

**ASSEMBLY, No. 3118**

---

**STATE OF NEW JERSEY**

**218th LEGISLATURE**

---

INTRODUCED FEBRUARY 8, 2018

**Sponsored by:**

**Assemblyman JOHN J. BURZICHELLI**  
**District 3 (Cumberland, Gloucester and Salem)**  
**Assemblywoman HOLLY T. SCHEPISI**  
**District 39 (Bergen and Passaic)**  
**Assemblywoman MILA M. JASEY**  
**District 27 (Essex and Morris)**

**SYNOPSIS**

Establishes licensure for master hearth professionals.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 6/22/2018)**

1 AN ACT concerning the licensure of master hearth professionals and  
2 amending and supplementing P.L.1968, c.362.

3  
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

6  
7 1. Section 2 of P.L.1968, c.362 (C.45:14C-2) is amended to  
8 read as follows:

9 When used in this act,

10 (a) "Master plumber" means a person licensed pursuant to this  
11 amendatory and supplementary act who has the qualifications,  
12 training, experience and technical knowledge necessary to properly  
13 plan, lay out, install and repair plumbing apparatus and equipment  
14 and to supervise others in the performance of such work in  
15 accordance with standards, rules and regulations established by the  
16 State board;

17 (b) "State board" means the State Board of Examiners of Master  
18 Plumbers established pursuant to section 3 of P.L.1968, c.362  
19 (C.45:14C-3);

20 (c) "Act" means this act and the rules and regulations adopted  
21 under it;

22 (d) "Bona fide representative" means a licensed master plumber  
23 who is the holder of not less than 10% of the issued and outstanding  
24 shares of stock in a corporation, or not less than 10% of the capital  
25 of a partnership, or not less than 10% of the ownership of any other  
26 firm or legal entity engaging in the business of plumbing  
27 contracting in the State of New Jersey;

28 (e) "Apprentice plumber" means any person other than a master  
29 plumber or journeyman plumber who as his principal occupation is  
30 engaged in learning and assisting in the installation of plumbing;

31 (f) "Journeyman plumber" means any person other than a  
32 master plumber or apprentice plumber who installs, alters, repairs  
33 and renovates plumbing in accordance with standards, rules and  
34 regulations established by the board and who works under the  
35 supervision of a master plumber;

36 (g) "Plumbing" means the practice, materials and fixtures used  
37 in the installation, maintenance, extension, alteration, repair and  
38 removal of all piping, plumbing fixtures, plumbing appliances and  
39 plumbing apparatus in connection with any of the following:  
40 sanitary drainage, storm facilities and building sewers to their  
41 respective final connection to an approved point of disposal,  
42 venting systems, public and private water supply systems of any  
43 premises to and within the property line of any building, structure  
44 or conveyance to their final connection with an approved supply  
45 system. Plumbing shall also mean the practice and materials used

**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.

1 in the installation, maintenance, extension, alteration, repair or  
2 removal of storm water, refrigeration and air conditioning drains,  
3 liquid waste or sewage;

4 (h) "Plumbing contractor" means any licensed master plumber,  
5 firm, partnership, corporation or other legal entity which undertakes  
6 or offers to undertake for another the planning, laying out,  
7 supervising, installing or making of additions, alterations and  
8 repairs in the installation of plumbing. In order to act as "a  
9 plumbing contractor," a licensed master plumber shall be the holder  
10 of not less than 10% of the issued and outstanding shares of stock in  
11 the corporation, or not less than 10% of the capital of the  
12 partnership, or not less than 10% of the ownership of any other firm  
13 or legal entity engaging in the business of plumbing contracting in  
14 the State and shall employ either journeymen plumbers or  
15 apprentice plumbers or both;

16 (i) "Barbecue appliance" means an appliance that cooks food by  
17 applying heat as a result of burning solid fuel, gas fuel, natural gas,  
18 propane gas, wood fuel, or pellet fuel;

