

45:16A-2 and 45:16A-13 LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2018 **CHAPTER:** 99

NJSA: 45:16A-2 and 45:16A-13 (Clarifies training requirements of certain HVACR contractors.)

BILL NO: A3704 (Substituted for S2550)

SPONSOR(S) DeAngelo and others

DATE INTRODUCED: 3/22/2018

COMMITTEE: **ASSEMBLY:** Regulated Professions

SENATE: ---

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** 6/21/2018

SENATE: 6/21/2018

DATE OF APPROVAL: 8/17/2018

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Introduced version of bill enacted) Yes

A3704

SPONSOR'S STATEMENT: (Begins on page 5 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

S2550

SPONSOR'S STATEMENT: (Begins on page 5 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

(continued)

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

REPORTS:

HEARINGS:

NEWSPAPER ARTICLES: Yes

"Governor signs HVAC bill," The Advertiser-News, August 17, 2018

RH/CL

P.L. 2018, CHAPTER 99, *approved August 17, 2018*
Assembly, No. 3704

1 AN ACT concerning training requirements of heating, ventilating,
2 air conditioning and refrigeration contractors, and amending
3 P.L.2007, c.211.
4

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

8 1. Section 2 of P.L.2007, c.211 (C.45:16A-2) is amended to
9 read as follows:

10 2. As used in this act:

11 "Board" means the State Board of Examiners of Heating,
12 Ventilating, Air Conditioning and Refrigeration Contractors created
13 by section 3 of this act.

14 "Bona fide representative" means: in the case of a sole
15 proprietorship, the owner; in the case of a partnership, a partner; in
16 the case of a limited liability company, a manager; or in the case of
17 a corporation, an executive officer.

18 "Director" means the Director of the Division of Consumer
19 Affairs in the Department of Law and Public Safety.

20 "Heating, ventilating, air conditioning and refrigeration" or
21 "HVACR" means the process of treating and protecting the
22 environment by the responsible handling, dispensing, collecting and
23 cleaning of chlorofluorocarbons and other refrigerants in stationary
24 sources, and controlling the temperature, humidity and cleanliness
25 of air by using the "wet," "dry," "radiant," "conduction,"
26 "convection," "direct," or "indirect" method or combination of
27 methods, including those which utilize solar energy, to meet the
28 environmental requirements of a designated area. "HVACR" also
29 means the installation, servicing, connecting, maintenance or repair
30 of the following:

31 power boiler systems, hydronic heating systems, fire tube and
32 water tube boilers, pressure steam and hot water boilers, furnaces
33 and space heaters, and appurtenances utilizing electric, fossil fuel,
34 wood pellets or solar energy, other than those appurtenances
35 utilized solely for the purpose of heating potable water;

36 warm air heating or refrigeration and evaporative cooling
37 systems, ventilation and exhaust systems, dust collectors, air
38 handling equipment, heating or cooling coils, air or refrigerant
39 compressors, chillers, cooling towers, evaporators, condensers,
40 plenums, fans, blowers, air cleaners, mechanical ventilation for
41 radon mitigation, humidifiers, filters, louvers, mixing boxes and
42 appurtenances; hydronic heating and chilled water pipe, condensate
43 piping not discharged into a sanitary sewer, valves, fittings, burners

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.

1 and piping, hydronic heating, expansion tanks, pumps, gauges,
2 humidity and thermostatic controls;
3 natural or manufactured gas piping on the load side of a meter;
4 supply water piping to equipment being served from an existing
5 dedicated source connected downstream from an approved
6 backflow preventer, except in replacement cases, the installation of
7 the required approved backflow device downstream from a pre-
8 existing valve; and pneumatic controls and control piping, for the
9 control of air, liquid, or gas temperatures, radiators, convectors, unit
10 cabinet heaters, or fan coil units; and pneumatic controls and
11 control piping, of automatic oil, gas or coal burning equipment,
12 mechanical refrigeration equipment, gasoline or diesel oil
13 dispensing equipment and in replacement cases only, the connection
14 thereof of the wiring from an electrical service disconnect box of
15 adequate size to accommodate the equipment and controls and
16 previously dedicated to that equipment, and the testing and
17 balancing of air and hydronic systems, but does not include the
18 design or preparation of specifications for equipment or systems to
19 be installed that are within the practice of professional engineering
20 as defined in subsection (b) of section 2 of P.L.1938, c.342 (C.45:8-
21 28).

