

VOLUME 45, ISSUE 10

ISSUE DATE: MAY 20, 2013

RULE ADOPTIONS

**LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF EXAMINERS OF HEATING, VENTILATING, AIR
CONDITIONING AND REFRIGERATION CONTRACTORS**

45 N.J.R. 1249(c)

Adopted New Rules: N.J.A.C. 13:32A

Notice of Administrative Correction

Notice of Adoption

**State Board of Examiners of Heating, Ventilating, Air Conditioning and Refrigeration
Contractors Rules**

Take notice that in the notice of adoption of N.J.A.C. 13:32A, published in the April 15, 2013 issue of the New Jersey Register at 45 N.J.R. 910(a), the Board of Examiners of Heating, Ventilating, Air Conditioning and Refrigeration Contractors (Board) inadvertently [page=1250] omitted a comment submitted on the notice of proposal. The comment was submitted by Daniel O'Gorman. The following summary of the public comment and Board's response supplements the Board's April 15, 2013 published notice of adoption.

COMMENT: The commenter recommends that the Board amend N.J.A.C. 13:32A-2.2 to require that an applicant be at least 21 years of age and be a citizen or legal resident of the United States.

RESPONSE: The Board points out that N.J.A.C. 13:32A-2.2 establishes education requirements for applicants for licensure. N.J.A.C. 13:32A-2.1 establishes application requirements and this rule requires applicants to submit proof that they are at least 21 years of age. Applicants are required to be citizens or legal residents of the United States pursuant to N.J.S.A. 45:16A-13 and must provide proof of this on the application they are required to complete pursuant to N.J.A.C. 13:32A-2.1(a)1.

COMMENT: The commenter contends that licensed master plumbers should be the only individuals who are permitted to install humidifiers.

RESPONSE: N.J.S.A. 45:16A-2 defines "Heating, ventilating, air conditioning and refrigeration" as including "the installation . . . of . . . humidifiers." As the statute authorizes licensed master HVACR contractors to install humidifiers, such installation cannot be limited to licensed master plumbers.

COMMENT: The commenter suggests that the Board of Examiners of Master Plumbers send a notice to all its licensees to notify them of the deadline for applying for licensure under N.J.A.C. 13:32A-2.6.

RESPONSE: The Board does not have the authority to require the Board of Examiners of Master Plumbers to send notifications to its licensees. This suggestion should be addressed to the Board of Examiners of Master Plumbers.

COMMENT: The commenter suggests that N.J.A.C. 13:32A-2.2 be amended to clarify that the required year of employment as an HVACR journeyman need not take place in New Jersey.

RESPONSE: The Board points out that N.J.S.A. 45:16A-2 defines an "HVACR journeyman" as a person who works on "HVACR systems in accordance with standards, rules and regulations established by the Board and who works under the supervision of a master HVACR contractor." This statutory language indicates that the year of employment as an HVACR journeyman is envisioned as being performed in New Jersey. The Board will not amend N.J.A.C. 13:32A-2.2 at this time, but will review this matter at a later date to determine if the year of employment as an HVACR journeyman must be completed in New Jersey or if it may be completed in another state.