

SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

STATEMENT TO

SENATE, No. 3660

STATE OF NEW JERSEY

DATED: JUNE 10, 2021

The Senate Community and Urban Affairs Committee reports favorably Senate Bill No. 3660.

This bill would require the installation of induction loop listening systems in certain public spaces upon new construction or substantial renovation. An “induction loop listening system” refers to a hardwired assistive listening system in which a loop of wire around an area of a building, or hardwired countertop version, produces a signal received directly by hearing aids and cochlear implants used by persons with hearing loss. Induction loop listening systems magnetically transmit sound to hearing aids and cochlear implants that are equipped with telecoil features, and have an effect of filtering out background noise.

Under the bill, induction loop listening system installations would be required in a newly constructed area of public assembly or service, unless the associated building permit application was initially submitted on or before the effective date of the bill. The bill would also require any area of public assembly or service to install induction loop listening systems during renovations that cost \$40,000 or more. Additionally, the bill would require the posting of prominently-visible permanently-mounted signage to indicate to visitors that the induction loop listening system is available in an area of public assembly or service. Following initial installation, the bill would require the owner, on a biennial basis, to complete a self-certification form, attesting that the induction loop listening system continues to function.

Under the bill, an “area of public assembly or service” means a building or structure, or space within a building or structure, that is regularly open for public gatherings, consisting of an auditorium, theater, meeting room, courtroom, community center, library, pharmacy counter, information desk at a medical facility, a waiting area for a medical office, bank teller area, car rental business, restaurant, bar, or other food or beverage counter service location, coat check area, grocery store check-out area, ticket payment location, or other category of space designated by the Department of Community Affairs (“DCA”) as an area of public assembly or service.

Under the bill, the owner of an area of public assembly or service would not be required to install and maintain an induction loop listening system if a code enforcing agency determines that the installation of the system would be impractical, following an assertion

of the impracticality of the installation by the building permit applicant.

The bill directs DCA to adopt rules and regulations to effectuate the purposes of the bill, including the establishment of standards for: (1) the installation of an induction loop listening system; (2) the conditions that would render installation impractical; (3) the placement and appearance of the required signage; and (4) the frequency and criteria of public access that would cause a space to be designated as open to the public, in relation to the definition of an area of public assembly or service.

The provisions of the bill would be enforced as part of the "State Uniform Construction Code Act," ("UCC") P.L.1975, c.217 (C.52:27D-119 et seq.). The owner of an area of public assembly or service who violates the provisions of the bill would therefore be liable for any penalty imposed by an enforcing agency pursuant to section 20 of P.L.1975, c.217 (C.52:27D-138), or any other applicable penalty under the UCC.

In order to provide DCA with time to prepare for the enforcement of the bill, the bill would take effect on the first day of the seventh month following enactment.