

[Third Reprint]

ASSEMBLY, No. 1016

STATE OF NEW JERSEY
212th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2006 SESSION

Sponsored by:

Assemblyman VINCENT PRIETO

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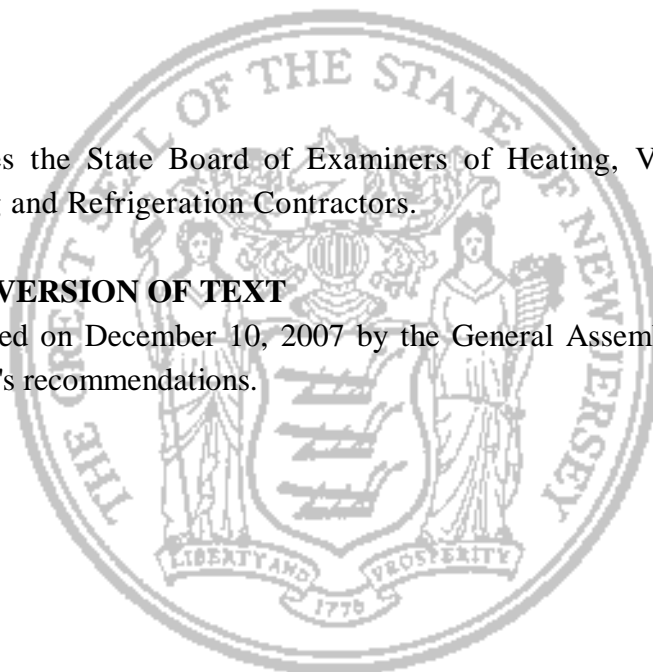
**Assemblyman Diegnan, Assemblywoman Voss, Assemblymen Panter,
Biondi, Conners, Assemblywoman Greenstein and Senator Coniglio**

SYNOPSIS

Establishes the State Board of Examiners of Heating, Ventilating, Air Conditioning and Refrigeration Contractors.

CURRENT VERSION OF TEXT

As amended on December 10, 2007 by the General Assembly pursuant to the Governor's recommendations.



(Sponsorship Updated As Of: 6/22/2007)

1 AN ACT providing for the licensing of heating, ventilating **[and]**,¹
2 air conditioning and refrigeration¹ contractors, amending
3 P.L.1971, c.60, P.L.1974, c.46 and P.L.1978, c.73 and
4 supplementing Title 45 of the Revised Statutes.

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

8
9 1. (New section) Sections 1 through **[22]** ²**[27]** 28² of this
10 act shall be known and may be cited as "The State Heating,
11 Ventilating **[and]**,¹ Air Conditioning and Refrigeration¹
12 Contracting License Law."

13
14 2. (New section) As used in this act:

15 **["Apprentice HVAC tradesperson"** means any person who, as
16 his principal occupation, is engaged in learning and assisting in the
17 installation and servicing of HVAC systems.]¹

18 "Board" means the State Board of Examiners of Heating,
19 Ventilating **[and]**,¹ Air Conditioning and Refrigeration¹
20 Contractors created by section 3 of this act.

21 "Bona fide representative" means: in the case of a sole
22 proprietorship, the owner; in the case of a partnership, a partner; in
23 the case of a limited liability company, a manager; or in the case of
24 a corporation, an executive officer.

25 "Director" means the Director of the Division of Consumer
26 Affairs in the Department of Law and Public Safety.

27 "Heating, ventilating **[and]**,¹ air conditioning and
28 refrigeration¹" or **["HVAC"]** HVACR¹ means the process of
29 treating and protecting the environment by the responsible handling,
30 dispensing, collecting and cleaning of chlorofluorocarbons and
31 other refrigerants in stationary sources, and controlling the
32 temperature, humidity and cleanliness of air by using the "wet,"
33 "dry," "radiant," "conduction," "convection," "direct," or "indirect"
34 method or combination of methods, including those which utilize
35 solar energy, to meet the environmental requirements of a
36 designated area. **["HVAC"]** HVACR¹ also means the
37 installation, servicing, connecting,¹ maintenance **[and]** or¹ repair
38 of the following¹:

39 power boiler systems, hydronic heating systems, fire tube and
40 water tube boilers, pressure steam and hot water boilers, furnaces
41 and space heaters, and appurtenances utilizing electric, fossil fuel ¹,

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ARP committee amendments adopted December 7, 2006.

²Senate SLA committee amendments adopted June 21, 2007.

³Assembly amendments adopted in accordance with Governor's recommendations December 10, 2007.

