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"Aid for veterans and changes to Megan's Law among the 100 bills Christie signed,"
Burlington County Times, 1-23-14

LAW/RWH

P.L.2013, CHAPTER 228, *approved January 17, 2014*
 Assembly, No. 266 (*Third Reprint*)

1 AN ACT concerning fire safety, ²and² supplementing Title 52 of the
 2 Revised Statutes ²[, and amending P.L.2009, c.33]².

3
 4 **BE IT ENACTED** by the Senate and General Assembly of the State
 5 of New Jersey:

6
 7 ²[1. (New section) The Commissioner of Community Affairs, in
 8 consultation with the Board of Public Utilities, shall adopt, pursuant
 9 to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-
 10 1 et seq.), standards requiring that a solar ¹[energy] panel¹ system
 11 that is affixed to any ¹[newly constructed or currently existing]
 12 residential or nonresidential¹ structure following the effective date
 13 of P.L. c. (C.) (pending before the Legislature as this bill)¹
 14 be equipped with ¹[a device] an external emergency switch¹
 15 capable of disconnecting ¹and de-energizing the residual voltage in¹
 16 the system that is installed¹ at a readily accessible location ¹[that
 17 is in close proximity to the meter on the exterior of the
 18 structure]¹.]²

19
 20 ²[2. (New section)] 1.² ¹[As used in this section, "solar panel"]
 21 a. ²[For the purposes of this act] As used in this section² ;
 22 "Local enforcing agency" means the enforcing agency in any
 23 municipality provided for under the "State Uniform Construction
 24 Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.).

25 "Nonresidential structure" means any building designed and
 26 built for use as a factory or warehouse, or for retail or wholesale
 27 merchandising, office, workshop, school, hospital, hotel, or any
 28 other commercial, industrial or institutional purpose; or which,
 29 having been designed and built for residential use, has been altered,
 30 converted or reconstructed for nonresidential use;

31 "Residential structure" means any detached one ²[and] or² two
 32 family residential structure or any building providing multi-
 33 dwelling units for the accommodation of non-transient tenants.

34 "Solar ²[panel] photovoltaic² system"¹ means ²[an elevated
 35 panel or plate, or a canopy or array thereof,] a technology or device
 36 such as a photovoltaic module² that captures and converts solar

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 floor amendments adopted May 24, 2012.

²Senate SEN committee amendments adopted December 5, 2013.

³Senate floor amendments adopted January 13, 2014.

1 radiation to produce ²[power, and includes flat plate, focusing solar
2 collectors, or photovoltaic solar cells and excludes the base or
3 foundation of the panel, plate, canopy, or array] energy².

4 ¹b.¹ The Commissioner of Community Affairs shall, pursuant to
5 the authority under the "Uniform Fire Safety Act," P.L.1983, c.383
6 (C.52:27D-192 et seq.), promulgate rules and regulations to require
7 that ², except for one or two family residential structures,² an
8 identifying emblem be affixed to the front of ¹[a] ²[any
9 nonresidential¹] any² structure if a solar ²[¹panel¹] photovoltaic²
10 system is affixed to the roof of that structure ²or if the structure is
11 served by an adjacent solar photovoltaic system². The ²design and
12 placement of the² emblem shall be ²[permanently affixed to the left
13 of the main entrance door at a height between one to four feet above
14 the ground or in the vicinity of any other identifying emblem
15 affixed pursuant to section 1 of P.L.1991, c.188 (C.52:27D-198.4)]
16 determined by the Commissioner of Community Affairs based upon
17 national standards or a national model code, as applicable,² and
18 shall be installed and maintained by the owner of the
19 ²[¹nonresidential¹]² structure. ²[The emblem shall be of a bright
20 and reflective color, or made of reflective material. The shape of
21 the emblem shall be an isosceles triangle and the size shall be 12
22 inches horizontally by 6 inches vertically. The letters "S/P", of a
23 size and color to make them conspicuous, shall be printed on the
24 emblem to signify that ¹[solar panels are] a solar panel system is¹
25 affixed to the roof of the structure.]²

26 ¹c. Upon issuing a permit approving the installation or alteration
27 of a roof mounted solar ²[panel] photovoltaic² system for a
28 residential ²structure² or nonresidential structure, the local
29 enforcing ²[authority] agency² shall, within ²[ten] 10² days ²[of]
30 after² issuance, file a copy of the permit with the local fire
31 ²[department] official² serving the municipality in which the
32 residential ²structure² or nonresidential structure is located.

