

# SENATE, No. 1212

## STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED FEBRUARY 8, 2010

**Sponsored by:**

**Senator LORETTA WEINBERG**

**District 37 (Bergen)**

**SYNOPSIS**

Decreases certain public document copy fees to up to \$0.10 or less per letter size page and up to \$0.15 or less per legal size page.

**CURRENT VERSION OF TEXT**

As introduced.



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2

1 AN ACT concerning certain copy fees for public documents and  
2 amending various parts of the statutory law.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. Section 11 of P.L.1987, c.435 (C.22A:4-1a) is amended to  
8 read as follows:

9 11. For services herein enumerated the State Treasurer shall  
10 collect the following fees:

11 a. For filing any original business certificate for which no other  
12 fee is fixed by statute or regulation, \$125.

13 For filing any change or amendment to a previously filed  
14 document for which no other fee is fixed by statute or regulation,  
15 \$75.

16 For issuing any certificate or filing any other document for  
17 which no other fee is fixed by statute or regulation, \$25.00, except  
18 that the provisions of this subsection shall not apply to:

19 (1) certificates of appointments for gubernatorial appointees;

20 (2) documents filed by public bodies under the "Open Public  
21 Meetings Act," P.L.1975, c.231 (C.10:4-6 et seq.);

22 (3) financial disclosures filed by State officials;

23 (4) oaths of office;

24 (5) resignation of office holders;

25 (6) documents filed by other State government entities indexed  
26 in the department's miscellaneous file.

27 b. For certification or exemplification of any document on file,  
28 \$25.00.

29 c. For certification or exemplification of any signature on file,  
30 including the issuance of a certificate for proving a document  
31 outside the United States, also known as an apostille, \$25.00;  
32 except that in cases of adoption of a child, the fee for an apostille  
33 shall be \$5.00.

34 d. For filing a certified copy of an order of change of name,  
35 \$50.00.

36 e. For a paper copy of any document on file, **[\$1.00 per page]**  
37 up to \$0.10 per letter size page or smaller and up to \$0.15 per legal  
38 size page or larger. If a roll of microfilm images is requested, the  
39 State Treasurer shall collect a fee of \$1.00 for each image on the  
40 microfilm roll. If a microfiche copy of a microfiche is requested,  
41 \$3.00.

42 f. For filing a proof of publication, \$10.00.

43 (cf: P.L.2002, c.34, s.34)

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

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1       2. R.S.39:4-131 is amended to read as follows:

2       39:4-131. The commission shall prepare and supply to police  
3 departments and other suitable agencies, forms for accident reports  
4 calling for sufficiently detailed information with reference to a  
5 motor vehicle accident, including the cause, the conditions then  
6 existing, the persons and vehicles involved, the compliance with  
7 P.L.1984, c.179 (C.39:3-76.2e et seq.) by the operators and  
8 passengers of the vehicles involved in the accident, whether the  
9 operator of the vehicle was using a cellular telephone when the  
10 accident occurred, and such other information as the chief  
11 administrator may require.

12       Every law enforcement officer who investigates a vehicle  
13 accident of which report must be made as required in this Title, or  
14 who otherwise prepares a written report as a result of an accident or  
15 thereafter by interviewing the participants or witnesses, shall  
16 forward a written report of such accident to the commission, on  
17 forms furnished by it, within five days after his investigation of the  
18 accident.

19       Such written reports required to be forwarded by law  
20 enforcement officers and the information contained therein shall not  
21 be privileged or held confidential. Every citizen of this State shall  
22 have the right, during regular business hours and under supervision,  
23 to inspect and copy such reports and shall also have the right in  
24 person to purchase copies of the reports at the same fee established  
25 by section 6 of P.L.2001, c.404 (C.47:1A-5). If copies of reports  
26 are requested other than in person, an additional fee of up to \$5.00  
27 **【for the first three pages and \$1.00 per page thereafter】** may be  
28 added to cover the administrative costs of the report. Upon request,  
29 a police department shall send an accident report to a person  
30 through the mail or via fax as defined in section 2 of P.L.1976, c.23  
31 (C.19:59-2). The police department may require the person  
32 requesting the report to provide a completed request form and the  
33 appropriate fee prior to faxing or mailing the report. The police  
34 department shall provide the person requesting the report with the  
35 option of submitting the form and providing the appropriate fee  
36 either in person, through the mail, or via fax as defined in section 2  
37 of P.L.1976, c.23 (C.19:59-2).

