

RULE ADOPTIONS
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ISSUE DATE: OCTOBER 5, 2009
LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
Board of Examiners of Electrical Contractors
FIRE ALARM, BURGLAR ALARM AND
LOCKSMITH ADVISORY COMMITTEE

Readoption with Amendments: N.J.A.C. 13:31A

Rules

Proposed: May 4, 2009 at 41 N.J.R. 1940(a).

Adopted: September 2, 2009 by the Board of Examiners of Electrical Contractors, Joseph Schooley, President.

Filed: September 10, 2009 as R.2009 d.300, **without change** .

Authority: N.J.S.A. 45:5A-23 et seq., specifically 45:5A-38.

Effective Dates: September 10, 2009, Readoption; October 5, 2009, Amendments.

Expiration Date: September 10, 2014.

Federal Standards Statement

A Federal standards analysis is not required because the rules in N.J.A.C. 13:31A are governed by N.J.S.A. 45:5A-1 et seq., and, therefore, are not subject to any Federal standards or requirements. Although the rules in N.J.A.C. 13:31A are not subject to any Federal requirements or standards, where deemed appropriate, the Committee has voluntarily required licensees and business license holders to comply with applicable Federal laws and regulations. Specifically, N.J.A.C. 13:31A-1.12 requires all burglar alarm, fire alarm and locksmith licensees to take two credits of continuing education per triennial renewal period in a course that covers the Americans with Disabilities Act Code, set forth at 36 CFR 1191. Persons employed by licensees to perform unsupervised work must also submit evidence of having completed instruction in the Americans with Disabilities Act Code, pursuant to N.J.A.C. 13:31A-2.7 and 3.6. In addition, applicants for licensure as burglar alarm or fire alarm installers and locksmiths are required to complete two hours of training in the Americans with Disabilities Act Code, pursuant to N.J.A.C. 13:31A-1.10, 2.1 and 3.1.

Licensees are required to comply with all applicable Federal laws and regulations when engaging in the burglar alarm or fire alarm business or in the provision of locksmithing services, pursuant to N.J.A.C. 13:31A-1.14 and when supervising the work of their employees, pursuant to N.J.A.C. 13:31A-2.8 and 3.7. The Committee also notes that applicants for locksmith licensure seeking to satisfy the experience requirement set forth at N.J.A.C. 13:31A-2.1 may enroll in an apprenticeship program approved by the Bureau of Apprenticeship and Training of the United States Department of Labor.

Full text of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C. 13:31A.

Full text of the adopted amendments follows:

[page=3812] SUBCHAPTER 1. GENERAL PROVISIONS

13:31A-1.2 Definitions

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

...

"Closed circuit television" or "CCTV" means a video security system that may include video cameras, IP (Internet Protocol) cameras, monitors, switches, camera enclosures, controls and other related devices. "Closed circuit television" may be an independent system or may be integrated with other electronic security systems.

...

13:31A-1.4 Fees

(a) The following fees shall be charged by the Committee:

1.-13. (No change.)

14. Verification of licensure fee \$ 25.00

13:31A-1.5 License renewal; inactive status

(a) The Committee shall send a notice of renewal to all licensees at least 60 days prior to the date of license expiration. If the notice to renew is not sent at least 60 days prior to the license expiration date, no monetary penalties or fines shall apply to a licensee for any unlicensed practice during the period following licensure expiration, not to exceed the number of days short of 60 before the renewals were issued.

(b)-(e) (No change.)

13:31A-1.6 Change of license status: inactive to active

A licensee, upon application to the Committee, may change from inactive to active status upon payment of the renewal fee set forth in N.J.A.C. 13:31A-1.4, and upon submission of a certification verifying the completion of the continuing education requirements set forth in N.J.A.C. 13:31A-1.12 for the current renewal period within three years prior to the date of application.