33 d. The owner of any residential ²structure² or nonresidential
34 structure who installs or provides for the ²[installment]
35 installation² of a roof mounted solar ²[panel] photovoltaic² system
36 on or after the effective date of this act, or has installed or provided
37 for the ²[installment] installation² of a roof mounted solar ²[panel]
38 photovoltaic² system prior to the effective date of this act, shall
39 provide a written notification to the local fire ²[department]
40 official² which shall include but ²need² not be limited to:

41 (1) the name of the property owner or owners as well as the
42 address of the residential ²structure² or ²[non-residential]
43 nonresidential² structure upon which the solar ²[panel]
44 photovoltaic² system has been installed ², and the name of the

1 owner or owners and the address of any other adjacent structure
 2 served by the solar photovoltaic system² ; ³and³

3 (2) ³[a statement as to whether the solar ²[panel] photovoltaic²
 4 system is equipped with an external emergency ²[switch capable of
 5 disconnecting and de-energizing the residual voltage in the system
 6 as required under section 1 of P.L. c. (C.)(pending before
 7 the Legislature as this bill) or paragraph 10 of subsection a. of
 8 section 7 of P.L.2009, c.33 (C.52:27D-141.7)] disconnection
 9 device² ;

10 (3) a description, if applicable, of the exact location of the
 11 external emergency ²[switch as required under section 1 of P.L. c.
 12 (C.)(pending before the Legislature as this bill) or paragraph 10
 13 of subsection a. of section 7 of P.L.2009, c.33 (C.52:27D-141.7)]
 14 disconnection device² ; and

15 (4) ³the year that the roof mounted solar ²[panel] photovoltaic²
 16 system was installed on the residential ²structure² or ²[non-
 17 residential] nonresidential² structure.

18 The written notification shall be submitted in a format containing
 19 any ²[addition] additional² information that the commissioner
 20 deems necessary ²[at a time that the commissioner shall prescribe]
 21 as prescribed² by rule or regulation.

22 e. ²[Any] A² copy of a permit ²[issued] filed² pursuant to
 23 subsection c. of this section or written notification issued pursuant
 24 to subsection d. of this section shall be kept on file by the chief of
 25 the local fire department ²,² and the address of the residential
 26 ²structure² or nonresidential structure ², the address of any other
 27 adjacent structure served by the solar photovoltaic system,² and
 28 any additional information regarding the solar ²[panel]
 29 photovoltaic² system shall be maintained in a registry by the fire
 30 department. The information contained in the registry shall serve to
 31 alert firefighters, when responding to an emergency situation, that a
 32 residential ²structure² or nonresidential structure is equipped with ²,
 33 or is served by,² a roof mounted solar ²[panel] photovoltaic²
 34 system and that reasonable precautions may be necessary when
 35 responding to the emergency.

36 f. The provisions of this act shall be enforced in accordance
 37 with enforcement procedures set forth in the "Uniform Fire Safety
 38 Act," P.L. 1983, c. 383 (C. 52:27D-192 et seq.).¹

39

40 ²[3. Section 7 of P.L.2009, c.33 (C.52:27D-141.7) is amended to
 41 read as follows:

42 7. a. The commissioner, in consultation with the Board of
 43 Public Utilities, shall adopt, pursuant to the "Administrative
 44 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), standards
 45 with respect to the technical sufficiency of solar energy systems to

1 be installed pursuant to this act. These standards, at a minimum,
2 shall provide:

3 (1) that the solar energy system is to be installed in conformance
4 with the manufacturer's specifications and in compliance with all
5 applicable electrical and building code standards;

6 (2) that the solar energy system is intended primarily to offset
7 part or all of the consumer's own electricity demand;

8 (3) that all components in the solar energy system are to be new
9 and unused, and shall not have previously been placed in service in
10 any other location or for any other application;

11 (4) that the solar energy system shall have a warranty of not less
12 than 10 years provided by the solar energy system manufacturer,
13 and shall be subject to coverage afforded under "The New Home
14 Warranty and Builders' Registration Act," P.L.1977, c.467
15 (C.46:3B-1 et seq.) to protect the integrity of the roof of the home
16 and to protect against defects and undue degradation of electrical
17 generation output;

18 (5) that the solar energy system shall have meters or other
19 devices in place to monitor and measure the system's performance
20 and the quantity of electricity generated by the system;

21 (6) that the solar energy system shall comply with adopted
22 energy codes for the dwelling unit where the solar energy system is
23 installed;

24 (7) for rating criteria for equipment, components, and systems to
25 assure reasonable performance and criteria for complying with these
26 minimum ratings;

27 (8) that the solar energy system shall be consistent with the net
28 metering standards and safety and power quality interconnection
29 standards adopted by the Board of Public Utilities pursuant to
30 subsection e. of section 38 of P.L.1999, c.23 (C.48:3-87); **[and]**

31 (9) for the criteria by which the technical feasibility of the
32 installation of a solar energy system is determined in section 4 of
33 this act; and

34 (10) that **1** **[the]** any¹ solar energy system ¹installed following
35 the effective date of P.L. c. (C.) (pending before the
36 Legislature as this bill)¹ be equipped with **1****[a device]** an external
37 emergency switch¹ capable of disconnecting ¹and de-energizing the
38 residual voltage in¹ the system ¹that is installed¹ at a readily
39 accessible location ¹**[that is in close proximity to the meter on the**
40 exterior of the dwelling unit]¹.