38       The provisions of any other law or regulation to the contrary  
39 notwithstanding, reports obtained pursuant to this act shall not be  
40 subject to confidentiality requirements except as provided by  
41 section 28 of P.L.1960, c.52 (C.2A:84A-28).

42       When a motor vehicle accident results in the death or  
43 incapacitation of the driver or any passenger, the law enforcement  
44 officer responsible for notifying the next of kin that their relative is  
45 deceased or incapacitated, also shall inform the relative, in writing,  
46 how to obtain a copy of the accident report required by this section  
47 and the name, address, and telephone number of the person storing

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1 the motor vehicle pursuant to section 1 of P.L.1964, c.81  
2 (C.39:10A-1).

3 (cf: P.L.2008, c.107, s.1)

4

5 3. Section 65 of P.L.1993, c.210 (C.42:2B-65) is amended to  
6 read as follows:

7 65. a. No document required to be filed under this act shall be  
8 effective until the applicable fee required by this section is paid.  
9 The following fees shall be paid to and collected by the State  
10 Treasurer for the use of the State:

11 (1) Upon the receipt for filing of a certificate of registration of  
12 alternate name or a certificate of renewal pursuant to section 4 of  
13 this act, a fee in the amount of \$50.

14 (2) Upon the receipt for filing of an application for reservation  
15 of name, an application for renewal of reservation or a notice of  
16 transfer or cancellation of reservation pursuant to section 5 of this  
17 act, a fee in the amount of \$50.

18 (3) Upon the receipt for filing of a certificate under subsection  
19 b. of section 6 of this act, a fee in the amount of \$25, upon the  
20 receipt for filing of a certificate under subsection b. of section 7 of  
21 this act, a fee in the amount of \$25 and a further fee of \$10 for each  
22 limited liability company affected by such certificate.

23 (4) Upon the receipt for filing of a notice of resignation and  
24 affidavit pursuant to subsection c. of section 7 of this act, a fee in  
25 the amount of \$25 and upon the receipt for filing of a certificate of  
26 change pursuant to subsection c. of section 7 of this act, a fee in the  
27 amount of \$25.

28 (5) Upon the receipt for filing of a certificate of formation under  
29 section 11 of this act a fee in the amount of \$125; and upon receipt  
30 for filing, a certificate of correction under section 12 of this act, a  
31 certificate of amendment under section 13 of this act, a certificate  
32 of cancellation under section 14 of this act, a certificate of merger  
33 or consolidation under section 20 of this act or a restated certificate  
34 of formation under section 19 of this act, a fee in the amount of  
35 \$100.

36 (6) Upon filing of an annual report, a fee in the amount of  
37 \$50.00.

38 (7) Upon requesting a reinstatement of a certificate of a limited  
39 liability company, a late filing fee of \$200.00 and a reinstatement  
40 filing fee of \$75.00.

41 (8) For certifying copies of any paper on file as provided for by  
42 this act, a fee in the amount of \$25 for each copy certified.

43 (9) The State Treasurer may issue photocopies of instruments on  
44 file as well as other copies, and for all of those copies, whether  
45 certified or not, a fee in the amount of **[\$10 for the first page and \$2**  
46 **per page]** up to \$0.10 per letter size page or smaller and up to \$0.15  
47 per legal size page or larger thereafter shall be paid.

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1 (10) Upon the receipt for filing of an application for registration  
2 as a foreign limited liability company under section 53 of this act or  
3 a certificate of cancellation under section 56 of this act, a fee in the  
4 amount of \$125.

5 (11) For preclearance of any document for filing, a fee in the  
6 amount of \$50.

7 (12) For preparing and providing a written report of a record  
8 search, a fee in the amount of \$50.

9 (13) For issuing any certificate of the State Treasurer, including  
10 but not limited to a certificate of good standing, other than a  
11 certification of a copy under paragraph (6) of this subsection, a fee  
12 in the amount of \$50, except that for issuing any certificate of the  
13 State Treasurer that recites all of a limited liability company's  
14 filings with the State Treasurer, a fee of \$100 shall be paid for each  
15 such certificate.