1 wood pellets¹ or solar energy¹,¹ other than those appurtenances
 2 utilized solely¹ for the use purpose¹ of heating potable water;
 3 warm air heating or refrigeration and evaporative cooling
 4 systems, ventilation and exhaust systems, dust collectors, air
 5 handling equipment, heating or cooling coils, air or refrigerant
 6 compressors, chillers, cooling towers, evaporators, condensers,
 7 plenums, fans, blowers, air cleaners, mechanical ventilation for
 8 radon mitigation, humidifiers, filters, louvers, mixing boxes and
 9 appurtenances; hydronic heating and chilled water pipe, condensate
 10 piping not regulated under P.L.1968, c.362 (C.45:14C-1 et seq.),
 11 valves, fittings, ²[fuel oil storage tanks not regulated under
 12 P.L.1986, c.102 (C.58:10A-21 et seq.),]² burners and piping,
 13 hydronic heating, expansion tanks, pumps, gauges, humidity and
 14 thermostatic controls;

15 natural or manufactured gas piping on the load side of a meter;
 16 supply water piping to equipment being served from an existing
 17 dedicated source connected downstream from an approved
 18 backflow preventer, except in replacement cases, the installation of
 19 the required approved backflow device downstream from a pre-
 20 existing valve; and the maintaining, installing or connecting of:¹
 21 pneumatic controls and control piping, for the control of air, liquid,
 22 or gas temperatures, radiators, convectors, unit cabinet heaters, ³or³
 23 fan coil units ³[, flues, or patented chimneys]³; and pneumatic
 24 controls and control piping, of automatic oil, gas or coal burning
 25 equipment, mechanical refrigeration equipment, gasoline or diesel
 26 oil dispensing equipment and in replacement cases only, the
 27 connection thereof of the wiring from an electrical service
 28 disconnect box of adequate size to accommodate the equipment and
 29 controls and previously dedicated to that equipment, and the testing
 30 and balancing of air and hydronic systems, but does not include the
 31 design or preparation of specifications for equipment or systems to
 32 be installed that are within the practice of professional engineering
 33 as defined in subsection (b) of section 2 of P.L.1938, c.342 (C.45:8-
 34 28).

35 "Heating, ventilating and ¹ air conditioning and
 36 refrigeration¹ contracting" means undertaking or advertising to
 37 undertake, for a fixed price, fee, commission, or gain of whatever
 38 nature, the planning, laying out, installation, construction,
 39 maintenance, service, repair, alteration or modification to any
 40 portion of any system, product or equipment or appurtenances used
 41 for the environmental needs or control of any heating, ventilating
 42 and ¹ air conditioning and refrigeration¹ system.

43 "1[Heating] Master heating¹, ventilating and ¹ air
 44 conditioning and refrigeration¹ contractor" means any person,
 45 firm, partnership, corporation or other legal entity licensed
 46 according to the provisions of this act which obtains a pressure seal

1 pursuant to sections ¹[18] ²[23¹]24² and ¹[19] ²[24¹]25² of this
 2 act and which advertises, undertakes or offers to undertake for
 3 another the planning, laying out, supervising, installing,
 4 ¹servicing¹ or repairing of ¹[HVAC] HVACR¹ systems, apparatus
 5 or equipment. In order to act as ¹[an "HVAC contractor,"] a
 6 "Master HVACR contractor"^{2, 2'} an individual shall be a bona fide
 7 representative of the legal entity licensed pursuant to the provisions
 8 of this act.

9 ¹["Journeyman HVAC tradesperson"] "HVACR
 10 journeyperson"¹ means any person who installs, alters, repairs
 11 ¹[and] services or¹ renovates ¹[HVAC] HVACR¹ systems in
 12 accordance with standards, rules and regulations established by the
 13 board and who works under the supervision of ¹[an HVAC] a
 14 Master HVACR¹ contractor.

15 "Retrofit" means a change in design, construction or equipment
 16 already in operation in order to incorporate later improvements.

17 "Replacement" means a change of equipment with the same type
 18 or similar equipment.

19 ¹"Undertake or offer to undertake for another" means a
 20 contractor who is listed in a public bid as the proposed
 21 subcontractor by the contractor placing the bid for ²[a]an² HVACR
 22 contract.¹

23
 24 3. (New section) There is created within the Division of
 25 Consumer Affairs in the Department of Law and Public Safety the
 26 State Board of Examiners of Heating, ¹[Ventilation and]
 27 Ventilating¹ Air Conditioning ¹and Refrigeration¹ Contractors.
 28 The board shall consist of nine members who are residents of the
 29 State of New Jersey and who, except for the member from the
 30 department in the Executive Branch of State Government, shall be
 31 appointed by the Governor. In addition to the two public members
 32 appointed to represent the interests of the public pursuant to the
 33 provisions of subsection b. of section 2 of P.L.1971, c.60 (C.45:1-
 34 2.2), one member shall be from a department in the Executive
 35 Branch of State Government who shall serve without compensation
 36 at the pleasure of the Governor; three members shall be practicing
 37 ¹[HVAC] Master HVACR¹ contractors with at least 10 years
 38 experience; two members shall be mechanical inspectors with at
 39 least 10 years experience; and one member shall be ²[a]an²
 40 ¹[journeyman HVAC tradesperson] HVACR journeyperson¹ of at
 41 least 10 years experience.

