

# SENATE, No. 286

## STATE OF NEW JERSEY 220th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

**Sponsored by:**

**Senator LINDA R. GREENSTEIN**

**District 14 (Mercer and Middlesex)**

**Senator NELLIE POU**

**District 35 (Bergen and Passaic)**

**Co-Sponsored by:**

**Senators Gopal, Diegnan and Cunningham**

**SYNOPSIS**

Requires induction loop listening system installation in certain buildings open to public upon new construction or substantial renovation.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning induction loop listening system installation and  
2 supplementing P.L.1975, c.217 (C.52:27D-119 et seq.).

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4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

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7 1. a. In accordance with the rules and regulations promulgated  
8 by the commissioner pursuant to subsection c. of this section, the  
9 owner of an area of public assembly or service shall maintain an  
10 induction loop listening system, and shall post prominently-visible  
11 permanently-mounted signage to indicate to visitors that the  
12 induction loop listening system is available. This requirement shall  
13 apply when, in association with a building permit application that is  
14 initially submitted following the effective date of this section, an  
15 area of public assembly or service is newly constructed or  
16 undergoes a substantial renovation. Following initial installation,  
17 an owner of an area of public assembly or service for whom this  
18 section applies shall, on a biennial basis, complete a self-  
19 certification form and submit the form to the applicable code  
20 enforcing agency, attesting that the induction loop listening system  
21 continues to be functional.

22 b. In association with a building permit application, the permit  
23 applicant may assert that installation of an induction loop listening  
24 system would be impractical, and request that the enforcing agency  
25 reviewing the application evaluate that assertion. Notwithstanding  
26 any provision of subsection a. of this section to the contrary, an  
27 owner of an area of public assembly or service shall not be required  
28 to install an induction loop listening system if the enforcing agency  
29 reviewing the application determines that the installation of an  
30 induction loop listening system would be impractical.

31 c. The commissioner shall promulgate rules and regulations  
32 pursuant to the "Administrative Procedure Act," P.L.1968, c.410  
33 (C.52:14B-1 et seq.) in order to adjust the State Uniform  
34 Construction Code to effectuate the purposes of this section. The  
35 rules and regulations shall include, but not be limited to, standards  
36 for:

37 (1) the installation of an induction loop listening system;

38 (2) the conditions that would render the installation of an  
39 induction loop listening system impractical pursuant to subsection  
40 b. of this section;

41 (3) the placement and appearance of the required signage, using  
42 the ear-with-T logo; and

43 (4) the frequency and criteria of public access that shall cause a  
44 space to be designated as open to the public in relation to the  
45 definition of an area of public assembly or service.

46 d. As used in this section:

47 "Area of public assembly or service" means a building or  
48 structure, or space within a building or structure, that is regularly

1 open for public gatherings, including an auditorium, theater,  
2 meeting room, courtroom, community center, library, pharmacy  
3 counter, information desk at a medical facility, a waiting area for a  
4 medical office, bank teller area, car rental business, restaurant, bar,  
5 or other food or beverage counter service location, coat check area,  
6 grocery store check-out area, ticket payment location, or other  
7 category of space designated by the commissioner as an area of  
8 public assembly or service.

9 “Commissioner” means the Commissioner of Community  
10 Affairs.

11 “Induction loop listening system” means a hardwired assistive  
12 listening system through which a loop of wire around an area of a  
13 building produces a signal, or a hardwired countertop version that  
14 produces a signal, received directly by hearing aids and cochlear  
15 implants equipped with telecoil features used by persons with  
16 hearing loss.

17 “Substantial renovation” means a construction or renovation  
18 project requiring a building permit and where the value of the  
19 renovation to the area of public assembly or service exceeds  
20 \$40,000.

21  
22 2. This act shall take effect on the first day of the seventh  
23 month next following enactment, but the Commissioner of  
24 Community Affairs may take such anticipatory administrative  
25 action in advance thereof as shall be necessary for the  
26 implementation of the act.

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#### STATEMENT

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

40 Under the bill, induction loop listening system installations would  
41 be required in a newly constructed area of public assembly or service,  
42 unless the associated building permit application was initially  
43 submitted on or before the effective date of the bill. The bill would  
44 also require any area of public assembly or service to install induction  
45 loop listening systems during renovations that cost \$40,000 or more.  
46 Additionally, the bill would require the posting of prominently-visible  
47 permanently-mounted signage to indicate to visitors that the induction  
48 loop listening system is available in an area of public assembly or

1 service. Following initial installation, the bill would require the  
2 owner, on a biennial basis, to complete a self-certification form,  
3 attesting that the induction loop listening system continues to function.

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

14 Under the bill, the owner of an area of public assembly or service  
15 would not be required to install and maintain an induction loop  
16 listening system if a code enforcing agency determines that the  
17 installation of the system would be impractical, following an assertion  
18 of the impracticality of the installation by the building permit  
19 applicant.

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

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

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