16 (14) For receiving and filing and/or indexing any certificate,  
17 affidavit, agreement or any other paper provided for by this act, for  
18 which no different fee is specifically prescribed, a fee in the amount  
19 of \$75.

20 (15) The State Treasurer may in the Treasurer's discretion charge  
21 a fee of \$50 for each check received for payment of any fee that is  
22 returned due to insufficient funds or the result of a stop payment  
23 order.

24 b. In addition to those fees charged under subsection a. of this  
25 section, there shall be collected by and paid to the State Treasurer  
26 the following:

27 (1) for all services described in subsection a. of this section that  
28 are requested to be completed within the same day as the day of the  
29 request, an additional sum of up to \$50; and

30 (2) for all services described in subsection a. of this section that  
31 are requested to be completed within a 24-hour period from the time  
32 of the request, an additional sum of up to \$25.

33 The State Treasurer shall establish (and may from time to time  
34 amend) a schedule of specific fees payable pursuant to this  
35 subsection.

36 c. The State Treasurer may in his discretion permit the  
37 extension of credit for the fees required by this section upon such  
38 terms as he shall deem to be appropriate.

39 (cf: P.L.2002, c.34, s.38)

40

41 4. Section 4 of P.L.1997, c.412 (C.46:16-18) is amended to  
42 read as follows:

43 4. a. If a notice of federal lien, a refiling of a notice of federal  
44 lien, or a notice of revocation of any certificate is presented to the  
45 county recording officer, he shall endorse thereon his identification  
46 and the date and time of receipt and forthwith file it alphabetically  
47 or enter it in an alphabetical index showing the name and address of  
48 the person named in the notice, the date and time of receipt, the title

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1 and address of the official or entity certifying the lien, and the total  
2 amount appearing on the notice of lien.

3 b. If a refiled notice of federal lien referred to in subsection a.  
4 of this section or any certificate of release, nonattachment,  
5 discharge or subordination is presented for filing to the county  
6 recording officer, he shall permanently attach the refiled notice of  
7 the certificate to the original notice of lien and enter the refiled  
8 notice or the certificate with the date of filing in any alphabetical  
9 lien index on the line where the original notice of lien is entered.

10 c. All notices received by a filing officer pursuant to this  
11 section and the index of the notices shall be held for public  
12 inspection by the filing officer. Upon request, the filing officer  
13 shall furnish a copy of any notice of federal lien, or notice or  
14 certificate affecting a federal lien, for a fee of **[\$2 per page] up to**  
15 \$0.10 per letter size page or smaller, and up to \$0.15 per legal size  
16 page or larger.

17 (cf: P.L.1997, c.412, s.4)

18

19 5. Section 6 of P.L.2001, c.404 (C.47:1A-5) is amended to read  
20 as follows:

21 6. a. The custodian of a government record shall permit the  
22 record to be inspected, examined, and copied by any person during  
23 regular business hours; or in the case of a municipality having a  
24 population of 5,000 or fewer according to the most recent federal  
25 decennial census, a board of education having a total district  
26 enrollment of 500 or fewer, or a public authority having less than  
27 \$10 million in assets, during not less than six regular business hours  
28 over not less than three business days per week or the entity's  
29 regularly-scheduled business hours, whichever is less; unless a  
30 government record is exempt from public access by: P.L.1963, c.73  
31 (C.47:1A-1 et seq.) as amended and supplemented; any other  
32 statute; resolution of either or both houses of the Legislature;  
33 regulation promulgated under the authority of any statute or  
34 Executive Order of the Governor; Executive Order of the Governor;  
35 Rules of Court; any federal law; federal regulation; or federal order.  
36 Prior to allowing access to any government record, the custodian  
37 thereof shall redact from that record any information which  
38 discloses the social security number, credit card number, unlisted  
39 telephone number, or driver license number of any person; except  
40 for use by any government agency, including any court or law  
41 enforcement agency, in carrying out its functions, or any private  
42 person or entity acting on behalf thereof, or any private person or  
43 entity seeking to enforce payment of court-ordered child support;  
44 except with respect to the disclosure of driver information by the  
45 Division of Motor Vehicles as permitted by section 2 of P.L.1997,  
46 c.188 (C.39:2-3.4); and except that a social security number  
47 contained in a record required by law to be made, maintained or  
48 kept on file by a public agency shall be disclosed when access to