22 "HVACR apprentice" means a person who is enrolled in an
23 HVACR apprenticeship or other training program, including, but
24 not limited to steamfitter, pipefitter or sheet metal apprenticeship
25 programs, approved by the United States Department of Labor and
26 who engages in the installation, alteration, repair, service, or
27 renovation of HVACR systems under the supervision of a Master
28 HVACR contractor as part of that apprenticeship or other training
29 program and who has studied and performed the majority of
30 "HVACR" as defined in this section.

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

39 "Master heating, ventilating, air conditioning and refrigeration
40 contractor" means any person, firm, partnership, corporation or
41 other legal entity licensed according to the provisions of this act
42 which obtains a pressure seal pursuant to sections 24 and 25 of this
43 act and which advertises, undertakes or offers to undertake for
44 another the planning, laying out, supervising, installing, servicing
45 or repairing of HVACR systems, apparatus or equipment. In order
46 to act as a "Master HVACR contractor," an individual shall be a
47 bona fide representative of the legal entity licensed pursuant to the

1 provisions of this act, and shall have studied and performed the
2 majority of "HVACR" as defined in this section.

3 "HVACR journeyperson" means any person who installs, alters,
4 repairs, services or renovates HVACR systems in accordance with
5 standards, rules and regulations established by the board **[and]** ,
6 who works under the supervision of a Master HVACR contractor,
7 and who has studied and performed the majority of "HVACR" as
8 defined in this section.

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

11 "Replacement" means a change of equipment with the same type
12 or similar equipment.

13 "Undertake or offer to undertake for another" means a contractor
14 who is listed in a public bid as the proposed subcontractor by the
15 contractor placing the bid for an HVACR contract.

16 (cf: P.L.2014, c.8, s.2)

17

18 2. Section 13 of P.L.2007, c.211 (C.45:16A-13) is amended to
19 read as follows:

20 13. Not less than 30 days and not more than 60 days prior to the
21 date set for the examination for a Master HVACR contractor's
22 license, every person, except as provided in this act, desiring to
23 apply for a license, who meets the qualifications as set forth in this
24 act, shall deliver to the board, personally or by certified mail, return
25 receipt requested, postage prepaid, a certified check or money order
26 payable to the Treasurer of the State of New Jersey in the required
27 amount, together with the written application required by the board,
28 completed as described in the application, and together with proof
29 of qualifications as described in this act.

30 The qualifications for a Master HVACR contractor's license shall
31 be as follows: The person shall be 21 or more years of age and a
32 citizen or legal resident of the United States, and shall have been
33 employed in the HVACR contracting business for a period of five
34 years next preceding the date of his application for a license. One
35 or more of the five years shall have been spent while engaged or
36 employed as an HVACR journeyperson or licensed plumber
37 engaged in the work described. At least four years of the five years
38 shall have been spent in an HVACR apprenticeship or other training
39 program, including, but not limited to, steamfitter, pipefitter or
40 sheet metal apprenticeship programs, approved by the United States
41 Department of Labor, with proof of passage and successful
42 completion of this program while actively engaged or employed as
43 an apprentice as determined by the board. Successful completion of
44 an HVACR program given by an accredited technical school, trade
45 school, county college or community college shall satisfy two years
46 of the minimum four years that must be spent in an approved
47 apprenticeship or other training program. In lieu of the above
48 requirements a person shall have been awarded a bachelor's degree:

1 a. in HVACR technology from an accredited college or university
2 in the United States which the board finds acceptable and, in
3 addition, shall have been engaged or employed in the practical work
4 of installing HVACR systems for one year; or b. from an accredited
5 college or university in the United States which the board finds
6 acceptable and, in addition, shall have been engaged or employed in
7 the direct supervision of the installation of HVACR systems for
8 three years.

9 Proof of compliance with the qualifications or those in lieu
10 thereof shall be submitted to the board in writing, sworn to by the
11 applicant, and accompanied by two recent passport-size
12 photographs of the applicant.

13 (cf: P.L.2007, c.211, s.13)

14

15 3. This act shall take effect immediately.

16

17

18

STATEMENT

19

20 This bill clarifies the training requirements for qualification as a
21 Master HVACR contractor under “The State Heating, Ventilating,
22 Air Conditioning and Refrigeration Contracting License Law,”
23 P.L.2007, c.211 (C.45:16A-1 et seq.) (hereinafter, the “HVACR
24 license law”). The current HVACR license law requires that an
25 applicant for licensure as a Master HVACR contractor have at least
26 five years of experience working in the HVACR contracting
27 business, with at least four of the five years spent in an HVACR
28 apprenticeship or other training program approved by the United
29 States Department of Labor. This bill provides that the other
30 training programs, in lieu of an HVACR apprenticeship, may
31 include, but are not limited to, steamfitter, pipefitter or sheet metal
32 apprenticeship programs approved by the United States Department
33 of Labor.