41 b. The commissioner, in consultation with the Board of Public
42 Utilities, shall:

43 (1) publish educational materials designed to demonstrate how
44 developers may incorporate solar energy systems during
45 construction as well as energy efficiency measures that best
46 complement solar energy systems; and

1 (2) provide developers with information concerning any
2 applicable credits, rebates, or other incentives that may be available
3 for the installation of solar energy systems.

4 (cf: P.L.2009, c.33, s.7)]²

5

6 ²[4.] 2.² This act shall take effect immediately.

7

8

9

10

11 Requires, for roof mounted solar photovoltaic systems,
12 identifying emblem on certain structures, and fire department
13 notification for all structures.

ASSEMBLY, No. 266

STATE OF NEW JERSEY

215th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2012 SESSION

Sponsored by:

Assemblyman ROBERT SCHROEDER

District 39 (Bergen and Passaic)

Assemblyman JASON O'DONNELL

District 31 (Hudson)

Assemblyman DAVID C. RUSSO

District 40 (Bergen, Essex, Morris and Passaic)

SYNOPSIS

Requires identifying emblems on certain structures to notify firefighters of solar panels; requires exterior disconnection for solar panels.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



(Sponsorship Updated As Of: 3/9/2012)

1 AN ACT concerning fire safety, supplementing Title 52 of the
2 Revised Statutes, and amending P.L.2009, c.33.

3

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

6

7 1. (New section) The Commissioner of Community Affairs, in
8 consultation with the Board of Public Utilities, shall adopt, pursuant
9 to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-
10 1 et seq.), standards requiring that a solar energy system that is
11 affixed to any newly constructed or currently existing structure be
12 equipped with a device capable of disconnecting the system at a
13 readily accessible location that is in close proximity to the meter on
14 the exterior of the structure.

15

16 2. (New section) As used in this section, "solar panel" means an
17 elevated panel or plate, or a canopy or array thereof, that captures
18 and converts solar radiation to produce power, and includes flat
19 plate, focusing solar collectors, or photovoltaic solar cells and
20 excludes the base or foundation of the panel, plate, canopy, or
21 array.

22 The Commissioner of Community Affairs shall, pursuant to the
23 authority under the "Uniform Fire Safety Act," P.L.1983, c.383
24 (C.52:27D-192 et seq.), promulgate rules and regulations to require
25 that an identifying emblem be affixed to the front of a structure if a
26 solar system is affixed to the roof of that structure. The emblem
27 shall be permanently affixed to the left of the main entrance door at
28 a height between one to four feet above the ground or in the vicinity
29 of any other identifying emblem affixed pursuant to section 1 of
30 P.L.1991, c.188 (C.52:27D-198.4) and shall be installed and
31 maintained by the owner of the structure. The emblem shall be of a
32 bright and reflective color, or made of reflective material. The
33 shape of the emblem shall be an isosceles triangle and the size shall
34 be 12 inches horizontally by 6 inches vertically. The letters "S/P",
35 of a size and color to make them conspicuous, shall be printed on
36 the emblem to signify that solar panels are affixed to the roof of the
37 structure.

38 This act shall be enforced in accordance with enforcement
39 procedures set forth in P.L.1983, c.383 (C.52:27D-192 et seq.).

40

41 3. Section 7 of P.L.2009, c.33 (C.52:27D-141.7) is amended to
42 read as follows:

43 7. a. The commissioner, in consultation with the Board of
44 Public Utilities, shall adopt, pursuant to the "Administrative
45 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), standards

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 with respect to the technical sufficiency of solar energy systems to
2 be installed pursuant to this act. These standards, at a minimum,
3 shall provide:

4 (1) that the solar energy system is to be installed in conformance
5 with the manufacturer's specifications and in compliance with all
6 applicable electrical and building code standards;

7 (2) that the solar energy system is intended primarily to offset
8 part or all of the consumer's own electricity demand;

9 (3) that all components in the solar energy system are to be new
10 and unused, and shall not have previously been placed in service in
11 any other location or for any other application;

12 (4) that the solar energy system shall have a warranty of not less
13 than 10 years provided by the solar energy system manufacturer,
14 and shall be subject to coverage afforded under "The New Home
15 Warranty and Builders' Registration Act," P.L.1977, c.467
16 (C.46:3B-1 et seq.) to protect the integrity of the roof of the home
17 and to protect against defects and undue degradation of electrical
18 generation output;