13:31A-1.10 Qualifications for licensure for applicants licensed in other states

(a) Any person with a valid registration, certification or license to engage in the burglar alarm or fire alarm business or the provision of locksmithing services issued by another state or possession of the United States or the District of Columbia may, upon the submission of a Committee-provided application and the payment of the fee set forth in N.J.A.C. 13:31A-1.4, be issued a license to engage in the burglar alarm or fire alarm business or the provision of locksmithing services in the State, whichever is applicable, provided that:

1. (No change.)

2. The applicant submits an application for licensure by reciprocity to the Committee;

3. The applicant submits verification from all states in which he or she holds a registration, certification or license to engage in the burglar alarm or fire alarm business or in the provision of locksmithing services, whichever is applicable, establishing that such registrations, certifications or licenses are in good standing;

4. The applicant successfully completes the burglar alarm, fire alarm or locksmith examination, whichever is applicable, as set forth in N.J.A.C. 13:31A-2.3 or 3.2;

5. The applicant successfully completes, within three years immediately preceding the date of application, two hours of training in the Barrier Free Subcode, N.J.A.C. 5:23-7, two hours of training in the New Jersey Uniform Construction Code, N.J.A.C. 5:23, exclusive of the Barrier Free Subcode, two hours of training in the Americans with Disabilities Act Code, 36 CFR 1191, and two hours of training in industrial safety; and

6. The applicant submits his or her fingerprints for the purpose of permitting a criminal history records check.

(b) (No change.)

13:31A-1.12 Continuing education requirements

(a) (No change.)

(b) Each applicant for triennial license renewal shall complete during the preceding triennial period, except as provided in (b)1 below, a minimum of 36 credits of continuing education. Applicants who hold multiple licenses issued by the Committee shall complete 36 credits of continuing education for each license held, except as provided in (b)3 below.

1.-2. (No change.)

3. The holder of multiple licenses issued by the Committee may apply a maximum of 12 credits obtained in satisfaction of the 36 credits required for one license pursuant to this section toward satisfaction of the 36 continuing education credits required for his or her second and third Committee-issued license(s), if applicable.

4. (No change.)

(c) A licensee shall complete a minimum of two continuing education credits in the Barrier Free Subcode, N.J.A.C. 5:23-7, two continuing education credits in the New Jersey Uniform Construction Code, N.J.A.C. 5:23, exclusive of the Barrier Free Subcode, two continuing education credits in the Americans with Disabilities Act Code, 36 CFR 1191 and two continuing education credits in industrial safety per triennial registration period. A licensee seeking renewal of a burglar alarm license shall complete a minimum of three credits of continuing education per triennial registration period in smoke detection systems. A licensee may take a maximum of 12 credits per triennial registration period in continuing education courses related to business and/or law. A licensee shall obtain the balance of continuing education credits in trade-related subjects.

(d) A licensee may obtain continuing education credits from the following:

1. (No change.)

2. Participation in instructional activities, such as developing curriculum for a new program or course and/or teaching a new program or course, provided the program or course is related to the provision of burglar alarm, fire alarm or locksmithing services in the State of New Jersey . "New" means that the licensee has never taught or developed curriculum for that course or program in any educational setting, except as provided below.

i. A licensee shall receive continuing education credit for teaching Committee-approved continuing education courses related to the Barrier Free Subcode, the New Jersey Uniform Construction Code, the Americans with Disabilities Act Code and industrial safety, pursuant to (c) above, irrespective of whether the licensee has previously taught the course.

ii. A licensee who teaches such a course shall be deemed to have satisfied the continuing education credit requirements set forth in (c) above in Barrier Free Subcode, New Jersey Uniform Construction Code, Americans with Disabilities Act Code or industrial safety, as applicable to the course taught, for the triennial licensing period during which the course was taught.

3.-4. (No change.)

(e)-(g) (No change.)

(h) All sponsors of continuing education programs or courses shall:

1. Obtain Committee approval, in each triennial period, prior to representing that any course, seminar or program fulfills the requirements of this section. All sponsors who have received certification from the International Association for Continuing Education and Training (IACET) shall be pre-approved by the Committee for trade-related subjects and shall not be required to comply with the requirements of (h)2 and 5 below, except that such sponsors shall

be required to submit a detailed description of course content and hours of instruction for each course, seminar or program offered.

