit to medical examinations that include certain screenings.

RESPONSE: The Commission appreciates the comments of Mr. Vrancik on behalf of the NJSBA, and the NJSBA's continuing support of policies and rules that ensure the health and safety of students.

2. COMMENT: J. Marsden states that each driver is already physically examined by a medical professional, who certifies the continuing physical