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RULE ADOPTIONS
LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS

**STATE BOARD OF EXAMINERS OF HEATING, VENTILATING, AIR CONDITIONING
AND REFRIGERATION CONTRACTORS**

Adopted Amendments: N.J.A.C. 13:32A-1.1 and 1.2

**STATE BOARD OF EXAMINERS OF HEATING, VENTILATING, AIR CONDITIONING
AND REFRIGERATION CONTRACTORS**

Purpose and Scope; Definitions

Proposed: October 20, 2014, at 46 N.J.R. 2079(a).

Adopted: March 3, 2015, by the State Board of Examiners of Heating, Ventilating, Air Conditioning and Refrigeration Contractors, Michael Maloney, President.

Filed: April 2, 2015, as R.2015 d.069, **without change**.

Authority: N.J.S.A. 45:16A-4.

Effective Date: May 4, 2015.

Expiration Date: April 15, 2020.

Summary of Public Comment and Agency Response:

The official comment period ended December 19, 2014. In order to ensure compliance with P.L. 2013, c. 259, the comment period was extended through January 4, 2015. **The Board received no comments on the proposal.**

Federal Standards Statement

A Federal standards analysis is not required because there are no Federal laws or standards applicable to the adopted amendments.

Full text of the adoption follows:

SUBCHAPTER 1. PURPOSE AND SCOPE; DEFINITIONS

13:32A-1.1 Purpose and scope

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

(e) This chapter shall not apply to a person who performs service, repair, or maintenance work necessary for the continued normal performance of heating, ventilating, air conditioning, and refrigeration systems as part of his or her employment for an entity that owns or operates:

1. A general hospital licensed pursuant to P.L. 1971, c. 136 (N.J.S.A. 26:2H-1 et seq.);
2. A building that contains a steam boiler, pressure vessel, or refrigeration plant, which is subject to test and inspection pursuant to N.J.S.A. 34:7-14; or
3. A casino-hotel facility operated under the provisions of the "Casino Control Act," P.L. 1977, c. 110 (N.J.S.A. 5:12-1 et seq.), which shall include any building containing heating, ventilating, air conditioning, and refrigeration systems operated by one or more casino-hotel facilities as part of an agreement or arrangement to share systems.

(f) This chapter shall not apply to a person who performs service, repair, or maintenance work necessary for the continued normal [page=903] performance of heating, ventilating, air conditioning, and refrigeration systems if:

1. That person has completed an education that complies with the requirements of N.J.A.C. 13:32A-2.2;
2. That person is an employee of the owner or lessee of the property at which the services, repairs, or maintenance work is being performed, who was hired to work on an ongoing and continuous basis, and whose remuneration is reported on a Form W-2 to the Internal Revenue Service; and
3. That person and his or her employer do not engage in or offer HVACR contracting to the public.

13:32A-1.2 Definitions

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

...

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

- 1.-3. (No change.)

4. Condensate piping not discharged into a sanitary sewer (disposal of condensate from such piping must be performed pursuant to the Uniform Construction Code and any relevant local ordinances);

5.-10. (No change.)

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