1 the document or disclosure of that information is not otherwise  
2 prohibited by State or federal law, regulation or order or by State  
3 statute, resolution of either or both houses of the Legislature,  
4 Executive Order of the Governor, rule of court or regulation  
5 promulgated under the authority of any statute or executive order of  
6 the Governor. Except where an agency can demonstrate an  
7 emergent need, a regulation that limits access to government  
8 records shall not be retroactive in effect or applied to deny a request  
9 for access to a government record that is pending before the agency,  
10 the council or a court at the time of the adoption of the regulation.

11 b. A copy or copies of a government record may be purchased  
12 by any person upon payment of the fee prescribed by law or  
13 regulation, or if a fee is not prescribed by law or regulation, upon  
14 payment of the actual cost of duplicating the record. Except as  
15 otherwise provided by law or regulation, the fee assessed for the  
16 duplication of a government record embodied in the form of printed  
17 matter shall not exceed the following: [first page to tenth page,  
18 \$0.75 per page; eleventh page to twentieth page, \$0.50 per page; all  
19 pages over twenty, \$0.25 per page] up to \$0.10 per letter size page  
20 or smaller, and up to \$0.15 per legal size page or larger. The actual  
21 cost of duplicating the record shall be the cost of materials and  
22 supplies used to make a copy of the record, but shall not include the  
23 cost of labor or other overhead expenses associated with making the  
24 copy except as provided for in subsection c. of this section. If a  
25 public agency can demonstrate that its actual costs for duplication  
26 of a government record exceed the foregoing rates, the public  
27 agency shall be permitted to charge the actual cost of duplicating  
28 the record.

29 c. Whenever the nature, format, manner of collation, or volume  
30 of a government record embodied in the form of printed matter to  
31 be inspected, examined, or copied pursuant to this section is such  
32 that the record cannot be reproduced by ordinary document copying  
33 equipment in ordinary business size or involves an extraordinary  
34 expenditure of time and effort to accommodate the request, the  
35 public agency may charge, in addition to the actual cost of  
36 duplicating the record, a special service charge that shall be  
37 reasonable and shall be based upon the actual direct cost of  
38 providing the copy or copies; provided, however, that in the case of  
39 a municipality, rates for the duplication of particular records when  
40 the actual cost of copying exceeds the foregoing rates shall be  
41 established in advance by ordinance. The requestor shall have the  
42 opportunity to review and object to the charge prior to it being  
43 incurred.

44 d. A custodian shall permit access to a government record and  
45 provide a copy thereof in the medium requested if the public agency  
46 maintains the record in that medium. If the public agency does not  
47 maintain the record in the medium requested, the custodian shall  
48 either convert the record to the medium requested or provide a copy

1 in some other meaningful medium. If a request is for a record: (1)  
2 in a medium not routinely used by the agency; (2) not routinely  
3 developed or maintained by an agency; or (3) requiring a substantial  
4 amount of manipulation or programming of information technology,  
5 the agency may charge, in addition to the actual cost of duplication,  
6 a special charge that shall be reasonable and shall be based on the  
7 cost for any extensive use of information technology, or for the  
8 labor cost of personnel providing the service, that is actually  
9 incurred by the agency or attributable to the agency for the  
10 programming, clerical, and supervisory assistance required, or both.

11 e. Immediate access ordinarily shall be granted to budgets,  
12 bills, vouchers, contracts, including collective negotiations  
13 agreements and individual employment contracts, and public  
14 employee salary and overtime information.

