

[Third Reprint]

ASSEMBLY, No. 266

STATE OF NEW JERSEY
215th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2012 SESSION

Sponsored by:

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District 31 (Hudson)

Assemblyman DAVID C. RUSSO

District 40 (Bergen, Essex, Morris and Passaic)

Assemblyman THOMAS P. GIBLIN

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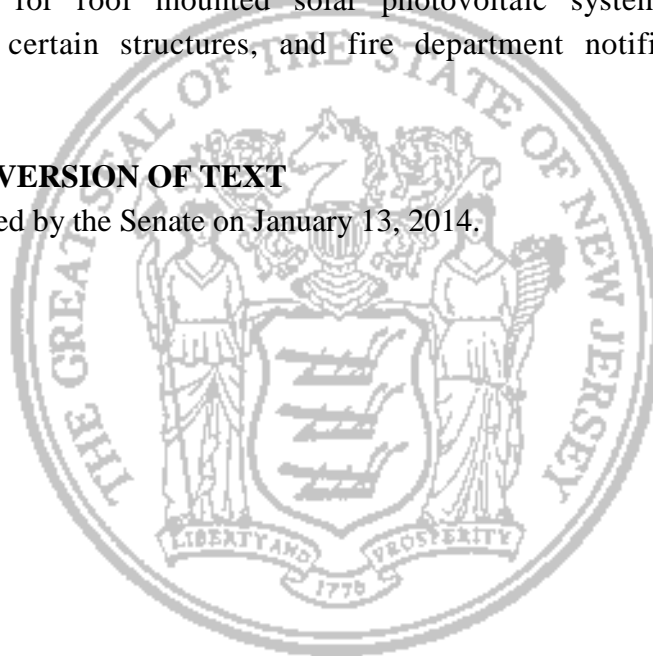
Assemblymen Ramos, C.J.Brown, Senators A.R.Bucco and Beck

SYNOPSIS

Requires, for roof mounted solar photovoltaic systems, identifying emblem on certain structures, and fire department notification for all structures.

CURRENT VERSION OF TEXT

As amended by the Senate on January 13, 2014.



(Sponsorship Updated As Of: 1/14/2014)

1 AN ACT concerning fire safety, ²and² supplementing Title 52 of the
2 Revised Statutes ²[, and amending P.L.2009, c.33]².

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 ²[1. (New section) The Commissioner of Community Affairs, in
8 consultation with the Board of Public Utilities, shall adopt, pursuant
9 to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-
10 1 et seq.), standards requiring that a solar ¹[energy] panel¹ system
11 that is affixed to any ¹[newly constructed or currently existing]
12 residential or nonresidential¹ structure ¹following the effective date
13 of P.L. c. (C.) (pending before the Legislature as this bill)¹
14 be equipped with ¹[a device] an external emergency switch¹
15 capable of disconnecting ¹and de-energizing the residual voltage in¹
16 the system ¹that is installed¹ at a readily accessible location ¹[that
17 is in close proximity to the meter on the exterior of the
18 structure]¹.]²

19

20 ²[2. (New section)] 1.² ¹[As used in this section, "solar panel"]

21 a. ²[For the purposes of this act] As used in this section² :

22 "Local enforcing agency" means the enforcing agency in any
23 municipality provided for under the "State Uniform Construction
24 Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.).

25 "Nonresidential structure" means any building designed and
26 built for use as a factory or warehouse, or for retail or wholesale
27 merchandising, office, workshop, school, hospital, hotel, or any
28 other commercial, industrial or institutional purpose; or which,
29 having been designed and built for residential use, has been altered,
30 converted or reconstructed for nonresidential use;

31 "Residential structure" means any detached one ²[and] or² two
32 family residential structure or any building providing multi-
33 dwelling units for the accommodation of non-transient tenants.

34 "Solar ²[panel] photovoltaic² system"¹ means ²[an elevated
35 panel or plate, or a canopy or array thereof,] a technology or device
36 such as a photovoltaic module² that captures and converts solar
37 radiation to produce ²[power, and includes flat plate, focusing solar
38 collectors, or photovoltaic solar cells and excludes the base or
39 foundation of the panel, plate, canopy, or array] energy².