19 (5) that the solar energy system shall have meters or other
20 devices in place to monitor and measure the system's performance
21 and the quantity of electricity generated by the system;

22 (6) that the solar energy system shall comply with adopted
23 energy codes for the dwelling unit where the solar energy system is
24 installed;

25 (7) for rating criteria for equipment, components, and systems to
26 assure reasonable performance and criteria for complying with these
27 minimum ratings;

28 (8) that the solar energy system shall be consistent with the net
29 metering standards and safety and power quality interconnection
30 standards adopted by the Board of Public Utilities pursuant to
31 subsection e. of section 38 of P.L.1999, c.23 (C.48:3-87); **[and]**

32 (9) for the criteria by which the technical feasibility of the
33 installation of a solar energy system is determined in section 4 of
34 this act; and

35 (10) that the solar energy system be equipped with a device
36 capable of disconnecting the system at a readily accessible location
37 that is in close proximity to the meter on the exterior of the
38 dwelling unit.

39 b. The commissioner, in consultation with the Board of Public
40 Utilities, shall:

41 (1) publish educational materials designed to demonstrate how
42 developers may incorporate solar energy systems during
43 construction as well as energy efficiency measures that best
44 complement solar energy systems; and

45 (2) provide developers with information concerning any
46 applicable credits, rebates, or other incentives that may be available

1 for the installation of solar energy systems.
2 (cf: P.L.2009, c.33, s.7)

3

4 4. This act shall take effect immediately.

5

6

7

STATEMENT

8

9 This bill requires that an identifying emblem displaying the
10 letters "S/P" be placed next to the main entrance of a building if
11 solar panels are attached to the roof of that building. Current law
12 requires identifying emblems with truss construction display the
13 letter "F" to signify a floor with truss construction; "R" to signify a
14 roof with truss construction; or "F/R" to signify both a floor and
15 roof with truss construction. This bill requires an additional
16 emblem with the letters "S/P" to signify "solar panels" be placed to
17 the left of the main entrance of any structure that has solar panels
18 affixed to its roof.

19 In addition, this bill requires that all existing and newly
20 constructed buildings that have solar panels be equipped with an
21 external shut-off switch. The purpose of this bill is to protect the
22 safety of firefighters who respond to an emergency call at a home
23 that has solar panels.

ASSEMBLY HOMELAND SECURITY AND STATE
PREPAREDNESS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 266

STATE OF NEW JERSEY

DATED: MARCH 8, 2012

The Assembly Homeland Security and State Preparedness Committee reports favorably Assembly Bill No. 266.

Assembly Bill No. 266 requires that an identifying emblem displaying the letters "S/P" be placed next to the main entrance of a building if solar panels are attached to the roof of that building. Current law requires identifying emblems with truss construction display the letter "F" to signify a floor with truss construction; "R" to signify a roof with truss construction; or "F/R" to signify both a floor and roof with truss construction. This bill requires an additional emblem with the letters "S/P" to signify "solar panels" be placed to the left of the main entrance of any structure that has solar panels affixed to its roof.

In addition, this bill requires that all existing and newly constructed buildings that have solar panels be equipped with an external shut-off switch. The purpose of this bill is to protect the safety of firefighters who respond to an emergency call at a home that has solar panels.

This bill was pre-filed for introduction in the 2012-2013 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

STATEMENT TO

ASSEMBLY, No. 266

with Assembly Floor Amendments
(Proposed by Assemblyman Schroeder)

ADOPTED: MAY 24, 2012

Assembly Bill No. 266 requires that an identifying emblem displaying the letters “S/P” be placed next to the main entrance of a building if solar panels are attached to the roof of that building. In addition, the bill requires that all existing and newly constructed buildings that have solar panels be equipped with an external shut-off switch. The purpose of this bill is to protect the safety of firefighters who respond to an emergency call at a home that has solar panels.

When solar panel systems are deactivated they can still retain residual voltage within the system which presents a potential electric hazard to firefighters who are attempting to enter a burning building. These Assembly amendments clarify that technology capable of de-energizing residual voltage be required on all solar panel systems that are installed after the bill’s effective date. Solar panel systems installed prior to the effective date of the bill are not required to be equipped with de-energizing technology because the technology does not yet exist to properly retro-fit certain older systems.

In addition, these Assembly amendments require a municipal issuing authority, within ten days of issuing a permit approving the installation or alteration of a solar panel system for residential and nonresidential property, to file a copy of the permit with the local fire department. The amendments also require the owner of any residential or nonresidential structure who has a solar panel installed either prior to or after the bill’s effective date to notify the local fire department in writing. The notification is to include the name of the property owners, the address of the property, and information concerning whether the solar panel system is equipped with the technology capable of de-energizing residual voltage in the solar panel system after the system has been deactivated. The amendments also require that the local fire department be informed of the location of an external shut-off switch if applicable, and the year that the solar panel system was installed.