15 f. The custodian of a public agency shall adopt a form for the  
16 use of any person who requests access to a government record held  
17 or controlled by the public agency. The form shall provide space  
18 for the name, address, and phone number of the requestor and a  
19 brief description of the government record sought. The form shall  
20 include space for the custodian to indicate which record will be  
21 made available, when the record will be available, and the fees to be  
22 charged. The form shall also include the following: (1) specific  
23 directions and procedures for requesting a record; (2) a statement as  
24 to whether prepayment of fees or a deposit is required; (3) the time  
25 period within which the public agency is required by P.L.1963, c.73  
26 (C.47:1A-1 et seq.) as amended and supplemented, to make the  
27 record available; (4) a statement of the requestor's right to challenge  
28 a decision by the public agency to deny access and the procedure  
29 for filing an appeal; (5) space for the custodian to list reasons if a  
30 request is denied in whole or in part; (6) space for the requestor to  
31 sign and date the form; (7) space for the custodian to sign and date  
32 the form if the request is fulfilled or denied. The custodian may  
33 require a deposit against costs for reproducing documents sought  
34 through an anonymous request whenever the custodian anticipates  
35 that the information thus requested will cost in excess of \$5 to  
36 reproduce.

37 g. A request for access to a government record shall be in  
38 writing and hand-delivered, mailed, transmitted electronically, or  
39 otherwise conveyed to the appropriate custodian. A custodian shall  
40 promptly comply with a request to inspect, examine, copy, or  
41 provide a copy of a government record. If the custodian is unable  
42 to comply with a request for access, the custodian shall indicate the  
43 specific basis therefor on the request form and promptly return it to  
44 the requestor. The custodian shall sign and date the form and  
45 provide the requestor with a copy thereof. If the custodian of a  
46 government record asserts that part of a particular record is exempt  
47 from public access pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.)  
48 as amended and supplemented, the custodian shall delete or excise



1 from a copy of the record that portion which the custodian asserts is  
2 exempt from access and shall promptly permit access to the  
3 remainder of the record. If the government record requested is  
4 temporarily unavailable because it is in use or in storage, the  
5 custodian shall so advise the requestor and shall make arrangements  
6 to promptly make available a copy of the record. If a request for  
7 access to a government record would substantially disrupt agency  
8 operations, the custodian may deny access to the record after  
9 attempting to reach a reasonable solution with the requestor that  
10 accommodates the interests of the requestor and the agency.

11 h. Any officer or employee of a public agency who receives a  
12 request for access to a government record shall forward the request  
13 to the custodian of the record or direct the requestor to the  
14 custodian of the record.

15 i. Unless a shorter time period is otherwise provided by  
16 statute, regulation, or executive order, a custodian of a government  
17 record shall grant access to a government record or deny a request  
18 for access to a government record as soon as possible, but not later  
19 than seven business days after receiving the request, provided that  
20 the record is currently available and not in storage or archived. In  
21 the event a custodian fails to respond within seven business days  
22 after receiving a request, the failure to respond shall be deemed a  
23 denial of the request, unless the requestor has elected not to provide  
24 a name, address or telephone number, or other means of contacting  
25 the requestor. If the requestor has elected not to provide a name,  
26 address, or telephone number, or other means of contacting the  
27 requestor, the custodian shall not be required to respond until the  
28 requestor reappears before the custodian seeking a response to the  
29 original request. If the government record is in storage or archived,  
30 the requestor shall be so advised within seven business days after  
31 the custodian receives the request. The requestor shall be advised  
32 by the custodian when the record can be made available. If the  
33 record is not made available by that time, access shall be deemed  
34 denied.

35 j. A custodian shall post prominently in public view in the part  
36 or parts of the office or offices of the custodian that are open to or  
37 frequented by the public a statement that sets forth in clear, concise  
38 and specific terms the right to appeal a denial of, or failure to  
39 provide, access to a government record by any person for  
40 inspection, examination, or copying or for purchase of copies  
41 thereof and the procedure by which an appeal may be filed.

42 k. The files maintained by the Office of the Public Defender  
43 that relate to the handling of any case shall be considered  
44 confidential and shall not be open to inspection by any person  
45 unless authorized by law, court order, or the State Public Defender.

46 (cf: P.L.2001, c.404, s.6)

1 6. Section 1 of P.L.1959, c.43 (C.48:2-56) is amended to read  
 2 as follows:

3 1. The Board of **【Regulatory Commissioners】** Public Utilities  
 4 is hereby empowered, authorized and required to charge and collect  
 5 fees and charges for the purposes and in the amounts hereinafter set  
 6 out.