42 The Governor shall appoint each member, other than the State
 43 executive department member, for terms of four years, except that
 44 of the members first appointed, other than the State executive
 45 department member, two shall serve for a term of four years, two
 46 shall serve for a term of three years, two shall serve for a term of

1 two years, and two shall serve for terms of one year. Any vacancy
2 in the membership shall be filled for the unexpired term in the
3 manner provided for the original appointment. No member of the
4 board may serve more than two successive terms in addition to any
5 unexpired term to which he has been appointed. The Governor may
6 remove any member of the board, other than the State executive
7 department member, for cause.

8
9 4. (New section) The board shall, in addition to other powers
10 and duties it may possess by law:

11 a. Administer the provisions of this act;

12 b. Examine and pass on the qualifications of all applicants for
13 license under this act, and issue a license to each qualified
14 successful applicant;

15 c. Examine, evaluate and supervise all examinations and
16 procedures;

17 d. Adopt a seal which shall be affixed to all licenses issued by it;

18 e. Adopt rules and regulations pursuant to the "Administrative
19 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) as it may
20 deem necessary to enable it to perform its duties under and to
21 enforce the provisions of this act;

22 f. Annually publish a list of the names and addresses of all
23 persons who are licensed under this act;

24 g. Establish standards for continuing education; and

25 h. Prescribe or change the charges for examinations, licensures,
26 renewals and other services performed pursuant to P.L.1974, c.46
27 (C.45:1-3.1 et seq.).

28
29 5. (New section) Any person desiring to obtain a State
30 '**[HVAC] Master HVACR**' contractor's license shall make
31 application for licensure to the board and shall pay all the fees
32 required in connection with the application, and be examined as
33 required by this act.

34
35 6. (New section) On or after the effective date of this act, a
36 municipality, local board of health or any other agency shall not
37 issue or renew any '**[HVAC] Master HVACR**' contractor's license.

38
39 7. (New section) a. A person shall not work as '**[an HVAC] a**
40 **Master HVACR**' contractor or use the title or designation of
41 "licensed '**[HVAC] Master HVACR**' contractor" or '**["HVAC]**
42 **"Master HVACR**' contractor" unless licensed pursuant to the
43 provisions of this act.

44 b. A person, firm, partnership, corporation or other legal entity
45 shall not engage in the business of '**[HVAC] HVACR**' contracting
46 or advertise in any manner as '**[an HVAC] a Master HVACR**'
47 contractor or use the title or designation of "licensed '**[HVAC]**

1 Master HVACR¹ contractor" or ¹["HVAC] Master HVACR¹
2 contractor" unless authorized to act as ¹[an HVAC] a Master
3 HVACR¹ contractor pursuant to the provisions of this act.

4
5 8. (New section) Nothing in this act shall be construed to
6 prevent ¹[the practice of engineering by a holder of a license to
7 practice that profession in this State, but no engineer] any person
8 licensed by the State, including, but not limited to, architects,
9 professional engineers, electrical contractors, ³[or]³ master
10 plumbers, ³or any chimney service professional registered as a
11 home improvement contractor with the Division of Consumer
12 Affairs, ³ from acting within the scope of practice of his profession
13 or occupation, but no person¹ shall use the designation "licensed
14 ¹[HVAC] Master HVACR¹ contractor" unless licensed as ¹[an
15 HVAC] a Master HVACR¹ contractor under the provisions of this
16 act.

17
18 9. (New section) The provisions of this act shall not apply to a
19 single family home owner who personally occupies his own
20 dwelling and who solely performs ¹[HVAC] HVACR¹ work on his
21 own dwelling, upon receipt of all required permits, except that any
22 ¹[HVAC] HVACR¹ work involving chlorofluorocarbons (CFC's)
23 or hydrochlorofluorocarbons (HCFC's) shall be performed only by a
24 licensed ¹[HVAC] Master HVACR¹ contractor.

25
26 10. (New section) The provisions of this act shall not apply to
27 any public utility company regulated by the Board of Public
28 Utilities pursuant to Title 48 of the Revised Statutes ¹[that performs
29 emergency repair services to prevent an imminent threat to the
30 health and safety of life or property, which repair services include,
31 but are not limited to, turning off, disconnecting, shutting down or
32 disabling any equipment or condition or the provision of any
33 products] , or any related competitive business segment of that
34 public utility that offers competitive services pursuant to the
35 "Electric Discount and Energy Competition Act," P.L.1999, c.23
36 (C.48:3-49 et al.). The provisions of this act also shall not apply to
37 HVACR work performed on buildings, structures or premises
38 owned or operated by a public utility holding company or its
39 subsidiaries¹.