Information that a fire department receives by permit or written notification is to be maintained in a registry. The amendments provide that the purpose of the registry is to alert firefighters, when responding to an emergency situation, that a residential or nonresidential structure is equipped with a solar panel system and that reasonable precautions may be necessary when responding to the emergency.

Finally, these amendments limit the requirement that a identifying emblem displaying the letters “S/P” to non-residential commercial buildings. The owners of residential structures are exempt from this requirement.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 266

STATE OF NEW JERSEY 215th LEGISLATURE

DATED: AUGUST 3, 2012

SUMMARY

- Synopsis:** Requires that fire department be notified of roof mounted solar panels on residential and non-residential structures; requires exterior disconnection for solar panels.
- Type of Impact:** Possible increased expenditures to meet additional design requirements.
- Agencies Affected:** The State and local governments.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	Indeterminate Fiscal Impact – See comments below		
Local Cost	Indeterminate Fiscal Impact – See comments below		

- The Office of Legislative Services has determined that the enactment of Assembly Bill No. 266 (1R) would have an indeterminate impact on the State and local governments.
- The State and municipal governments would not incur any additional costs related to code enforcement because construction code officials already inspect solar panel systems prior to the issuance of a certificate of occupancy for a residential or nonresidential structure.
- The State and local governments may incur additional costs if they have to pay for modifications to nonresidential or residential structures required in this bill not already included in the building design.

BILL DESCRIPTION

Assembly Bill No. 266 (1R) requires that a solar panel systems affixed to a residential or nonresidential structure after the effective date of the bill be equipped with an external

emergency switch capable of disconnecting and de-energizing the residual voltage in the system. When solar panel systems are deactivated they can still retain residual voltage within the system which presents a potential electrical hazard to firefighters who are attempting to enter a burning building. Technology capable of de-energizing residual voltage would be required on all solar panel systems that are installed after the bill's effective date. Solar panel systems installed prior to the effective date are not required to be equipped with de-energizing technology because the technology does not yet exist to properly retro-fit certain older systems.

In addition, the bill requires a local code enforcement agency, within 10 days of issuing a permit approving the installation or alteration of a solar panel system for residential and nonresidential property, to file a copy with the local fire department. The owner of any residential or nonresidential structure who has a solar panel installed either prior to or after the bill's effective date would be required to notify the local fire department in writing. The notification is to include the name of the property owners, the address of the property, and information concerning whether the solar panel is equipped with the technology capable of de-energizing residual voltage in the solar panel system after the system has been deactivated. The local fire department must also be informed of the location of an external shut-off switch, if applicable, and the year that the solar panel system was installed.

Any information that a fire department receives by permit or written notification is to be maintained in a registry. The purpose of the registry is to alert firefighters, when responding to an emergency situation, that a residential or nonresidential structure is equipped with a solar panel system. The bill also provides that reasonable precautions may be necessary when responding to the emergency. Finally, the bill requires that an identifying emblem displaying the letters "S/P" be placed next to the main entrance of a non-residential commercial building if solar panels are attached to the roof of that building.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The Office of Legislative Services has determined that the enactment of Assembly Bill No. 266 (1R) would have an indeterminate impact on the State and local governments. The State and municipal governments would not incur any additional costs related to code enforcement because construction code officials already inspect solar panel systems prior to the issuance of a certificate of occupancy for a residential or nonresidential structure. The State and local governments may incur additional costs if they have to pay for modifications to nonresidential or residential structures required in this bill that are not already include in the building design.

Section: Local Government

Analyst: Scott A. Brodsky
Senior Fiscal Analyst

Approved: David J. Rosen
Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

SENATE ENVIRONMENT AND ENERGY COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 266

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 5, 2013

The Senate Environment and Energy Committee favorably reports Assembly Bill No. 266 (1R) with committee amendments.

This bill, as amended, requires that except for one or two family residential structures, an identifying emblem be placed in the front of a structure if a solar photovoltaic system is attached to the roof of that structure, or if the structure is served by an adjacent solar photovoltaic system. The bill also requires that a local enforcing agency, within 10 days after issuing a permit approving the installation or alteration of a solar photovoltaic system for residential or nonresidential property, file a copy of the permit with the local fire official. The bill further requires the owner of any residential or nonresidential structure who has a roof mounted solar photovoltaic system installed either prior to or after the bill's effective date to so notify the local fire official in writing. The notification is to include the name of the property owners, the address of the property, the name of the owner or owners and the address of any other adjacent structure served by the system, and information concerning whether the solar photovoltaic system is equipped with an external emergency disconnection device. The bill also requires that the local fire official be informed of the location of an external emergency disconnection device if applicable, and the year that the solar photovoltaic system was installed.