34

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36

37

38 Clarifies training requirements of certain HVACR contractors.

ASSEMBLY, No. 3704

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED MARCH 22, 2018

Sponsored by:

Assemblyman WAYNE P. DEANGELO

District 14 (Mercer and Middlesex)

Assemblyman PARKER SPACE

District 24 (Morris, Sussex and Warren)

Assemblywoman ANNETTE QUIJANO

District 20 (Union)

Senator JOSEPH P. CRYAN

District 20 (Union)

Senator STEPHEN M. SWEENEY

District 3 (Cumberland, Gloucester and Salem)

Co-Sponsored by:

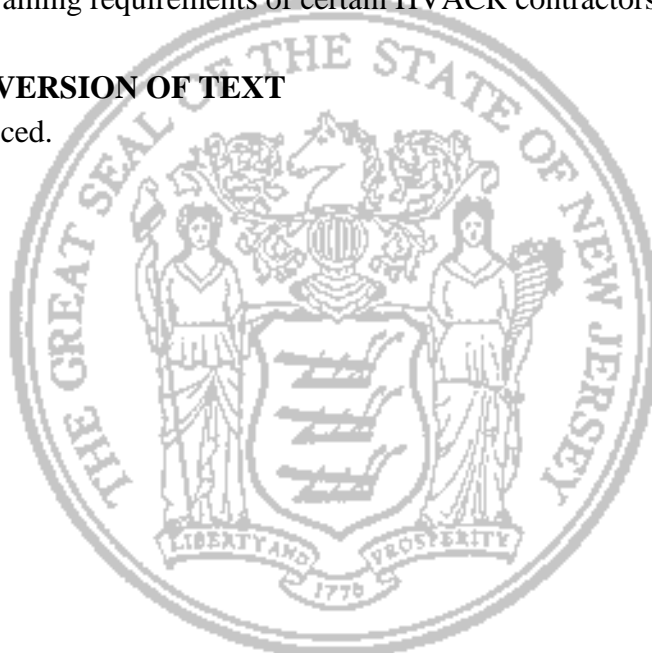
Assemblymen Harold J. Wirths and Houghtaling

SYNOPSIS

Clarifies training requirements of certain HVACR contractors.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/22/2018)

A3704 DEANGELO, SPACE

2

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15 proprietorship, the owner; in the case of a partnership, a partner; in
16 the case of a limited liability company, a manager; or in the case of
17 a corporation, an executive officer.

18 "Director" means the Director of the Division of Consumer
19 Affairs in the Department of Law and Public Safety.

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21 "HVACR" means the process of treating and protecting the
22 environment by the responsible handling, dispensing, collecting and
23 cleaning of chlorofluorocarbons and other refrigerants in stationary
24 sources, and controlling the temperature, humidity and cleanliness
25 of air by using the "wet," "dry," "radiant," "conduction,"
26 "convection," "direct," or "indirect" method or combination of
27 methods, including those which utilize solar energy, to meet the
28 environmental requirements of a designated area. "HVACR" also
29 means the installation, servicing, connecting, maintenance or repair
30 of the following:

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32 water tube boilers, pressure steam and hot water boilers, furnaces
33 and space heaters, and appurtenances utilizing electric, fossil fuel,
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35 environmental needs or control of any heating, ventilating, air
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47 majority of “HVACR” as defined in this section.

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5 and who has studied and performed the majority of "HVACR" as
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33 or more of the five years shall have been spent while engaged or
34 employed as an HVACR journey person or licensed plumber
35 engaged in the work described. At least four years of the five years
36 shall have been spent in an HVACR apprenticeship or other training
37 program, including, but not limited to, steamfitter, pipefitter or
38 sheet metal apprenticeship programs, approved by the United States
39 Department of Labor, with proof of passage and successful
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41 an apprentice as determined by the board. Successful completion of
42 an HVACR program given by an accredited technical school, trade
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45 apprenticeship or other training program. In lieu of the above
46 requirements a person shall have been awarded a bachelor's degree:
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48 in the United States which the board finds acceptable and, in

1 addition, shall have been engaged or employed in the practical work
2 of installing HVACR systems for one year; or b. from an accredited
3 college or university in the United States which the board finds
4 acceptable and, in addition, shall have been engaged or employed in
5 the direct supervision of the installation of HVACR systems for
6 three years.