7 **【.】** Filing of Annual Reports

		Charge Per
		Report
10	(1) Sewer .....	\$20.00
11	0 Classes A, B, C, and D ...	20.00
12	Class E (Income Sheets) .....	5.00
13	(2) Railroad .....	50.00
14	Nonoperating .....	10.00
15	(3) Telephone	
16	Class A .....	50.00
17	Class B .....	20.00
18	(4) Water	
19	Class A .....	50.00
20	Classes B and C .....	20.00
21	Class D .....	10.00
22	Class E (Income Sheets) .....	5.00
23	(5) Bus	
24	Class A .....	50.00
25	Class B .....	25.00
26	Class C .....	10.00
27	(6) Gas .....	50.00
28	(7) Electric .....	50.00
29	(8) Combination gas and electric	100.00
30	(9) (Deleted by amendment, P.L.1993, c.124).	

31  
 32 B. Examination and Audit of Annual Reports

33 (1) The total fee is to be based on reported intrastate operating  
 34 revenues, and, except as noted below for certain interstate utilities,  
 35 will consist of a base charge plus an incremental charge per unit of  
 36 \$1,000.00 or fraction thereof for each such unit in excess of the  
 37 lower limit of the indicated range.

If the Reported Operating	Revenues Fall Within the Range	The Base Charge is	The Incremental Charge per \$1,000 Unit is
43	Under \$10,000	\$10.00	.....
44	\$10,000 to 25,000	15.00	.....
45	25,000 to 50,000	25.00	.....
46	50,000 to 500,000	25.00	\$0.50/M
47	500,000 to 1,000,000	250.00	0.39/M
48	1,000,000 to 5,000,000	445.00	0.15/M

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1	5,000,000 to 10,000,000	1,045.00	0.10/M
2	10,000,000 to 50,000,000	1,545.00	0.08/M
3	50,000,000 to 100,000,000	4,745.00	0.07/M
4	100,000,000 to 200,000,000	8,245.00	0.05/M
5	200,000,000 and over	13,245.00	0.03/M

6

7 (2) Public utilities engaged in interstate commerce who are  
 8 required to file annual reports with the board and who derive 50%  
 9 or more of their operating revenues from interstate commerce shall  
 10 pay a fee for examination and audit of their annual report in  
 11 accordance with the following schedule. The board may establish  
 12 reasonable rules for the determination of such intrastate revenues in  
 13 cases where the same have not been reported.

14	For Intrastate Revenues Within the Range	The Fee is
15	Under \$10,000 .....	\$25.00
16	\$10,000 to 50,000 .....	50.00
17	50,001 to 200,000 .....	75.00
18	200,001 to 500,000 .....	150.00
19	500,001 to 1,000,000 .....	300.00
20	over 1,000,000 .....	500.00

21 C. Pamphlets and Publications Charge Per  
 22 Copy

23 (1) Annual report of the Board of  
 24 **【Regulatory Commissioners】** Public Utilities ... \$2.00

25 (2) Utility annual report forms

26	Sewer .....	5.00
27	Income Sheets .....	2.00
28	Railroad .....	10.00
29	Telephone .....	10.00
30	Water	
31	Classes A, B and C .....	10.00
32	Class D .....	5.00
33	Class E (Income Sheets) .....	2.00
34	Buses	
35	Class A .....	10.00
36	Class B .....	5.00
37	Class C .....	2.00
38	Gas .....	10.00
39	Electric .....	10.00

40 (3) Pamphlets containing rules and regulations  
 41 and all other pamphlets published by the  
 42 board

43	Pamphlets with less than 25 pages...	2.00
44	Pamphlets with 25 pages or more but less	
45	than 50 pages .....	2.50
46	Pamphlets with 50 pages or more ....	2.50
47	Plus \$0.25 for each additional 25 pages or	
48	fraction thereof in excess of 50 pages	

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- 1 (4) Uniform system of accounts ..... 10.00  
 2 (5) Photocopies of documents or reports--  
 3 per page..... **[1.00]** up to \$0.10 for letter size or  
 4 smaller up to \$0.15 for legal size or larger  
 5 Charge for  
 6 Each  
 7 Year Covered  
 8 (6) Compilation of board's decisions ... \$2.00  
 9 (7) Statistics of utilities--private and  
 10 municipal 3.00