40
41 11. (New section) The provisions of this act shall not deny to
42 any municipality the power to inspect ¹[HVAC] HVACR¹ work or
43 equipment or the power to enforce the standards and manner in
44 which ¹[HVAC] HVACR¹ work shall be done, but no municipality,
45 local board of health or other agency shall require any ¹[HVAC]
46 Master HVACR¹ contractor licensed under this act, or authorized to

1 engage in the business of ¹[HVAC] HVACR¹ contracting under
 2 this act, to obtain any additional license, apply for or take any
 3 examination, or pay any licensing fee.

4
 5 ²12. (New section) The provisions of this act shall not apply to
 6 any liquefied petroleum gas marketer licensed by the Department of
 7 Community Affairs pursuant to subchapter 10 of chapter 18 of Title
 8 5 of the New Jersey Administrative Code.²

9
 10 ²[12.] 13.² (New section) Not less than 30 days and not more
 11 than 60 days prior to the date set for the examination for ¹[an
 12 HVAC] a Master HVACR¹ contractor's license, every person,
 13 except as provided in this act, desiring to apply for a license, who
 14 meets the qualifications as set forth in this act, shall deliver to the
 15 board, personally or by certified mail, return receipt requested,
 16 postage prepaid, a certified check or money order payable to the
 17 Treasurer of the State of New Jersey in the required amount,
 18 together with the written application required by the board,
 19 completed as described in the application, and together with proof
 20 of qualifications as described in this act.

21 The qualifications for ¹[an HVAC] a Master HVACR¹
 22 contractor's license shall be as follows: The person shall be 21 or
 23 more years of age and a citizen or legal resident of the United
 24 States, and shall have been employed in the ¹[HVAC] HVACR¹
 25 contracting business for a period of five years next preceding the
 26 date of his application for a license. ³[Three] One³ or more of the
 27 five years shall have been spent while engaged or employed as
 28 ²[a] an² ¹[journeyman HVAC tradesperson] HVACR
 29 journeyman or licensed plumber engaged in the work described¹.
 30 At least ²[two] four² years of the five years shall have been spent
 31 in ¹[an HVAC] ²[a] an² HVACR¹ apprenticeship or other training
 32 program approved by the ¹[United States] Department of
 33 ¹[Education] Labor¹, with proof of passage and successful
 34 completion of this program while actively engaged or employed as
 35 an apprentice as determined by the board. ³Successful completion
 36 of an HVAC program given by an accredited technical school, trade
 37 school, county college or community college shall satisfy two years
 38 of the minimum four years that must be spent in an approved
 39 apprenticeship or other training program.³ In lieu of the above
 40 requirements a person shall have been awarded a bachelor's
 41 degree¹: a. ¹ in ¹[HVAC] HVACR¹ technology from an accredited
 42 college or university in the United States which the board finds
 43 acceptable and, in addition, shall have been engaged or employed in
 44 the practical work of installing ¹[HVAC] HVACR¹ systems for
 45 ³[three years] one year³ ¹; or b. from an accredited college or
 46 university in the United States which the board finds acceptable

1 and, in addition, shall have been engaged or employed in the direct
2 supervision of the installation of HVACR systems for ³[five] three³
3 years.

4 Proof of compliance with the qualifications or those in lieu
5 thereof shall be submitted to the board in writing, sworn to by the
6 applicant, and accompanied by two recent passport-size
7 photographs of the applicant.

8
9 ²[13.] ²14. (New section) a. Every ¹[HVAC] Master HVACR¹
10 contractor's license examination shall be substantially uniform and
11 shall be designed so as to establish the competence and
12 qualifications of the applicant to perform the type of work and
13 business as described in this act. The examination may be
14 theoretical or practical in nature, or both.

15 b. The examination shall be held at least four times a year, at
16 Trenton or other place the board deems necessary. Public notice of
17 the time and place of the examination shall be given.

18 c. No person who has failed the examination shall be eligible to
19 be reexamined for a period of six months from the date of the
20 examination failed by that person.

21 d. All applicants for ¹[HVAC] Master HVACR¹ licenses,
22 renewals or reexaminations shall pay a fee for each license issuance
23 or renewal, or reexamination as determined by the board.

