

SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1145

STATE OF NEW JERSEY

DATED: SEPTEMBER 21, 2020

The Senate Community and Urban Affairs Committee reports favorably Assembly Bill No. 1145.

This bill establishes the “Electronic Permit Processing Review System,” a web-based system allowing: for the electronic submission of applications for construction permits, plans, and specifications pursuant to the "State Uniform Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.); for the electronic review and approval of applications, plans, and specifications; for the scheduling of inspections; and for the exchange of information between the applicant, the applicant’s professionals, and the Department of Community Affairs or enforcing agency during the review process.

The electronic system established by the bill would offer a permit applicant:

- the ability to submit the materials necessary for application review;
- the ability to submit requests for on-site inspection of a project; and
- continuous, 24-hour accessibility for these submissions.

The bill directs the Commissioner of Community Affairs to make the electronic system accessible, and facilitate its use, through the acceptance of application materials and scheduling submissions, by:

- the Department of Community Affairs itself with regard to applications for which the department approves plans and specifications pursuant to the "State Uniform Construction Code Act";
- the local enforcing agencies; and
- any private agencies providing plan review and inspection services.

The bill directs the commissioner to fully implement the electronic system, and require its use by the parties discussed above within one year of the effective date of the bill.

The bill requires the commissioner to provide training opportunities on the use of the electronic system for employees of local enforcing agencies and private agencies that provide plan review and inspection services. The bill requires the commissioner to adopt rules and regulations to govern the form and format of

applications for construction permits, plans, and specifications, and other information exchanged through the electronic system.

The bill allows the department to waive requirements in other laws that require the submission of information in physical form to the extent the waiver is necessary to facilitate the submission of the information electronically. The bill allows the department to accept an electronic reproduction of a signature, stamp, seal, certification, or notarization as the equivalent of the original or to accept the substitution of identifying information for the signature, stamp, seal, certification, or notarization. However, the bill allows the commissioner the discretion to establish different submission requirements, including non-electronic submissions as necessary, for large, complicated, or otherwise unusual construction projects, so long as the system is designed to accept approximately 80 percent of application submissions electronically.

The bill holds a person harmless from any licensing sanction, civil penalty, fine, permit disapproval, revocation, or other sanction for failure to comply with a form or format requirement imposed by law for submission of the information in physical form in order to facilitate the exchange of information through the electronic system in a form and format acceptable to the department.

The bill allows the department and local enforcing agencies to establish permit surcharge fees to defray the cost of transitioning to electronic plan review.