The committee amendments would change the term "solar panel system" to "solar photovoltaic system" and broaden the definition used in the bill to include any technology or device that captures and converts solar radiation to produce energy. The committee amendments would delete the requirement that structures on which roof mounted solar panels are installed after the effective date of the bill be equipped with an exterior emergency switch. Further, the committee amendments authorize the Commissioner of Community Affairs to determine the design and placement of the identifying emblem based upon national standards or a national model code.

The committee amendments would expand the requirement for the placement of an identifying emblem on structures served by rooftop

solar photovoltaic systems to include certain residential structures. As amended, the bill provides that the emblem must be displayed on any structure served by a roof mounted solar photovoltaic system, and any structure served by an adjacent solar photovoltaic system, except one or two family residential structures. The committee amendments would also require that the name of the owner or owners, and the address, of those structures served by an adjacent roof mounted solar photovoltaic system be provided to the local fire official. The committee also made technical amendments to the bill.

As reported, this bill is identical to the committee substitute for Senate Bill No. 507, which was also reported by the committee.

STATEMENT TO
[Second Reprint]
ASSEMBLY, No. 266

with Senate Floor Amendments
(Proposed by Senator NORCROSS)

ADOPTED: JANUARY 13, 2014

These floor amendments would delete the requirement that the owner of any structure with a roof mounted solar photovoltaic system provide a statement as to whether the system is equipped with an external emergency disconnection device and the location of the device.

LEGISLATIVE FISCAL ESTIMATE

[Second Reprint]

ASSEMBLY, No. 266

STATE OF NEW JERSEY 215th LEGISLATURE

DATED: JANUARY 16, 2014

SUMMARY

- Synopsis:** Requires, for roof mounted solar photovoltaic systems, identifying emblem on certain structures, and fire department notification for all structures.
- Type of Impact:** Indeterminate fiscal impact.
- Agencies Affected:** The State and local governments.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	Indeterminate Fiscal Impact – See comments below		
Local Cost	Indeterminate Fiscal Impact – See comments below		

- The Office of Legislative Services notes that the enactment of Assembly Bill No. 266 (2R) would have an indeterminate impact on the State and local governments.
- The State and municipal governments would not incur any additional costs related to code enforcement because construction code officials already inspect solar photovoltaic systems prior to the issuance of a certificate of occupancy for a residential or nonresidential structure.
- Local governments may incur additional costs associated with establishing a registry of information related to installation of solar photovoltaic systems.

BILL DESCRIPTION

Assembly Bill No. 266 (2R) of 2012 requires an identifying emblem be placed in the front of a structure if a solar photovoltaic system is attached to the roof of that structure or if the structure is served by an adjacent solar photovoltaic system. The bill authorizes the Commissioner of

Community Affairs to determine the design and placement of the identifying emblem based upon national standards or a national model code. The bill also requires that a local enforcing agency, within 10 days after issuing a permit approving the installation or alteration of a solar photovoltaic system for residential or nonresidential property, file a copy of the permit with the local fire official.

The bill further requires the owner of any residential or nonresidential structure that has a roof mounted solar photovoltaic system installed prior to or after the bill's effective date to so notify the local fire official in writing. The notification is to include the name of the property owners, the address of the property, the name of the owner or owners and the address of any other adjacent structure served by the system, and information concerning whether the solar photovoltaic system is equipped with an external emergency disconnection device. Finally, the bill requires that the local fire department be informed of the location of an external emergency disconnection device, if applicable, and the year that the solar photovoltaic system was installed.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The Office of Legislative Services concludes that the enactment of Assembly Bill No. 266 (2R) would have an indeterminate impact on the State and local governments. The State and local governments would not incur any additional costs related to code enforcement because construction code officials already inspect solar photovoltaic systems prior to the issuance of a certificate of occupancy for a residential or nonresidential structure. Local governments may incur additional costs associated with establishing a registry of information related to installation of solar photovoltaic systems.

Section: Local Government

Analyst: Scott A. Brodsky
Senior Fiscal Analyst

Approved: David J. Rosen
Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

SENATE, No. 507

STATE OF NEW JERSEY 215th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2012 SESSION

Sponsored by:

Senator ANTHONY R. BUCCO

District 25 (Morris and Somerset)

SYNOPSIS

Requires identifying emblems on certain structures to notify firefighters of solar panels; requires exterior disconnection for solar panels.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



1 AN ACT concerning fire safety, supplementing Title 52 of the
2 Revised Statutes, and amending P.L.2009, c.33.

3

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

6

7 1. (New section) The Commissioner of Community Affairs, in
8 consultation with the Board of Public Utilities, shall adopt, pursuant
9 to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-
10 1 et seq.), standards requiring that a solar energy system that is
11 affixed to any newly constructed or currently existing structure be
12 equipped with a device capable of disconnecting the system at a
13 readily accessible location that is in close proximity to the meter on
14 the exterior of the structure.