19 (j) "Hearth product appliance" means a fireplace, fireplace  
20 insert, stove or log set that offers a decorative view of the flames,  
21 and may include a passive or powered air vent heated by the flames,  
22 a convection chamber for the purpose of heating the room air by the  
23 means of gravity, or a manufacturer approved or supplied fan, and  
24 may be fueled by solid fuel, gas fuel, natural gas, propane gas,  
25 wood fuel, or pellet fuel;

26 (k) "Hearth professional work" means the installation,  
27 replacement, connection, venting, inspection, repair, maintenance,  
28 or servicing of hearth product appliances, barbecue appliances,  
29 outdoor patio appliances, and space heater appliances, and shall  
30 include the installation, inspection, repair, or servicing of vents,  
31 vent connectors, masonry, metal and factory built chimney and vent  
32 systems, natural or manufactured gas piping on the load side of the  
33 meter, as well as making any electrical connection necessary for the  
34 proper functioning of the aforementioned appliances;

35 (l) "Master hearth professional" means a person licensed  
36 pursuant to P.L. , c. (C. ) (pending before the Legislature as  
37 this bill) who has the qualifications, training, experience and  
38 technical knowledge necessary to engage in hearth professional  
39 work;

40 (m) "Outdoor patio appliance" means an appliance that is located  
41 outdoors, and includes free standing, mounted or built-in  
42 appliances, stoves, fireplaces, fire pits, inserts, and gas logs, and  
43 may be fueled by solid fuel, gas fuel, natural gas, propane gas,  
44 wood fuel, or pellet fuel;

45 (n) "Space heater appliance" means an appliance that provides  
46 heat to a designated area by the means of thermal radiation or  
47 convection, and includes free standing, mounted or built-in  
48 appliances, stoves, fireplaces, inserts, and gas logs, and may be

1 fueled by solid fuel, gas fuel, natural gas, propane gas, wood fuel,  
2 or pellet fuel.

3 (cf: P.L.1987, c.442, s.1)

4  
5 2. Section 3 of P.L.1968, c.362 (C.45:14C-3) is amended to  
6 read as follows:

7 There is created hereunder a State Board of Examiners of  
8 Master Plumbers in the Department of Law and Public Safety,  
9 consisting of **【7】** 9 citizens to be appointed by the Governor,  
10 without regard to political affiliation, and except as to members first  
11 appointed, for terms of 4 years and until the appointment of their  
12 successors. Of the members first appointed 2 shall be appointed for  
13 terms of 1 year, 2 for 2 years, 2 for 3 years and one for 4 years.  
14 Three members shall be master plumbers of at least 10 years  
15 experience, one shall be a local plumbing inspector who has held  
16 such appointment for at least 10 years, one shall be a journeyman  
17 plumber of at least 10 years experience, 2 shall be master hearth  
18 professionals of at least 10 years hearth professional work  
19 experience, and 2 shall be representatives of the public having no  
20 association with the plumbing industry.

21 No member shall be eligible for appointment for more than 2  
22 terms. Appointments to fill vacancies on the board shall be made  
23 for the remainder of the unexpired term.

24 Members of the board shall be subject to removal by the  
25 Governor for cause.

26 (cf: P.L.1968, c.362, s.3)

27  
28 3. (New section) Any person desiring to obtain a State master  
29 hearth professional's license shall make application for licensure to  
30 the State board and shall pay all the fees required in connection  
31 with the application.

32  
33 4. (New section) A person shall not work as a master hearth  
34 professional or use the title or designation of "licensed master  
35 hearth professional" or "master hearth professional" unless licensed  
36 pursuant to the provisions of P.L. , c. (C. ) (pending before  
37 the Legislature as this bill).

38  
39 5. (New section) Nothing in P.L. , c. (C. ) (pending  
40 before the Legislature as this bill) shall be construed to prevent any  
41 person licensed by the State, including, but not limited to,  
42 architects, professional engineers, electrical contractors, master  
43 plumbers, or any chimney service professional registered as a home  
44 improvement contractor with the Division of Consumer Affairs,  
45 from acting within the scope of practice of the respective profession  
46 or occupation, but no person shall use the designation "licensed  
47 master hearth professional" or "master hearth professional" unless

1 licensed as a master hearth professional under the provisions of  
2 P.L. , c. (C. ) (pending before the Legislature as this bill).