40 ¹b.¹ The Commissioner of Community Affairs shall, pursuant to
41 the authority under the "Uniform Fire Safety Act," P.L.1983, c.383

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined **thus** is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly floor amendments adopted May 24, 2012.

²Senate SEN committee amendments adopted December 5, 2013.

³Senate floor amendments adopted January 13, 2014.

1 (C.52:27D-192 et seq.), promulgate rules and regulations to require
 2 that ², except for one or two family residential structures,² an
 3 identifying emblem be affixed to the front of ¹[a] ²[any
 4 nonresidential¹] any² structure if a solar ²[¹panel¹] photovoltaic²
 5 system is affixed to the roof of that structure ²or if the structure is
 6 served by an adjacent solar photovoltaic system². The ²design and
 7 placement of the² emblem shall be ²[permanently affixed to the left
 8 of the main entrance door at a height between one to four feet above
 9 the ground or in the vicinity of any other identifying emblem
 10 affixed pursuant to section 1 of P.L.1991, c.188 (C.52:27D-198.4)]
 11 determined by the Commissioner of Community Affairs based upon
 12 national standards or a national model code, as applicable,² and
 13 shall be installed and maintained by the owner of the
 14 ²[¹nonresidential¹]² structure. ²[The emblem shall be of a bright
 15 and reflective color, or made of reflective material. The shape of
 16 the emblem shall be an isosceles triangle and the size shall be 12
 17 inches horizontally by 6 inches vertically. The letters "S/P", of a
 18 size and color to make them conspicuous, shall be printed on the
 19 emblem to signify that ¹[solar panels are] a solar panel system is¹
 20 affixed to the roof of the structure.]²

21 ¹c. Upon issuing a permit approving the installation or alteration
 22 of a roof mounted solar ²[panel] photovoltaic² system for a
 23 residential ²structure² or nonresidential structure, the local
 24 enforcing ²[authority] agency² shall, within ²[ten] 10² days ²[of]
 25 after² issuance, file a copy of the permit with the local fire
 26 ²[department] official² serving the municipality in which the
 27 residential ²structure² or nonresidential structure is located.

28 d. The owner of any residential ²structure² or nonresidential
 29 structure who installs or provides for the ²[installment]
 30 installation² of a roof mounted solar ²[panel] photovoltaic² system
 31 on or after the effective date of this act, or has installed or provided
 32 for the ²[installment] installation² of a roof mounted solar ²[panel]
 33 photovoltaic² system prior to the effective date of this act, shall
 34 provide a written notification to the local fire ²[department]
 35 official² which shall include but ²need² not be limited to:

36 (1) the name of the property owner or owners as well as the
 37 address of the residential ²structure² or ²[non-residential]
 38 nonresidential² structure upon which the solar ²[panel]
 39 photovoltaic² system has been installed ², and the name of the
 40 owner or owners and the address of any other adjacent structure
 41 served by the solar photovoltaic system² ; ³and³

42 (2) ³[a statement as to whether the solar ²[panel] photovoltaic²
 43 system is equipped with an external emergency ²[switch capable of
 44 disconnecting and de-energizing the residual voltage in the system
 45 as required under section 1 of P.L. c. (C.)](pending before

1 the Legislature as this bill) or paragraph 10 of subsection a. of
 2 section 7 of P.L.2009, c.33 (C.52:27D-141.7)] disconnection
 3 device² ;

4 (3) a description, if applicable, of the exact location of the
 5 external emergency ²[switch as required under section 1 of P.L. c.
 6 (C.)](pending before the Legislature as this bill) or paragraph 10
 7 of subsection a. of section 7 of P.L.2009, c.33 (C.52:27D-141.7)]
 8 disconnection device² ; and

9 (4)]³ the year that the roof mounted solar ²[panel] photovoltaic²
 10 system was installed on the residential ²structure² or ²[non-
 11 residential] nonresidential² structure.

12 The written notification shall be submitted in a format containing
 13 any ²[addition] additional² information that the commissioner
 14 deems necessary ²[at a time that the commissioner shall prescribe]
 15 as prescribed² by rule or regulation.