15

16 2. (New section) As used in this section, "solar panel" means
17 an elevated panel or plate, or a canopy or array thereof, that
18 captures and converts solar radiation to produce power, and
19 includes flat plate, focusing solar collectors, or photovoltaic solar
20 cells and excludes the base or foundation of the panel, plate,
21 canopy, or array.

22 The Commissioner of Community Affairs shall, pursuant to the
23 authority under the "Uniform Fire Safety Act," P.L.1983, c.383
24 (C.52:27D-192 et seq.), promulgate rules and regulations to require
25 that an identifying emblem be affixed to the front of a structure if a
26 solar system is affixed to the roof of that structure. The emblem
27 shall be permanently affixed to the left of the main entrance door at
28 a height between one to four feet above the ground or in the vicinity
29 of any other identifying emblem affixed pursuant to section 1 of
30 P.L.1991, c.188 (C.52:27D-198.4) and shall be installed and
31 maintained by the owner of the structure. The emblem shall be of a
32 bright and reflective color, or made of reflective material. The
33 shape of the emblem shall be an isosceles triangle and the size shall
34 be 12 inches horizontally by 6 inches vertically. The letters "S/P",
35 of a size and color to make them conspicuous, shall be printed on
36 the emblem to signify that solar panels are affixed to the roof of the
37 structure.

38 This act shall be enforced in accordance with enforcement
39 procedures set forth in P.L.1983, c.383 (C.52:27D-192 et seq.).

40

41 3. Section 7 of P.L.2009, c.33 (C.52:27D-141.7) is amended to
42 read as follows:

43 7. a. The commissioner, in consultation with the Board of
44 Public Utilities, shall adopt, pursuant to the "Administrative

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 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), standards
2 with respect to the technical sufficiency of solar energy systems to
3 be installed pursuant to this act. These standards, at a minimum,
4 shall provide:

5 (1) that the solar energy system is to be installed in conformance
6 with the manufacturer's specifications and in compliance with all
7 applicable electrical and building code standards;

8 (2) that the solar energy system is intended primarily to offset
9 part or all of the consumer's own electricity demand;

10 (3) that all components in the solar energy system are to be new
11 and unused, and shall not have previously been placed in service in
12 any other location or for any other application;

13 (4) that the solar energy system shall have a warranty of not less
14 than 10 years provided by the solar energy system manufacturer,
15 and shall be subject to coverage afforded under "The New Home
16 Warranty and Builders' Registration Act," P.L.1977, c.467
17 (C.46:3B-1 et seq.) to protect the integrity of the roof of the home
18 and to protect against defects and undue degradation of electrical
19 generation output;

20 (5) that the solar energy system shall have meters or other
21 devices in place to monitor and measure the system's performance
22 and the quantity of electricity generated by the system;

23 (6) that the solar energy system shall comply with adopted
24 energy codes for the dwelling unit where the solar energy system is
25 installed;

26 (7) for rating criteria for equipment, components, and systems to
27 assure reasonable performance and criteria for complying with these
28 minimum ratings;

29 (8) that the solar energy system shall be consistent with the net
30 metering standards and safety and power quality interconnection
31 standards adopted by the Board of Public Utilities pursuant to
32 subsection e. of section 38 of P.L.1999, c.23 (C.48:3-87); **and**

33 (9) for the criteria by which the technical feasibility of the
34 installation of a solar energy system is determined in section 4 of
35 this act; and

36 (10) that the solar energy system be equipped with a device
37 capable of disconnecting the system at a readily accessible location
38 that is in close proximity to the meter on the exterior of the
39 dwelling unit.

40 b. The commissioner, in consultation with the Board of Public
41 Utilities, shall:

42 (1) publish educational materials designed to demonstrate how
43 developers may incorporate solar energy systems during
44 construction as well as energy efficiency measures that best
45 complement solar energy systems; and

1 (2) provide developers with information concerning any
2 applicable credits, rebates, or other incentives that may be available
3 for the installation of solar energy systems.
4 (cf: P.L.2009, c.33, s.7)

5

6 4. This act shall take effect immediately.

7

8

9

STATEMENT

10

11 This bill requires that an identifying emblem displaying the
12 letters "S/P" be placed next to the main entrance of a building if
13 solar panels are attached to the roof of that building. Current law
14 requires identifying emblems with truss construction display the
15 letter "F" to signify a floor with truss construction; "R" to signify a
16 roof with truss construction; or "F/R" to signify both a floor and
17 roof with truss construction. This bill requires an additional
18 emblem with the letters "S/P" to signify "solar panels" be placed to
19 the left of the main entrance of any structure that has solar panels
20 affixed to its roof.