24
25 ²[14.] ²15. (New section) Licenses shall be renewed biennially
26 by the board upon written application of the holder and payment of
27 the prescribed fee and renewal of the bond required by section
28 ¹[17] ²[22']²³ of this act. A license may be renewed without
29 reexamination, if the application for renewal is made within 30 days
30 next preceding or following the scheduled expiration date. Any
31 applicant for renewal making application at any time subsequent to
32 the 30th day next following the scheduled expiration date may be
33 required by the board to be ²[re-examined]reexamined², and that
34 person shall not continue to act as a licensed ¹[HVAC] Master
35 HVACR¹ contractor, as described in this act, and no firm,
36 corporation or other legal entity for which the person is the bona
37 fide representative shall operate under a license in the ¹[HVAC]
38 HVACR¹ business, as described in this act, until a valid license has
39 been secured or is held by a bona fide representative.

40 Any license expiring while the holder is outside the continental
41 limits of the United States in connection with any project
42 undertaken by the government of the United States, or while in the
43 services of the Armed Forces of the United States, shall be renewed
44 without the holder being required to be reexamined, upon payment
45 of the prescribed fee at any time within four months after the
46 person's return to the United States or discharge from the armed
47 forces, whichever is later.

1 ²[¹15.] 16.² (New section) The board shall require each Master
2 HVACR contractor, as a condition for biennial license renewal
3 pursuant to section ²[14]15² of this act, to complete any continuing
4 education requirements imposed by the board pursuant to section
5 ²[16]17² of this act.¹

6
7 ²[¹16.] 17.² (New section) a. The board shall:

8 (1) Establish standards for continuing HVACR education,
9 including the subject matter and content of courses of study, the
10 selection of instructors, and the number and type of continuing
11 education credits required of a licensed Master HVACR contractor
12 as a condition for biennial license renewal, except that the number
13 of credits required shall not exceed five in any biennial license
14 period;

15 (2) Approve educational programs offering credit towards the
16 continuing HVACR education requirements; and

17 (3) Approve other equivalent educational programs, and shall
18 establish procedures for the issuance of credit upon satisfactory
19 proof of the completion of these programs.

20 b. In the case of education courses and programs, each hour of
21 instruction shall be equivalent to one credit.¹

22
23 ²[¹17.] 18.² (New section) The board may, in its discretion,
24 wave requirements for continuing HVACR education on an
25 individual basis for reasons of hardship such as illness or disability,
26 retirement of the license or other good cause.¹

27
28 ²[¹18.] 19.² (New section) The board shall not require
29 completion of continuing HVACR education credits for an initial
30 renewal of license.¹

31
32 ²[¹19.]² 20.² (New section) In the event a Master HVACR
33 contractor completes a number of continuing education credit hours
34 in excess of the number required by the board pursuant to section
35 ²[16]17² of this act, the board may allow those extra credits to be
36 carried over to satisfy the Master HVACR contractor's continuing
37 education requirement for the next biennial licensure period, but
38 shall not be applicable thereafter.¹

39
40 ¹[15.] ²[²⁰.¹] 21.² (New section) The board may in its
41 discretion grant licenses without examination to applicants so
42 licensed by other states; provided that equal reciprocity is provided
43 for New Jersey ¹[HVAC] Master HVACR¹ contractors by the law
44 of the applicant's domiciliary state and provided further that the
45 domiciliary state's standards are equal to or comparable to those of
46 this State.

1 ¹[16.] ²[21.] 22.² (New section) No firm, corporation or other
 2 legal entity operating under and by virtue of this act shall be denied
 3 the privilege of conducting and continuing the business of
 4 ¹[HVAC] HVACR¹ contracting, by reason of death, termination of
 5 employment, illness or a substantial disability of the bona fide
 6 representative of the firm, corporation or other entity, provided that:
 7 the firm, corporation or other entity has complied with the other
 8 provisions of this act; the firm, corporation or other entity maintains
 9 a place of business within this State; and another bona fide
 10 representative of the entity obtains a State license within six months
 11 from the date of the death, termination of employment, illness or
 12 disability. The board may promulgate additional regulations
 13 governing the management and operation of an entity during that
 14 period of time when the entity shall be in operation without having
 15 a bona fide representative.

16
 17 ¹[17.] ²[22.] 23.² (New section) In addition to any other
 18 bonds that may be required pursuant to contract, no ¹[HVAC]
 19 Master HVACR¹ contractor licensed under this act shall undertake
 20 to do any ¹[HVAC] HVACR¹ work in the State unless and until he
 21 shall have first entered into a bond in favor of the State of New
 22 Jersey in the sum of \$3,000 executed by a surety company
 23 authorized to transact business in this State, approved by the
 24 Department of Banking and Insurance and to be conditioned on the
 25 faithful performance of the provisions of this act. No municipality
 26 shall require any similar bond from any ¹[HVAC] Master HVACR¹
 27 contractor licensed under this act. The board shall by rule and
 28 regulation provide who shall be eligible to receive the financial
 29 protection afforded by the bond required to be filed by this section.
 30 The bond shall be for the term of 12 months and shall be renewed at
 31 each expiration for a similar period.