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8 thereof shall be submitted to the board in writing, sworn to by the
9 applicant, and accompanied by two recent passport-size
10 photographs of the applicant.

11 (cf: P.L.2007, c.211, s.13)

12

13 3. This act shall take effect immediately.

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STATEMENT

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19 Master HVACR contractor under “The State Heating, Ventilating,
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ASSEMBLY REGULATED PROFESSIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3704

STATE OF NEW JERSEY

DATED: JUNE 11, 2018

The Assembly Regulated Professions Committee reports favorably Assembly Bill No. 3704.

This bill clarifies the training requirements for qualification as a Master HVACR contractor under “The State Heating, Ventilating, Air Conditioning and Refrigeration Contracting License Law,” P.L.2007, c.211 (C.45:16A-1 et seq.) (hereinafter, the “HVACR license law”). The current HVACR license law requires that an applicant for licensure as a Master HVACR contractor have at least five years of experience working in the HVACR contracting business, with at least four of the five years spent in an HVACR apprenticeship or other training program approved by the United States Department of Labor. This bill provides that the other training programs, in lieu of an HVACR apprenticeship, may include, but are not limited to, steamfitter, pipefitter or sheet metal apprenticeship programs approved by the United States Department of Labor.

SENATE, No. 2550

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED MAY 14, 2018

Sponsored by:

Senator JOSEPH P. CRYAN

District 20 (Union)

Senator STEPHEN M. SWEENEY

District 3 (Cumberland, Gloucester and Salem)

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11 "Undertake or offer to undertake for another" means a contractor
12 who is listed in a public bid as the proposed subcontractor by the
13 contractor placing the bid for an HVACR contract.

14 (cf: P.L.2014, c.8, s.2)

15

16 2. Section 13 of P.L.2007, c.211 (C.45:16A-13) is amended to
17 read as follows:

18 13. Not less than 30 days and not more than 60 days prior to the
19 date set for the examination for a Master HVACR contractor's
20 license, every person, except as provided in this act, desiring to
21 apply for a license, who meets the qualifications as set forth in this
22 act, shall deliver to the board, personally or by certified mail, return
23 receipt requested, postage prepaid, a certified check or money order
24 payable to the Treasurer of the State of New Jersey in the required
25 amount, together with the written application required by the board,
26 completed as described in the application, and together with proof
27 of qualifications as described in this act.

28 The qualifications for a Master HVACR contractor's license shall
29 be as follows: The person shall be 21 or more years of age and a
30 citizen or legal resident of the United States, and shall have been
31 employed in the HVACR contracting business for a period of five
32 years next preceding the date of his application for a license. One
33 or more of the five years shall have been spent while engaged or
34 employed as an HVACR journey person or licensed plumber
35 engaged in the work described. At least four years of the five years
36 shall have been spent in an HVACR apprenticeship or other training
37 program, including, but not limited to, steamfitter, pipefitter or
38 sheet metal apprenticeship programs, approved by the United States
39 Department of Labor, with proof of passage and successful
40 completion of this program while actively engaged or employed as
41 an apprentice as determined by the board. Successful completion of
42 an HVACR program given by an accredited technical school, trade
43 school, county college or community college shall satisfy two years
44 of the minimum four years that must be spent in an approved
45 apprenticeship or other training program. In lieu of the above
46 requirements a person shall have been awarded a bachelor's degree:
47 a. in HVACR technology from an accredited college or university
48 in the United States which the board finds acceptable and, in

1 addition, shall have been engaged or employed in the practical work
2 of installing HVACR systems for one year; or b. from an accredited
3 college or university in the United States which the board finds
4 acceptable and, in addition, shall have been engaged or employed in
5 the direct supervision of the installation of HVACR systems for
6 three years.

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

11 (cf: P.L.2007, c.211, s.13)

12

13 3. This act shall take effect immediately.

