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RULE ADOPTION  
LAW AND PUBLIC SAFETY  
**DIVISION OF CONSUMER AFFAIRS**

ADMINISTRATIVE RULES OF THE DIVISION OF CONSUMER AFFAIRS

Additions to proposals are indicated by <<+ Text +>>; deletions from proposals are indicated by <<- Text ->>. Changes in tables are made but not highlighted.

Readoption with Amendments: N.J.A.C. 13:45A

Proposed: September 5, 2000 at 32 N.J.R. 3282(a).

Adopted: October 12, 2000 by Mark S. Herr, Director, **Division of Consumer Affairs**.

Filed: October 20, 2000 as R.2000 d.460, without change.

Authority: N.J.S.A. 56:8-1 et seq., specifically N.J.S.A. 56:8-48.

Effective Date: October 20, 2000, Readoption;

**November 20, 2000**, Amendments.

Expiration Date: October 20, 2005.

Summary of Public Comment and Agency Response:

No comments were received.

Federal Standards Statement

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

Full text of the readoption can be found in the New Jersey Administrative Code at N.J.A.C. 13:45A.

Full text of the adopted amendments follows:

**SUBCHAPTER 5. DELIVERY OF HOUSEHOLD FURNITURE AND FURNISHINGS**

13:45A-5.1

<< NJ ADC 13:45A-5.1 >>

13:45A-5.1 Delivery practices; generally

(a)-(d) (No change.)

(e) For the purposes of this section, delivery of furniture or furnishings that are damaged or that are not the exact size, style, color or condition indicated on the sales contract, shall not constitute delivery as required by (a)1 above.

1. Upon receipt of such non-conforming merchandise, the consumer shall have the option of either accepting the furniture or of exercising any of the options set forth in (a)2 above.

## SUBCHAPTER 9. GENERAL ADVERTISING

### 13:45A-9.1

<< NJ ADC 13:45A-9.1 >>

#### 13:45A-9.1 Definitions

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

"Advertisement" means any attempt by an advertiser, other than by use of a price tag, catalog or any offering for the sale of a motor vehicle subject to the requirements of N.J.A.C. 13:45A-26A, to directly or indirectly induce the purchase or rental of merchandise at retail, appearing in any newspaper, magazine, periodical, circular, in-store or out-of-store sign or other written matter placed before the consuming public, or in any radio broadcast, television broadcast, electronic medium or delivered to or through any computer.

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## SUBCHAPTER 10. SERVICING AND REPAIRING OF HOME APPLIANCES

### 13:45A-10.1

<< NJ ADC 13:45A-10.1 >>

#### 13:45A-10.1 Definitions

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

"Home appliance" means any electrical, mechanical or thermal article produced or distributed for sale to a consumer for use in or around a permanent or temporary household or residence including, but not limited to, air conditioners, cameras, computers, dehumidifiers, dishwashers, dryers, electric blankets, electronic games, fans, freezers, motorized kitchen aids, ovens, radios, ranges, refrigerators, stereo equipment, television and washers.

... 13:45A-10.2

<< NJ ADC 13:45A-10.2 >>

#### 13:45A-10.2 Required information

(a) Whenever a consumer purchases a home appliance, the home appliance dealer shall supply the consumer with a written copy of any information concerning:

1. Manufacturer's warranties, if any are still applicable;
2. Dealer's warranties, if any;
3. Dealer's service contract, if such is agreed upon, which shall include a clear statement of:
  - i. Any basic "diagnostic" charges or any additional set fee;
  - ii. The methods used to determine any additional charge including the charge for labor and parts;

iii. The legal name and business address of the seller, including the legal name and business address of the sales representative or agent who solicited or negotiated the contract for the seller; and

4. Whether the item being purchased is reconditioned or refurbished.

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

#### SUBCHAPTER 20. RESALE OF TICKETS OF ADMISSION TO PLACES OF ENTERTAINMENT

13:45A-20.1

<< NJ ADC 13:45A-20.1 >>

13:45A-20.1 (No change in text.)

#### SUBCHAPTER 26A. MOTOR VEHICLE ADVERTISING PRACTICES

13:45A-26A.9

<< NJ ADC 13:45A-26A.9 >>

13:45A-26A.9 On-site disclosures

(a) The following information relating to an advertised motor vehicle must be provided at the main entrance(s) to the business premises where the motor vehicle is displayed or in proximity to the vehicle or on the vehicle itself:

1. A copy of any printed advertisement that quotes a price for the sale or lease of that vehicle; alternatively, a tag may be attached to the motor vehicle(s) stating the advertised price as well as the other information required in N.J.A.C. 13:45A-26A.5 or 26A.6.

2.-3. (No change.)

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

#### SUBCHAPTER 26E. MOTORIZED WHEELCHAIR DISPUTE RESOLUTION

13:45A-26E.5

<< NJ ADC 13:45A-26E.5 >>

13:45A-26E.5 Repair of nonconformity

(a) When a consumer believes that a new motorized wheelchair does not conform to an applicable express warranty, the consumer shall:

1. Notify the manufacturer, motorized wheelchair lessor or any of the manufacturer's authorized motorized wheelchair dealers of the nonconformity by mail, each time a nonconformity occurs; and

2. (No change.)

(b) (No change.)