

NEW JERSEY REGISTER
VOLUME 37, NUMBER 1
MONDAY, JANUARY 3, 2005
RULE ADOPTION
LAW AND PUBLIC SAFETY
OFFICE OF THE ATTORNEY GENERAL
DIVISION OF CONSUMER AFFAIRS
NOTICE OF IMPLEMENTATION OF HOME IMPROVEMENT CONTRACTOR REGISTRATION
REGULATIONS

Take notice that on May 13, 2004, Governor James E. McGreevey signed the Contractors' Registration Act (the "Act"), P.L. 2004, c.16 (N.J.S.A. 56:8- 136 et seq.), into law amending the Consumer Fraud Act, among other things, to establish a new registration program for home improvement contractors who engage in the business of selling or making home improvements in the State of New Jersey. The Act prohibits municipalities from issuing construction permits for home improvements to any contractor not registered under the Act. The Division of Consumer Affairs published in the New Jersey Register (36 N.J.R. 4984(a)) regulations (the "Regulations") adopted to implement the provisions of the Consumer Fraud Act, as amended by P.L. 2004, c.16 (N.J.S.A. 56:8-136 et seq.) by providing procedures for the regulation of home improvement contractors and establishing standards to facilitate enforcement of the requirements of that Act, including the registration procedures for those persons who fall under the requirements of this law.

The effective date of the Act, which would have been November 9, 2004, was changed to December 31, 2005 by legislation (P.L. 2004, c.155) signed by Governor McGreevey on November 8, 2004. The regulations were effective on November 1, 2004, and were to become operative on November 9, 2004. As a result of the enactment of P.L. 2004, c.155, the operative date of the regulations has been changed to December 31, 2005.

The notice published in the Register on November 1, 2004 (36 N.J.R. 4991(a)) is rescinded and replaced by this notice. There will be no phased implementation when the Act becomes effective and the regulations become operative on December 31, 2005. Contractors are urged to submit applications for registration as provided in the regulations immediately.

The Division of Consumer Affairs will continue to register home improvement contractors prior to December 31, 2005 and contractors are encouraged to apply. Registrations will be effective until December 31, 2006. Upon receiving a registration number, a contractor may display it in advertisements, on documents and on its vehicles.

The Division estimates that there are at least 25,000 contractors who would be required to be registered. Applications will be processed in the order in which they are received. Depending upon the volume of applications received after September 1, 2005, an application may not be processed by the deadline. Only registered contractors may obtain permits and continue to work when the Act does become effective on December 31, 2005.