14

15

16

STATEMENT

17

18 This bill clarifies the training requirements for qualification as a
19 Master HVACR contractor under “The State Heating, Ventilating,
20 Air Conditioning and Refrigeration Contracting License Law,”
21 P.L.2007, c.211 (C.45:16A-1 et seq.) (hereinafter, the “HVACR
22 license law”). The current HVACR license law requires that an
23 applicant for licensure as a Master HVACR contractor have at least
24 five years of experience working in the HVACR contracting
25 business, with at least four of the five years spent in an HVACR
26 apprenticeship or other training program approved by the United
27 States Department of Labor. This bill provides that the other
28 training programs, in lieu of an HVACR apprenticeship, may
29 include, but are not limited to, steamfitter, pipefitter or sheet metal
30 apprenticeship programs approved by the United States Department
31 of Labor.

SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE, No. 2550

STATE OF NEW JERSEY

DATED: JUNE 11, 2018

The Senate Commerce Committee reports favorably Senate Bill No. 2550.

This bill clarifies the training requirements for qualification as a Master HVACR contractor under “The State Heating, Ventilating, Air Conditioning and Refrigeration Contracting License Law,” P.L.2007, c.211 (C.45:16A-1 et seq.) (hereinafter, the “HVACR license law”). The current HVACR license law requires that an applicant for licensure as a Master HVACR contractor have at least five years of experience working in the HVACR contracting business, with at least four of the five years spent in an HVACR apprenticeship or other training program approved by the United States Department of Labor. This bill provides that the other training programs, in lieu of an HVACR apprenticeship, may include, but are not limited to, steamfitter, pipefitter or sheet metal apprenticeship programs approved by the United States Department of Labor.



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Newark, N.J.

Governor Murphy Takes Action on Legislation

08/17/2018

TRENTON – Governor Phil Murphy earlier today signed the following bills into law:

AJR-125/SJR-85 (Quijano, Jimenez/Pou, Cruz-Perez) - Designates June 20th annually as “World Refugee Day” in New Jersey.

ACS for A-538/S-2257 (Mazzeo, Murphy, Mukherji/Beach) - Permits county governing body, with approval of county board of taxation, to revise real property assessment calendar.

A-1033/S-1760 (Johnson, Vainieri Huttel/Weinberg) - Makes Palisades Interstate Park Commission eligible for certain open space and historic preservation funding.

A-1627/S-1873 (Schepisi, A.M. Bucco, Auth, Danielsen, DiMaio/Sarlo, T. Kean) - Provides that PERS or PFRS member who continues to be volunteer firefighter or emergency services worker after retirement with employer from whom member retires has bona fide severance for compliance with State and federal law.

A-2041/S-1840 (Coughlin, Holley, Pintor Marin/Vitale, Gopal) - Establishes “Economic Redevelopment and Growth Grant Bond Financing Act,” authorizing issuance of bonds secured by pledge of Economic Redevelopment and Growth Grant proceeds, municipal liens, and special assessment; expands “Redevelopment Area Bond Financing Law;” extends time to complete certain projects under “Long Term Tax Exemption Law”.

ACS for A-2747, 880/S-1532 (Houghtaling, Downey, Munoz, Danielsen/Bateman) - Limits time continuing care retirement communities may retain refundable entrance fee after resident vacates facility; provides for disposition of certain personal property.

A-3704/S-2550 (DeAngelo, Space, Quijano/Cryan, Sweeney) - Clarifies training requirements of certain HVACR contractors.

A-3765/S-2456 (Houghtaling, Downey, Jones, Wimberly/Gopal, Oroho) - Permits school district superintendent to designate school employee with certain expertise as school safety specialist.

A-3888/S-2498 (Houghtaling, Downey, Egan/Gopal, Scutari) - Allows issuance of additional alcoholic beverage licenses within boundaries of formerly federally owned or operated military installations.

A-4065/S-2724 (Lopez, Mukherji/Vitale) - Authorizes State Treasurer to sell surplus real property located in Township of Woodbridge, Middlesex County.

A-4194/S-2738 (Coughlin/Weinberg, Beach) - Requires NJ Historical Commission to establish program for commemorations and observance of 250th anniversary of United States; permits commission to enter into public-private partnership agreement in preparation of anniversary; appropriates \$500,000.

S-767/A-3829 (Cunningham, Sweeney, T. Kean/Jasey) - Directs Secretary of Higher Education to establish

communication campaign to encourage students to enroll in 30 credits per year and institutions to report to secretary on strategies and incentives to accomplish this goal.

S-1265/A-3634 (Turner, Cruz-Perez, Singer/Jasey, Pinkin) - Provides that no more than 120 credits will be required for baccalaureate degree awarded by a public institution and no more than 60 credits for associate degree.

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Governor Phil Murphy

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