

# SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

## STATEMENT TO

### SENATE, No. 2580

# STATE OF NEW JERSEY

DATED: MAY 6, 2024

The Senate Community and Urban Affairs Committee reports favorably Senate Bill No. 2580.

This bill amends existing law concerning fire safety. Specifically, this bill provides that smoke-sensitive alarm devices are to meet requirements established by the Commissioner of Community Affairs and eliminates the requirement for portable fire extinguishers in certain structures. The bill also provides that, as a condition of licensure of fire inspectors and fire officials, a person is to submit an application to the Division of Fire Safety with the required fee; successfully complete an educational program adopted by the Division of Fire Safety's Office of Training, Certification, and Licensing; meet prerequisite criteria established by regulation; and pass the State written and practical exams. The bill provides that licensed fire inspectors and fire officials are to conduct fire inspections authorized by the "Uniform Fire Safety Act" and established by regulation in non-life-hazard and life-hazard use groups. Fire inspector and fire official certifications approved by the Office of Training and Certification prior to the effective date of the bill are to be considered equivalent to licenses established pursuant to law.

The bill provides that if an owner or operator has been given notice to abate a violation of the "Uniform Fire Safety Act," any continuing liability for unabated violations of record and unpaid fees or penalties following a change of ownership or tenancy are to be determined in accordance with the provisions of the bill. A new owner who purchases a property without having obtained a certificate stating that there are no unabated violations of record and no unpaid fees or penalties is to be deemed to have notice of all existing violations of record and is to be liable for the payment of all unpaid fees or penalties. The Department of Community Affairs (DCA) is to issue requests for payment of unpaid fees or penalties within five years of the purchase date.

Except as provided in the bill, a new operator taking control of an existing tenant business is to assume liability for the payment of all existing unpaid fees and penalties assessed for that business. The DCA is to issue requests for payment of unpaid fees or penalties within a period of five years from the date of the change in operator; provided, however, a new operator who was a principal in, or agent of, the business previously occupying the property or who is related to a

principal in, or agent of, that business by blood, adoption, or marriage is to assume existing liability for the payment of all unpaid fees and penalties indefinitely. A new operator who occupies all or part of the property with a business not previously situated on the property is not to assume liability for the payment of unpaid fees and penalties.

The bill provides that notice of rules, decisions, and orders concerning the "Uniform Fire Safety Act" are to be served to owners, operators, or other persons by certain methods enumerated in the bill, including electronic methods provided a delivery receipt is obtained.