3  
4 6. (New section) a. The provisions of P.L. , c. (C. )  
5 (pending before the Legislature as this bill) shall not deny to any  
6 municipality the power to inspect hearth professional work or the  
7 equipment of a master hearth professional, or the power to enforce  
8 the standards and manner in which hearth professional work shall  
9 be done, but no municipality, local board of health or other agency  
10 shall require any master hearth professional licensed under P.L. ,  
11 c. (C. ) (pending before the Legislature as this bill) to obtain  
12 any additional license, apply for or take any examination, or pay  
13 any licensing fee.

14 b. The State board shall ensure that master hearth professionals  
15 comply with all applicable requirements of building codes, gas  
16 codes, and any other industry standards deemed appropriate by the  
17 State board.

18  
19 7. (New section) Every person desiring to apply for a State  
20 master hearth professional's license, who shall meet the  
21 qualifications as set forth herein, shall deliver to the State board,  
22 personally or by certified mail, return receipt requested, postage  
23 prepaid, a certified check or money order payable to the Treasurer  
24 of the State of New Jersey in the required amount, together with the  
25 written application required by the State board, completed as  
26 described in the application, and together with proof of qualification  
27 as described herein.

28 The qualifications for a master hearth professional's license  
29 shall be as follows:

- 30 a. the person shall be 21 or more years of age;  
31 b. the person shall be a citizen or legal resident of the United  
32 States;  
33 c. the person shall possess a valid master hearth professional  
34 certification issued by the National Fireplace Institute or an  
35 equivalent authority approved by the State board; and  
36 d. the person shall have been engaged or employed in hearth  
37 professional work for a period of five years preceding the date of  
38 the person's application for licensure.

39 Proof of compliance with the qualifications shall be submitted to  
40 the State board in writing, sworn to by the applicant, and the written  
41 proof shall be accompanied by two recent photographs of the  
42 applicant.

43  
44 8. (New section) Every State license issued pursuant to P.L. ,  
45 c. (C. ) (pending before the Legislature as this bill) shall  
46 automatically expire on June 30 following the date of its issuance.  
47 Licenses may be renewed biennially by the State board upon written  
48 application of the holder and payment of the prescribed fee.



1 applicable requirements of building codes, gas codes, and any other  
2 industry standards deemed appropriate by the State board.

3 The bill provides that no person is permitted to work as a master  
4 hearth professional or use the title or designation of “licensed  
5 master hearth professional” or “master hearth professional” unless  
6 licensed pursuant to the provisions of the bill. Furthermore, no  
7 provision of the bill is to be construed to prevent any person  
8 licensed by the State, including, but not limited to, architects,  
9 professional engineers, electrical contractors, master plumbers, or  
10 any chimney service professional registered as a home improvement  
11 contractor with the Division of Consumer Affairs, from acting  
12 within the scope of practice of the respective profession or  
13 occupation, but no person may use the designation “licensed master  
14 hearth professional” unless licensed as a master hearth professional  
15 under the provisions of the bill.

16 The provisions of the bill do not prohibit a municipality from  
17 inspecting hearth professional work or the equipment of a master  
18 hearth professional, or from enforcing the standards and manner in  
19 which hearth professional work may be done. However, no  
20 municipality, local board of health or other agency is permitted to  
21 require a master hearth professional licensed under the bill to obtain  
22 any additional license, apply for or take any examination, or pay  
23 any licensing fee.

24 The bill requires each master hearth professional, as a condition  
25 of license renewal, to complete any continuing education  
26 requirements imposed by the State board. The State board must  
27 establish standards for continuing master hearth professional  
28 education, including the subject matter and content of courses of  
29 study, the selection of instructors, and the number and type of  
30 continuing education credits required of a master hearth  
31 professional as a condition of license renewal.

32 Finally, the provisions of the bill do not apply to a single family  
33 home owner who performs hearth professional work on the person’s  
34 own dwelling.