32
 33 ¹[18.] ²[23.] 24.² (New section) To be eligible to obtain and
 34 retain a pressure seal, and renew ¹[an HVAC] ²[a]an² HVACR¹
 35 license, ¹[an HVAC] a Master HVACR¹ contractor shall:

36 a. Secure, maintain and file with the board a certificate of
 37 general liability insurance from an insurance company authorized
 38 and licensed to do business in this State ²or proof of self-insurance
 39 approved by the Department of Banking and Insurance² covering
 40 the ¹[HVAC] Master HVACR¹ contracting done by that ¹[HVAC]
 41 HVACR¹ contractor. The minimum amount of general liability
 42 insurance shall be ¹[\$300,000] \$500,000¹ for the combined
 43 property damage and bodily injury to or death of one or more
 44 persons in any one accident or occurrence; ²and²

45 b. File with the board its Federal Tax Identification number ²[;
 46 and] ².

1 ²[c. Comply with any continuing education requirements
2 regarding license renewal for ¹[an HVAC] a Master HVACR¹
3 contractor established by the board through regulation ¹pursuant to
4 section 16 of this act¹.] Every licensed HVACR contractor whose
5 general liability policy is cancelled or nonrenewed shall submit to
6 the board a copy of the certificate of general liability insurance for a
7 new or replacement policy which meets the requirements of
8 subsection a. of this section before the former policy is no longer
9 effective.²

10 ³[Every certificate of insurance required to be filed with the
11 board pursuant to this section shall provide that cancellation of the
12 insurance shall not be effective unless and until at least 10 days'
13 notice of intention to cancel has been received in writing by the
14 board.]³

15
16 ¹[19.] ²[24.¹] 25.² (New section) a. The board shall provide a
17 pressure seal to ¹[an HVAC] a Master HVACR¹ contractor at the
18 time of the issuance of a license or as soon thereafter as deemed
19 appropriate by the board. No pressure seal shall be provided by the
20 board or retained by ¹[an HVAC] a Master HVACR¹ contractor
21 unless the ¹[HVAC] Master HVACR¹ contractor complies with the
22 provisions of sections ¹[17] ²[22¹]23² and ¹[18] ²[23¹]24² of this
23 act. The ¹[HVAC] Master HVACR¹ contractor shall pay the cost
24 of the pressure seal, but the seal shall remain the property of the
25 board. The pressure seal shall be surrendered to the board
26 immediately upon suspension, revocation or expiration of the
27 license or upon a finding of noncompliance with the provisions of
28 section ¹[18] ²[23¹]24² of this act.

29 b. ¹[An HVAC] A Master HVACR¹ contractor shall impress his
30 pressure seal upon all applications for ¹[HVAC] HVACR¹ permits
31 from the appropriate duly licensed State inspection agency.

32 c. A pressure seal shall be used exclusively by ¹[an HVAC] a
33 Master HVACR¹ contractor or in the conduct of the ¹[HVAC]
34 Master HVACR¹ contractor's practice. ¹[An HVAC] A Master
35 HVACR¹ contractor shall not willfully or negligently allow any
36 person to use his pressure seal.

37
38 ¹[20.] ²[25.¹] 26.² (New section) Notwithstanding any other
39 provision of this act to the contrary, the board shall, upon
40 application to it and submission of satisfactory proof and the
41 payment of the prescribed fee within six months following the
42 effective date of this act, issue ¹[an [HVAC] a Master HVACR¹
43 license without examination to: a. any licensed master plumber who
44 has been engaged in the heating, ventilating ¹[or] ¹ air
45 conditioning ¹or refrigeration¹ business for at least two years prior

1 to the date of his application for ¹['an HVAC] a Master HVACR¹
 2 license; or b. any person who has been engaged as a heating,
 3 ventilating ¹['and] ¹air conditioning ¹and refrigeration¹ contractor
 4 for at least two years prior to his date of application for ¹['an
 5 HVAC] a Master HVACR¹ license.

6 A person entitled to ¹['an HVAC] a Master HVACR¹ license
 7 under the provisions of this section shall comply with the remaining
 8 provisions of this act.