16 e. ²[Any] A² copy of a permit ²[issued] filed² pursuant to
 17 subsection c. of this section or written notification issued pursuant
 18 to subsection d. of this section shall be kept on file by the chief of
 19 the local fire department ²,² and the address of the residential
 20 ²structure² or nonresidential structure ², the address of any other
 21 adjacent structure served by the solar photovoltaic system,² and
 22 any additional information regarding the solar ²[panel]
 23 photovoltaic² system shall be maintained in a registry by the fire
 24 department. The information contained in the registry shall serve to
 25 alert firefighters, when responding to an emergency situation, that a
 26 residential ²structure² or nonresidential structure is equipped with ²,
 27 or is served by,² a roof mounted solar ²[panel] photovoltaic²
 28 system and that reasonable precautions may be necessary when
 29 responding to the emergency.

30 f. The provisions of this act shall be enforced in accordance
 31 with enforcement procedures set forth in the "Uniform Fire Safety
 32 Act," P.L. 1983, c. 383 (C. 52:27D-192 et seq.).¹

33
 34 ²[3. Section 7 of P.L.2009, c.33 (C.52:27D-141.7) is amended to
 35 read as follows:

36 7. a. The commissioner, in consultation with the Board of
 37 Public Utilities, shall adopt, pursuant to the "Administrative
 38 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), standards
 39 with respect to the technical sufficiency of solar energy systems to
 40 be installed pursuant to this act. These standards, at a minimum,
 41 shall provide:

42 (1) that the solar energy system is to be installed in conformance
 43 with the manufacturer's specifications and in compliance with all
 44 applicable electrical and building code standards;

1 (2) that the solar energy system is intended primarily to offset
2 part or all of the consumer's own electricity demand;

3 (3) that all components in the solar energy system are to be new
4 and unused, and shall not have previously been placed in service in
5 any other location or for any other application;

6 (4) that the solar energy system shall have a warranty of not less
7 than 10 years provided by the solar energy system manufacturer,
8 and shall be subject to coverage afforded under "The New Home
9 Warranty and Builders' Registration Act," P.L.1977, c.467
10 (C.46:3B-1 et seq.) to protect the integrity of the roof of the home
11 and to protect against defects and undue degradation of electrical
12 generation output;

13 (5) that the solar energy system shall have meters or other
14 devices in place to monitor and measure the system's performance
15 and the quantity of electricity generated by the system;

16 (6) that the solar energy system shall comply with adopted
17 energy codes for the dwelling unit where the solar energy system is
18 installed;

19 (7) for rating criteria for equipment, components, and systems to
20 assure reasonable performance and criteria for complying with these
21 minimum ratings;

22 (8) that the solar energy system shall be consistent with the net
23 metering standards and safety and power quality interconnection
24 standards adopted by the Board of Public Utilities pursuant to
25 subsection e. of section 38 of P.L.1999, c.23 (C.48:3-87); **[and]**

26 (9) for the criteria by which the technical feasibility of the
27 installation of a solar energy system is determined in section 4 of
28 this act; and

29 (10) that **1** **[the]** any¹ solar energy system ¹installed following
30 the effective date of P.L. c. (C.)(pending before the
31 Legislature as this bill)¹ be equipped with ¹**[a device]** an external
32 emergency switch¹ capable of disconnecting ¹and de-energizing the
33 residual voltage in¹ the system ¹that is installed¹ at a readily
34 accessible location ¹**[that is in close proximity to the meter on the**
35 exterior of the dwelling unit]¹.

36 b. The commissioner, in consultation with the Board of Public
37 Utilities, shall:

38 (1) publish educational materials designed to demonstrate how
39 developers may incorporate solar energy systems during
40 construction as well as energy efficiency measures that best
41 complement solar energy systems; and

42 (2) provide developers with information concerning any
43 applicable credits, rebates, or other incentives that may be available
44 for the installation of solar energy systems.

45 (cf: P.L.2009, c.33, s.7)]²

46

47 ²**[4.] 2.**² This act shall take effect immediately.