11 D. Subpoenas--Petition for and Issuance Charge per  
 12 Subpoena

- 13 (1) Subpoena for the attendance of  
 14 witnesses .... \$2.00  
 15 (2) Subpoena duces tecum 5.00

16 E. Applications and Petitions Submitted to the Board

17 (1) For approval of issuance of securities or evidences of  
 18 indebtedness the filing fee shall be based on the estimated proceeds  
 19 before costs and expenses of issuance. When the actual proceeds  
 20 become known, the fee will be adjusted accordingly. The total  
 21 filing fee will consist of a base charge plus an incremental charge  
 22 per unit of \$1,000.00 or fraction thereof of proceeds in excess of the  
 23 lower limit of the range of the indicated block. In the case of stock  
 24 dividends, the proceeds shall be taken as the amount to be  
 25 transferred from earned surplus account.

If the proceeds of the Trans-	The Base	The Incre-
action Fall Within the Range	Charge is	mental
		Charge
		per \$1,000
		Unit is
32 Under \$5,000	\$10.00	.....
33 \$5,001 to 10,000	15.00	.....
34 10,001 to 20,000	30.00	.....
35 20,001 to 30,000	50.00	.....
36 30,001 to 100,000	50.00	\$0.70/M
37 100,001 to 500,000	99.00	0.60/M
38 500,001 to 1,000,000	339.00	0.50/M
39 1,000,001 to 5,000,000	589.00	0.40/M
40 5,000,001 to 10,000,000	2,189.00	0.35/M
41 10,000,001 to 25,000,000	3,939.00	0.30/M
42 25,000,001 and over	8,439.00	0.25/M

43 (2) For increases in rates or fares, whether by petition, filing of  
 44 revised tariff, or by petition for negotiated relief under R.S.48:2-  
 45 21.1, provided that when two petitions or a petition with an  
 46 amendment relate to one and the same increase only one fee shall be  
 47 charged, the fees are to be based on the proposed increase in annual  
 48 operating revenues for which application is made and will consist of

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1 a base charge plus an incremental charge per unit of \$1,000.00 or  
 2 fraction thereof for each such unit in excess of the lower limit of the  
 3 indicated range.

4			The Incre-
5			mental
6			Charge
7	If the Proposed	The Base	per \$1,000
8	Increase Falls Within the Range	Charge is	Unit is
9	Up to	\$5,000	\$25.00
10	\$5,000 to	30,000	25.00
11	30,000 to	100,000	75.00
12	100,000 to	300,000	201.00
13	300,000 to	600,000	521.00
14	600,000 to	1,000,000	941.00
15	1,000,000 to	5,000,000	1,421.00
16	5,000,000 to	10,000,000	5,421.00
17	10,000,000 to	20,000,000	9,421.00
18	20,000,000 and over		15,421.00

19 Filing of an initial rate, a contract for a special rate or any other  
 20 document involving a tariff change not otherwise provided for  
 21 above ..... 25.00

22 In addition to the filing fee computed in accordance with the  
 23 foregoing, the public utility shall pay a processing fee of 1/10 of 1%  
 24 of the new or initial annual operating revenues or increase in annual  
 25 operating revenues that may be authorized by the board, which fee  
 26 in no event shall be less than ..... 25.00

27 Filing automatic adjustment clause tariff  
 28 revision..... \$25.00

29	(3) For sales of property or leases of property		Filing Fee
30	(Based on the Consideration or Annual Rental)		Filing Fee
31	Up to	\$1,000 .....	\$10.00
32	\$1,001 to	5,000 .....	25.00
33	5,001 to	10,000 .....	50.00
34	10,001 to	20,000 .....	75.00
35	20,001 to	50,000 .....	150.00
36	50,001 to	100,000 .....	250.00
37	100,001 and over	.....	350.00

38 (4) For approval of mergers Filing Fee  
 39 The filing fee for approval of mergers is to be based on  
 40 the total utility plant account of the surviving utility and will be  
 41 computed according to the schedule of charges set forth herein for  
 42 sales of property or leases of property.