9
 10 ¹[21.] ²[26.] 27.² (New section) a. Nothing in this act shall
 11 be construed to prevent licensed master plumbers from engaging in
 12 the installation, maintenance and repair of: power boiler systems,
 13 hot water and steam heating systems, fire tube and water tube
 14 boilers, pressure steam and hot water boilers, space heaters, unit
 15 heaters, and appurtenances utilizing electricity, fossil fuel or solar
 16 energy; steam, hot water and chilled water pipe, condensate piping,
 17 valves, fittings, ²[fuel oil storage tanks not regulated under
 18 P.L.1986, c.102 (C.58:10A-21 et seq.),]² burners and piping,
 19 expansion tanks, pumps, gauges on the load side of a meter;
 20 ²[and]² thermostatic controls; or natural or manufactured gas
 21 piping; ²[and] or² the installation, maintenance or connection of:
 22 pneumatic controls and control piping for the control of air, liquid
 23 or gas temperatures, radiators, convectors, cabinet unit heaters, fan
 24 coil units, air handlers utilizing hydronic coils, mechanical
 25 ventilation for radon mitigation, humidifiers, flues and patented
 26 chimneys; or of pneumatic controls and control piping of automatic
 27 oil, gas or coal burning equipment, gasoline or diesel oil dispensing
 28 equipment and in replacement cases only, the connection thereof of
 29 the wiring from a dedicated electrical service disconnect box of
 30 adequate size to accommodate the equipment and controls, and the
 31 testing and balancing of hydronic systems ²; or the installation,
 32 repair, testing or closure of waste oil underground storage tanks².

33 b. Nothing in this act shall be construed to prevent licensed
 34 electrical contractors from engaging in the installation of: electrical
 35 resistance heating equipment and ventilation equipment with the
 36 exhaust duct not exceeding 60 square inches in area, or in
 37 commercial applications the connection sleeve between a roof-top
 38 mounted exhaust fan and its central connecting register, provided
 39 that this connection sleeve is not more than 15 ¹['feet] inches¹ in
 40 length ¹or the length necessary to penetrate a roof or other similar
 41 openings¹; and the maintenance and repair of the electrical sections
 42 of any equipment used for heating, ventilating ¹['or] ¹air
 43 conditioning ¹or refrigeration¹.

44
 45 ¹[22.] ²[27.] 28.² (New section) Notwithstanding any other
 46 provision of this act to the contrary, a licensed master plumber or a

1 person with ¹~~an HVAC~~ a Master HVACR¹ license shall not
 2 perform any electrical work which has a potential of greater than 30
 3 volts, involving the wiring of equipment used for heating,
 4 ventilating ¹~~or~~ ,¹ air conditioning ¹or refrigeration¹, except in the
 5 case of replacement installations as described in sections 2 and
 6 ¹~~21~~ ²~~26~~¹ 27² of this act or as provided for in section 18 of
 7 P.L.1962, c.162 (C.45:5A-18).

8
 9 ¹~~23~~ ²~~28~~¹ 29² Section 1 of P.L.1971, c.60 (C.45:1-2.1) is
 10 amended to read as follows:

11 1. The provisions of this act shall apply to the following boards
 12 and commissions: the New Jersey State Board of Accountancy, the
 13 New Jersey State Board of Architects, the New Jersey State Board
 14 of Cosmetology and Hairstyling, the Board of Examiners of
 15 Electrical Contractors, the New Jersey State Board of Dentistry, the
 16 State Board of Mortuary Science of New Jersey, the State Board of
 17 Professional Engineers and Land Surveyors, the State Board of
 18 Marriage and Family Therapy Examiners, the State Board of
 19 Medical Examiners, the New Jersey Board of Nursing, the New
 20 Jersey State Board of Optometrists, the State Board of Examiners of
 21 Ophthalmic Dispensers and Ophthalmic Technicians, the Board of
 22 Pharmacy, the State Board of Professional Planners, the State Board
 23 of Psychological Examiners, the State Board of Examiners of
 24 Master Plumbers, the New Jersey Real Estate Commission, the
 25 State Board of Court Reporting, the State Board of Veterinary
 26 Medical Examiners, the Radiologic Technology Board of
 27 Examiners, the Acupuncture Examining Board, the State Board of
 28 Chiropractic Examiners, the State Board of Respiratory Care, the
 29 State Real Estate Appraiser Board, the State Board of Social Work
 30 Examiners, ~~and~~ the State Board of Examiners of Heating,
 31 ¹~~Ventilation and~~ Ventilating,¹ Air Conditioning ¹and
 32 Refrigeration¹ Contractors, the State Board of Physical Therapy
 33 Examiners, the Orthotics and Prosthetics Board of Examiners, the
 34 New Jersey Cemetery Board, the State Board of Polysomnography
 35 and any other entity hereafter created under Title 45 to license or
 36 otherwise regulate a profession or occupation.
 37 (cf: P.L.2005, c.308, s.8)

38
 39 ¹~~24~~ ²~~29~~¹ 30² Section 1 of P.L.1974, c.46 (C.45:1-3.1) is
 40 amended to read as follows:

