

54 N.J.R. 1178(a)

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RULE ADOPTIONS

Reporter

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Agency

LAW AND PUBLIC SAFETY > DIVISION OF CONSUMER AFFAIRS > OFFICE OF THE DIRECTOR

Administrative Code Citation

Adopted Amendment: N.J.A.C. 13:45A-25.2

Text

Registered Health Club Contracts

Proposed: October 18, 2021, at 53 N.J.R. 1773(a).

Adopted: May 9, 2022, by Howard Pine, Acting Director, Division of Consumer Affairs.

Filed: May 18, 2022, as R.2022 d.073, **without change**.

Authority: N.J.S.A. 56:8-48.

Effective Date: June 20, 2022.

Expiration Date: January 16, 2026.

Summary of Public Comment and Agency Response:

The official comment period ended December 17, 2021. **No comments were received.**

Federal Standard Statement

A Federal standards analysis is not required because the adopted amendment does not involve any Federal standards or requirements.

Full text of the adoption follows:

SUBCHAPTER 25. SELLERS OF HEALTH CLUB SERVICES

13:45A-25.2 Registration; fees

(a)-(g) (No change.)

(h) Registered facilities shall post the following notice, which shall be printed in at least 14-point bold-faced type, at any location where a consumer signs a contract:

NOTICE TO CUSTOMER

You are entitled to a copy of any contract you sign with this facility at the time you sign it.

You may cancel this contract at any time before midnight of the third operating day after receiving a copy of this contract. If you choose to cancel this contract, you must either:

1. Send a signed and dated written notice of cancellation by registered or certified mail, return receipt requested; or
2. Personally deliver a signed and dated written notice of cancellation to:

(INSERT NAME OF HEALTH CLUB)

(INSERT ADDRESS OF HEALTH CLUB)

If you cancel this contract within the three-day period, you are entitled to a full refund of your money. If the third operating day falls on a Sunday [page=1179] or holiday, notice is timely given if it is mailed or delivered as specified in this notice on the next operating day. Refunds must be made within 30 days of receipt by the health club of the cancellation notice.

"Operating day" means any calendar day on which patrons may inspect and use the health club's facilities and services during a period of at least eight hours, except holidays and Sundays.

(i) A registered facility shall post the notice required at (h) above on its website if the facility allows consumers to enter into contracts with the facility online.

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