43 (5) For approval of a municipal consent .... \$20.00

44 Where petition requests approval of more  
 45 than one municipal consent on the same  
 46 route for each such additional consent 10.00

47 (6) For rehearing, reopening, reargument or  
 48 reconsideration of any matter ..... 15.00

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- 1 (7) For approval of contracts under Revised
- 2 Statutes 48:3-7.1..... 100.00
- 3 (8) For establishment of new railroad-highway
- 4 crossing at grade..... 50.00
- 5 (9) For grade crossing separation ..... 100.00
- 6 (10) For relocation or widening of grade
- 7 crossing..... 100.00
- 8 (11) For abandonment of grade crossing ... 50.00
- 9 (12) For discontinuance of station agents
- 10 and stations ..... 50.00
- 11 (13) For authority to exercise eminent domain--
- 12 for each separate parcel of property
- 13 involved ..... 100.00
- 14 (14) Any application or petition not herein
- 15 specifically designated or described..... 25.00
- 16 (15) For inspection or test of electric,
- 17 water or gas meter ..... 5.00
- 18 (This fee is to be returned to the
- 19 customer and collected from the utility
- 20 in cases where the meter is found to be
- 21 registering fast beyond the allowable
- 22 limit of accuracy established by the board.)

23 F. Buses or Other Motor Vehicles

- 24 (1) For approval of transfer of municipal
- 25 consents..... \$25.00
- 26 (2) For approval of conditional sale contract,
- 27 notes or chattel mortgage based on the
- 28 principal amount involved

	Filing Fee
30	
31 \$5,000 or less	10.00
32 5,001 to 10,000	15.00
33 10,001 to 25,000	25.00
34 25,001 to 50,000	50.00
35 50,001 to 100,000	75.00
36 Over \$100,000	100.00

- 37 (3) For changes, extensions or consolidation
- 38 of existing autobus routes ..... 25.00
- 39 (4) For approval of leases of equipment 25.00
- 40 Charges
- 41 (5) For inspection of new bus equipment and
- 42 issuance of certificate of compliance--
- 43 each bus ..... 115.00
- 44 (6) Specification recheck--each bus ..... 50.00
- 45 (7) For issuance of duplicate certificate of
- 46 compliance--each ..... 2.00
- 47 (8) For inspection of autobus for restoration
- 48 to service after removal for lack of

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- 1 insurance ..... 70.00
- 2 (9) For each periodic inspection of autobus by
- 3 board's inspector (including first
- 4 recheck)--each bus ..... 85.00
- 5 (10) Additional maintenance recheck--each bus 35.00
- 6 (11) Self inspection--each bus ..... 30.00
- 7 G. Miscellaneous Filing Fee
- 8 (1) Formal complaints--Costs to be assessed
- 9 against the respondent utility if the
- 10 complaint is sustained by the board \$25.00
- 11 (2) Answers to formal complaints ..... 10.00
- 12 (3) Where the answer sets up a prayer
- 13 for affirmative relief ..... 25.00
- 14 (4) Amendment to any petition or answer .. 10.00
- 15 (5) Reports and statements filed by pipeline
- 16 companies as required by board's rules
- 17 issued under the authority of Title 48
- 18 of the Revised Statutes except accident
- 19 reports ..... 200.00
- 20 (6) Deleted by amendment, P.L.1993, c.124.
- 21 Charge Per
- 22 Copy
- 23 (7) Extra copy of any decision, order or
- 24 certificate of the board ..... [2.00
- 25 Plus a charge for each page exceeding 2 pages 1.00] up to
- 26 \$0.10 per letter size page or smaller, up to \$0.15 per legal size page
- 27 or larger
- 28 (8) Certification of any document ..... 2.50

29 All filing fees shall be paid at the time of the original filing of  
 30 the report, application, petition or other document or paper in the  
 31 matter. No pleading will be considered filed until the appropriate  
 32 fees are paid. In cases where such payment is not feasible, as may  
 33 be determined by the board, the amount will be due and payable on  
 34 the presentation of an invoice.

35 When a petition covers more than one matter or makes a prayer  
 36 for relief with respect to more than one matter, the fee for filing the  
 37 same shall be the sum of the fees that would be paid for each  
 38 individual matter.

39 When several utilities or petitioners join in the filing of a single  
 40 petition, then the fees herein provided shall apply to each petitioner  
 41 as may be appropriate.

42 (cf: P.L.1993, c.124, s.1)

43

44 7. This act shall take effect immediately but shall be  
 45 inoperative until the 60th day following enactment.

