

ASSEMBLY REGULATED PROFESSIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1238

STATE OF NEW JERSEY

DATED: JANUARY 27, 2020

The Assembly Regulated Professions Committee reports favorably Assembly Bill No. 1238.

This bill amends P.L.1994, c.21 (C.34:5A-32 et seq.), commonly referred to as the Asbestos Control and Licensing Act, and applies the provisions of the law to the inspection of asbestos in a structure. Under the bill, “structure” is defined as “any institutional, commercial, public, industrial, or residential facility, installation, or building, excluding any residential apartment building with fewer than 10 units or detached single-family home.” This bill applies the inspection of asbestos to provisions regarding employer licensure and employee permits, and requires employees to take a training course in and pass an examination with information on the inspection of asbestos before receiving a permit. The bill also provides for the adoption of standards and regulations by the Commissioner of Labor and Workforce Development and the Commissioner of Health for the inspection of asbestos. In doing so, this bill also extends the enforcement provisions established in sections 9 and 10 of P.L.1994, c.21 (C.34:5A-40 and C.34:5A-41) to include violations as they relate to the inspection of asbestos. The law currently applies to the application, enclosure, repair, removal and encapsulation of asbestos.

Finally, this bill requires a permitted employee to perform initial, ongoing, and final inspections for asbestos in a structure for which a license is required. To ensure that all inspections are performed in the best interest of the public’s health and safety, the permitted employee must be employed by a licensed employer who is separate from and independent of other licensed employers performing asbestos related work in the structure.

This bill was pre-filed for introduction in the 2020-2021 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.