

ASSEMBLY CONSUMER AFFAIRS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5478

STATE OF NEW JERSEY

DATED: OCTOBER 5, 2026

The Assembly Consumer Affairs Committee reports favorably Assembly Bill No. 5478.

As reported by the committee, Assembly Bill No. 5478 establishes certain requirements for manufacturers and retail sellers of wearable recording devices.

Under the bill, the term “wearable recording device” is defined as a device designed to be worn on or attached to the body that has the capability to make sound or video recordings or transmit data received by the device to another device, the Internet, or any cloud-based service. The term does not include a body worn camera or any similar device used by law enforcement in this State.

The bill prohibits any person from manufacturing, selling, offering for sale, distributing, or otherwise providing in this State a wearable recording device unless the device: (1) is equipped with a visual indicator that automatically activates whenever the device is capturing sound or video; (2) displays the visual indicator continuously for the duration of the time that device is capturing sound or video; (3) displays the visual indicator in a manner that is reasonably visible to an average person in the vicinity of an individual wearing the device; and (4) is designed so that the visual indicator cannot be disabled, obscured, or otherwise circumvented while the device is capturing sound or video.

Additionally, the bill prohibits any person from manufacturing, selling, offering for sale, distributing, or otherwise providing in this State any device, software, application, firmware, or other technology that is designed for the primary purpose of disabling, obscuring, or otherwise circumventing the operation of a visual indicator required pursuant to this bill.

This bill requires sellers of wearable recording devices to provide the purchaser, at the time of sale, with instruction concerning: (1) the proper operation of the wearable recording device; and (2) the requirements concerning the visual indicator required pursuant to the bill. The instructions required under the bill are to be provided through: (1) an in-person demonstration conducted by the seller or the seller’s representative; (2) a video tutorial made available to the purchaser at the time of sale; or (3) any other method approved by the Director of the Division of Consumer Affairs in the Department of Law and Public Safety.

The provisions of this bill are not to be construed to limit, modify, expand, or supersede current law governing the use of body worn cameras by law enforcement in this State or any rules or regulations adopted pursuant thereto.

A violation of the bill's provisions is a violation of the consumer fraud act, which is punishable by a monetary penalty of not more than \$10,000 for a first offense and not more than \$20,000 for any subsequent offense. In addition, violations may result in cease and desist orders issued by the Attorney General, the assessment of punitive damages, and the awarding of treble damages and costs to the injured party.