

RULE REVIEW

Division of Criminal Justice Services

Pursuant to §207 of the State Administrative Procedure Act, notice is hereby given of the following rules which were adopted by the Division of Criminal Justice Services in calendar year 2002 and which must be reviewed in calendar year 2007. Public comment on the continuation or modification of these rules is invitee. Information regarding these rules may be obtained from and comments may be submitted to Mark Bonacquist, Supervising Attorney, 4 Tower Place, Albany, New York 12203. Comments will be accepted for 45 days after publication of this notice in the *State Register*.

I.D. number: CJS-44-01-00001

Description of subject matter: central register for missing children; amendment of 9 NYCRR §6055.7.

Need for the rule: Executive Law §837-e establishes a statewide central register for missing children. Subdivision 1-a mandates that when the Division enters a report of a missing child who was born in New York State it must notify the appropriate Department of Health and request that the birth certificate of the child be flagged. In the event a person requests the child's birth certificate the custodial entity must notify the Division, who in turn notifies the appropriate law enforcement agency. The statute does not specify a time frame for providing these notifications. This rule making established time frames for the Division to notify the appropriate Department of Health.

Legal basis of the rule: Executive Law §837-e.

I.D. number: CJS-52-01-00003

Description of subject matter: livery vehicle safety training program; addition of 9 NYCRR Part 6173.

Need for the rule: This rule making implemented the livery vehicle safety training program as required by Executive Law §837-h.

Legal basis of the rule: Executive Law §837-h.

I.D. number: CJS-37-02-00006

Description of subject matter: laboratory accreditation; amendment of 9 NYCRR §6190.3.

Need for the rule: Executive Law §995-b requires forensic laboratories to obtain New York State accreditation. Part 6190 of Title 9 of the New York Code, Rules and Regulations provides that to obtain New York State Accreditation a laboratory must be accredited by either the American Society of Crime Laboratory Directors/Laboratory Accreditation Board (ASCLD/LAB) or the American Board of Forensic Toxicology (ABFT). This rule making clarified that a laboratory seeking such accreditation may receive provisional New York State accreditation pending final action on its application by ASCLD/ LAB or ABFT.

Legal basis of the rule: Executive Law §§837(13) and 995-b(1).

I.D. number: CJS-16-97-00032

Description of subject matter: laboratory accreditation.

Need for the rule: Executive Law §995-b requires forensic laboratories to obtain New York State accreditation. This rule making established the accreditation procedures.

Legal basis of the rule: Executive Law §995-b(1).