41 1. The provisions of this act shall apply to the following boards
 42 and commissions: the New Jersey State Board of Accountancy, the
 43 New Jersey State Board of Architects, the New Jersey State Board
 44 of Cosmetology and Hairstyling, the Board of Examiners of
 45 Electrical Contractors, the New Jersey State Board of Dentistry, the
 46 State Board of Mortuary Science of New Jersey, the State Board of
 47 Professional Engineers and Land Surveyors, the State Board of

1 Marriage and Family Therapy Examiners, the State Board of
 2 Medical Examiners, the New Jersey Board of Nursing, the New
 3 Jersey State Board of Optometrists, the State Board of Examiners of
 4 Ophthalmic Dispensers and Ophthalmic Technicians, the Board of
 5 Pharmacy, the State Board of Professional Planners, the State Board
 6 of Psychological Examiners, the State Board of Examiners of
 7 Master Plumbers, the State Board of Court Reporting, the State
 8 Board of Veterinary Medical Examiners, the Radiologic
 9 Technology Board of Examiners, the Acupuncture Examining
 10 Board, the State Board of Chiropractic Examiners, the State Board
 11 of Respiratory Care, the State Real Estate Appraiser Board, the New
 12 Jersey Cemetery Board, the State Board of Social Work Examiners
 13 and , the State Board of Examiners of Heating, and Ventilation
 14 and Ventilating, Air Conditioning and Refrigeration
 15 Contractors, the State Board of Physical Therapy Examiners, the
 16 State Board of Polysomnography, the Orthotics and Prosthetics
 17 Board of Examiners and any other entity hereafter created under
 18 Title 45 to license or otherwise regulate a profession or occupation.
 19 (cf: P.L.2005, c.308, s.10)

20

21 ¹[25.] ²[30.] ³31.² Section 2 of P.L.1978, c.73 (C.45:1-15) is
 22 amended to read as follows:

23 2. The provisions of this act shall apply to the following boards
 24 and all professions or occupations regulated by, through or with the
 25 advice of those boards: the New Jersey State Board of
 26 Accountancy, the New Jersey State Board of Architects, the New
 27 Jersey State Board of Cosmetology and Hairstyling, the Board of
 28 Examiners of Electrical Contractors, the New Jersey State Board of
 29 Dentistry, the State Board of Mortuary Science of New Jersey, the
 30 State Board of Professional Engineers and Land Surveyors, the
 31 State Board of Marriage and Family Therapy Examiners, the State
 32 Board of Medical Examiners, the New Jersey Board of Nursing, the
 33 New Jersey State Board of Optometrists, the State Board of
 34 Examiners of Ophthalmic Dispensers and Ophthalmic Technicians,
 35 the Board of Pharmacy, the State Board of Professional Planners,
 36 the State Board of Psychological Examiners, the State Board of
 37 Examiners of Master Plumbers, the State Board of Court Reporting,
 38 the State Board of Veterinary Medical Examiners, the State Board
 39 of Chiropractic Examiners, the State Board of Respiratory Care, the
 40 State Real Estate Appraiser Board, the State Board of Social Work
 41 Examiners, the State Board of Examiners of Heating, and Ventilation
 42 and Ventilating, Air Conditioning and Refrigeration
 43 Contractors, the State Board of Physical Therapy Examiners, the
 44 State Board of Polysomnography, the Professional Counselor
 45 Examiners Committee, the New Jersey Cemetery Board, the
 46 Orthotics and Prosthetics Board of Examiners, the Occupational
 47 Therapy Advisory Council, the Electrologists Advisory Committee,

1 the Acupuncture Advisory Committee, the Alcohol and Drug
2 Counselor Committee, the Athletic Training Advisory Committee,
3 the Certified Psychoanalysts Advisory Committee, the Fire Alarm,
4 Burglar Alarm, and Locksmith Advisory Committee, the Home
5 Inspection Advisory Committee, the Interior Design Examination
6 and Evaluation Committee, the Hearing Aid Dispensers Examining
7 Committee, the Landscape Architect Examination and Evaluation
8 Committee, the Massage, Bodywork and Somatic Therapy
9 Examining Committee, the Perfusionists Advisory Committee, the
10 Physician Assistant Advisory Committee, and the Audiology and
11 Speech-Language Pathology Advisory Committee and any other
12 entity hereafter created under Title 45 to license or otherwise
13 regulate a profession or occupation.

14 (cf: P.L.2005, c.308, s.11)

15

16 ¹[26.] ²[31. ¹] 32.² This act shall take effect immediately,
17 except that section 7 shall take effect 360 days following the
18 appointment and qualification of the board members, and provided
19 that the director and board may take such anticipatory action as may
20 be necessary to effectuate that provision of the act.