21 In addition, this bill requires that all existing and newly
22 constructed buildings that have solar panels be equipped with an
23 external shut-off switch. The purpose of this bill is to protect the
24 safety of firefighters who respond to an emergency call at a home
25 that has solar panels.

SENATE ENVIRONMENT AND ENERGY COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR **SENATE, No. 507**

STATE OF NEW JERSEY

DATED: DECEMBER 5, 2013

The Senate Environment and Energy Committee favorably reports a committee substitute for Senate Bill No. 507.

This committee substitute requires that, except for one or two family residential structures, an identifying emblem be placed in the front of a structure if a solar photovoltaic system is attached to the roof of that structure or if the structure is served by an adjacent solar photovoltaic system. The committee substitute would authorize the Commissioner of Community Affairs to determine the design and placement of the identifying emblem based upon national standards or a national model code. The committee substitute also requires that a local enforcing agency, within 10 days after issuing a permit approving the installation or alteration of a solar photovoltaic system for residential or nonresidential property, file a copy of the permit with the local fire official. The committee substitute further requires the owner of any residential or nonresidential structure who has a roof mounted solar photovoltaic system installed either prior to or after the bill's effective date to so notify the local fire official in writing. The notification is to include the name of the property owners, the address of the property, the name of the owner or owners and the address of any other adjacent structure served by the system, and information concerning whether the solar photovoltaic system is equipped with an external emergency disconnection device. The bill also requires that the local fire department be informed of the location of an external emergency disconnection device if applicable, and the year that the solar photovoltaic system was installed.

As reported, the committee substitute is identical to Assembly Bill No. 266 (2R) which was also reported by the committee.

STATEMENT TO
SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 507

with Senate Floor Amendments
(Proposed by Senator NORCROSS)

ADOPTED: JANUARY 13, 2014

These floor amendments would delete the requirement that the owner of any structure with a roof mounted solar photovoltaic system provide a statement as to whether the system is equipped with an external emergency disconnection device and the location of the device.

LEGISLATIVE FISCAL ESTIMATE
SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 507
STATE OF NEW JERSEY
215th LEGISLATURE

DATED: JANUARY 16, 2014

SUMMARY

- Synopsis:** Requires, for roof mounted solar photovoltaic systems, identifying emblem on certain structures, and fire department notification for all structures.
- Type of Impact:** Indeterminate fiscal impact.
- Agencies Affected:** The State and local governments.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	Indeterminate Fiscal Impact – See comments below		
Local Cost	Indeterminate Fiscal Impact – See comments below		

- The Office of Legislative Services notes that the enactment of the Senate Committee Substitute for Senate Bill No. 507 would have an indeterminate impact on the State and local governments.
- The State and municipal governments would not incur any additional costs related to code enforcement because construction code officials already inspect solar photovoltaic systems prior to the issuance of a certificate of occupancy for a residential or nonresidential structure.
- Local governments may incur additional costs associated with establishing a registry of information related to installation of solar photovoltaic systems.

BILL DESCRIPTION

The Senate Committee Substitute for Senate Bill No. 507 of 2012 requires an identifying emblem be placed in the front of a structure if a solar photovoltaic system is attached to the roof of that structure or if the structure is served by an adjacent solar photovoltaic system. The



committee substitute authorizes the Commissioner of Community Affairs to determine the design and placement of the identifying emblem based upon national standards or a national model code. The committee substitute also requires that a local enforcing agency, within 10 days after issuing a permit approving the installation or alteration of a solar photovoltaic system for residential or nonresidential property, file a copy of the permit with the local fire official.

The committee substitute further requires the owner of any residential or nonresidential structure that has a roof mounted solar photovoltaic system installed prior to or after the bill's effective date to so notify the local fire official in writing. The notification is to include the name of the property owners, the address of the property, the name of the owner or owners and the address of any other adjacent structure served by the system, and information concerning whether the solar photovoltaic system is equipped with an external emergency disconnection device. Finally, the committee substitute requires that the local fire department be informed of the location of an external emergency disconnection device, if applicable, and the year that the solar photovoltaic system was installed.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The Office of Legislative Services concludes that the enactment of the Senate Committee Substitute for Senate Bill No. 507 would have an indeterminate impact on the State and local governments. The State and local governments would not incur any additional costs related to code enforcement because construction code officials already inspect solar photovoltaic systems prior to the issuance of a certificate of occupancy for a residential or nonresidential structure. Local governments may incur additional costs associated with establishing a registry of information related to installation of solar photovoltaic systems.

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