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TUESDAY, JANUARY 20, 2004
RULE ADOPTION
LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS
SCOPE OF PRACTICE; HOME INSPECTIONS

Adopted New Rule: N.J.A.C. 13:40-4.2

Proposed: February 3, 2003 at 35 N.J.R. 503(a)

Adopted: June 3, 2003 by the State Board of Professional Engineers and Land Surveyors, Edward Vernick, President.

Filed: December 15, 2003 as R.2004 d.22, with technical changes not requiring additional public notice and comment (see N.J.A.C. 1:30-6.3).

Authority: N.J.S.A. 45:8-27 et seq., specifically 45:8-29 and 45:8-71.

Effective Date: January 20, 2004. Expiration Date: August 1, 2005.

Summary of Agency-Initiated Changes:

The Board is making changes to the rule to further clarify the process for a licensed professional engineer to obtain licensure as a home inspector.

Federal Standards Statement

A Federal standards analysis is not required because there are no Federal standards or requirements applicable to the adopted new rule.

Full text of the adoption follows :

<< NJ ADC 13:40-4.2 >>

13:40-4.2 Scope of practice; home inspections

(a) An engineer licensed by the Board of Professional Engineers and Land Surveyors may apply to the Board for <<+certification of eligibility for+>> licensure as a home inspector.

(b) The licensed professional engineer shall submit to the Board an application provided by the Board and <<-a fee as->> <<+the application fee in the amount+>> set forth at N.J.A.C. 13:40-15.23. The licensed professional engineer shall document through submission of the application that the engineer possesses the requisite training, education and experience to conduct home inspections specifically related to the following systems and components:

1. Structural components;
2. Exterior components;
3. Roofing system;
4. Plumbing system;
5. Electrical system;

6. Heating system;
7. Cooling system;
8. Interior component system;
9. Insulation system;
10. Ventilation system;
11. Fireplace system;
12. Solid fuel burning appliances or systems; and
13. Related residential housing component systems.

(c) The Board shall review the qualifications of the licensed professional engineer to determine whether the engineer is qualified to perform a home inspection pursuant to the requirements of (b) above. <<-Once the Board approves the engineer as qualified to perform home inspections, the Board shall refer the application of the engineer to the Home Inspection Advisory Committee->> <<+If the Board determines that the applicant is qualified to perform home inspections, the Board shall refer the application to the Home Inspection Advisory Committee+>> which shall issue a home inspector license to the engineer in accordance with the requirements of N.J.A.C. 13:40-15.

(d) <<-Once licensed by the Committee, the licensed professional engineer shall comply with and perform home inspections pursuant to the regulations at N.J.A.C. 13:40-15.->> <<+Upon issuance of a home inspection license by the Committee, the licensed professional engineer shall be subject to the license fees set forth in N.J.A.C. 13:40-15.23 and shall perform home inspections in accordance with the rules of the Committee as set forth in N.J.A.C. 13:40-15.+>