2.-5. (No change.)

(i) (No change.)

13:31A-1.13 Advertising

(a)-(d) (No change.)

(e) A licensee shall include the following in all advertisements and professional representations, other than an office entry sign, including advertisements in a classified directory, business cards and professional stationery:

1. (No change.)

2. The words "Burglar Alarm Business License Number" or "Burglar Alarm Business Lic. #," "Fire Alarm Business License Number" or "Fire Alarm Business Lic. #" or "Locksmith Business License Number" or [page=3813]"Locksmith Business Lic. #," or any combination thereof, as applicable; and

3. (No change.)

(f) All commercial vehicles used in the burglar alarm business, the fire alarm business, or the provision of locksmithing services shall be marked on both sides with the following information:

1. (No change.)

2. The words "Burglar Alarm Business License Number" or "Burglar Alarm Business Lic. #," "Fire Alarm Business License Number" or "Fire Alarm Business Lic. #" or "Locksmith Business License Number" or "Locksmith Business Lic. #" or any combination thereof, as applicable, along with the relevant number; and

3. (No change.)

(g)-(s) (No change.)

13:31A-2.1 Requirements for locksmith licensure

(a) An applicant seeking licensure as a locksmith shall:

1.-4. (No change.)

5. Have successfully completed the locksmithing examination set forth in N.J.A.C. 13:31A-2.3;

6. Have immediately preceding the submission of the application:

i. (No change.)

ii. Completed a two-year apprenticeship program in the provision of locksmithing services approved by the Bureau of Apprenticeship and Training of the United States Department of Labor; and

7. Have three years immediately preceding the submission of the application successfully completed two hours of training in the Barrier Free Subcode, N.J.A.C. 5:23-7, two hours of training in the New Jersey Uniform Construction Code, N.J.A.C. 5:23, exclusive of the Barrier Free Subcode, two hours of training in the Americans with Disabilities Act Code, 36 CFR 1191 and two hours of training in industrial safety.

13:31A-2.7 Locksmith employees

(a) (No change.)

(b) Any person employed by a licensee to perform locksmithing services while unsupervised shall:

1.-2. (No change.)

(c) A person employed by a locksmithing business who performs locksmithing services while unsupervised shall not be required to satisfy the competency requirements of (b) above until January 31, 2011.

13:31A-2.8 Supervision of locksmith employees

(a)-(b) (No change.)

(c) Every 10 employees who are performing locksmithing services at either one job site or who are performing such work at several jobs at different sites simultaneously shall be supervised, pursuant to (d) below, by the business qualifier, a licensee or a supervising employee who is permitted to perform locksmithing services while unsupervised pursuant to N.J.A.C. 13:31A-2.7(b).

(d)-(f) (No change.)

SUBCHAPTER 3. BURGLAR ALARM OR FIRE ALARM LICENSURE

13:31A-3.6 Burglar alarm or fire alarm employees

(a) (No change.)

(b) Any person employed by a licensee to perform installation, servicing or maintenance of a burglar alarm or fire alarm while unsupervised shall:

1.-2. (No change.)

(c) A person employed by a burglar alarm or fire alarm business who performs installation, servicing or maintenance of burglar alarms or fire alarms while unsupervised shall not be required to satisfy the competency requirements of (b) above until January 31, 2011.

13:31A-3.7 Supervision of burglar alarm or fire alarm business employees

(a)-(b) (No change.)

(c) Every 10 employees who are performing burglar alarm or fire alarm services at either one job site or who are performing such work at several jobs at different sites simultaneously shall be supervised, pursuant to (d) below, by the business qualifier, a licensee or a supervising employee who is permitted to perform installation, servicing or maintenance of burglar alarm or fire alarms while unsupervised pursuant to N.J.A.C. 13:31A-3.6(b).

(d)-(f) (No change.)