

# LEGISLATIVE FISCAL ESTIMATE TO

[First Reprint]  
**ASSEMBLY, No. 1385**

# **STATE OF NEW JERSEY**

DATED: NOVEMBER 15, 1996

Assembly Bill No. 1385 (1R) of 1996 would exempt a nonprofit organization, operated for a religious, educational, social service or charitable purpose, from the payment of an annual fee for the inspection of one wheelchair lift. This fee may be as high as \$150 pursuant to regulations promulgated by the Department of Community Affairs for the State Uniform Construction Code Elevator Safety Subcode (N.J.A.C.5:23-12.1 et seq.).

The Department of Community Affairs (DCA) has previously advised the Office of Legislative Services (OLS) that the cost of inspecting the exempted devices will be passed on to other persons paying construction fees, since aggregate fees must be sufficient to cover the cost of State construction code enforcement, and the deficits will increase as more elevator devices are installed. The DCA notes that in many municipalities, inspections of elevator devices, including the devices that would be exempted from the fees under this bill, are performed by private, third-party inspection agencies, which will have to be paid for the work, even if the municipality is not paid a fee. The loss of fee monies will have to be made up either by other persons paying increased fees, or by municipal taxpayers paying any deficit created by the local code enforcement agency.

The DCA has also previously advised the OLS that the fee currently charged by the DCA for the inspection of manlifts, stairway chair lifts, or inclined or vertical wheelchair lifts is \$130, and it estimates that currently approximately 250 such devices exist that are State-inspected and would be fee-exempt under this bill, and approximately another 250 exist that are locally-inspected and would be fee-exempt under this bill. Therefore, the potential lost fee income to the State under this bill is approximately \$32,500, and the potential lost fee income to municipalities is approximately the same amount. However, the DCA notes that local fees may be lower, in which case the cost to municipalities in terms of lost revenue would be less.

The OLS has no information that would indicate a potential fiscal impact other than that suggested by the DCA.

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.