

CHAPTER 62

LANDSCAPE IRRIGATION CONTRACTORS

Authority

N.J.S.A. 45:5AA-1 et seq., particularly 45:5AA-6(f) and (g).

Source and Effective Date

R.2001 d.225, effective July 2, 2001.
See: 32 N.J.R. 3888(a), 33 N.J.R. 746(b), 33 N.J.R. 2289(a).

Chapter Expiration Date

Chapter 62, Landscape Irrigation Contractors, expires on July 2, 2006.

Chapter Historical Note

Chapter 62, Landscape Irrigation Contractors, was adopted as R.1996 d.21, effective January 2, 1996. See: 27 N.J.R. 1098(a), 28 N.J.R. 148(a).

Pursuant to Executive Order No. 66(1978), Chapter 62, Landscape Irrigation Contractors, expired on January 2, 2001.

Chapter 62, Landscape Irrigation Contractors, was adopted as new rules by R.2001 d.225, effective July 2, 2001. See: Source and Effective Date.

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SUBCHAPTER 1. GENERAL PROVISIONS

7:62-1.1 Scope

Unless otherwise provided by a rule or statute, this chapter shall constitute the rules of the Landscape Irrigation Contractors Examining Board. These rules are promulgated pursuant to N.J.S.A. 45:5AA-1 et seq.

7:62-1.2 Construction

These rules shall be liberally construed to permit the Landscape Irrigation Contractors Examining Board to discharge its statutory functions.

7:62-1.3 Practice where rules do not govern

(a) The Board may rescind, amend, or expand these rules from time to time in accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq.

(b) The Board shall exercise its discretion with respect to any other matters not governed by these rules.

7:62-1.4 Definitions

The following words and terms, as used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

“Board” means the Landscape Irrigation Contractors Examining Board established pursuant to N.J.S.A. 45:5AA-5 et seq.

“Candidate” means a person who is in the process of obtaining certification.

“Certificate” means the certificate issued by the Board pursuant to N.J.S.A. 45:5AA-6c et seq.

“Certificate holder” means the person to whom the Board has issued the certificate.

“Certified landscape irrigation contractor” means a person engaged in the construction, repair, maintenance, improvement, and/or alteration of any portion of a landscape irrigation system who has successfully completed the requirements for certification and has a valid current certificate pursuant to N.J.S.A. 45:5AA-4 et seq. and 45:5AA-5a et seq. and this chapter.

“Department” means the Department of Environmental Protection.

“Division” means the Division of Revenue within the Department of Treasury.

“Duly authorized representative” means a person or company retained by the Board to perform administrative and/or testing functions.

“Examination” means a comprehensive examination to evaluate the knowledge, ability, and fitness of an applicant to perform as a landscape irrigation contractor.

“Experience” means working with the construction, repair, maintenance, improvement, and alteration of a landscape irrigation system and/or educational experience regarding landscape irrigation systems, which the Board may allow to be substituted for actual landscape irrigation experience. Field experience acquired after January 1, 1997 must

comply with the requirements of the "Landscape Irrigation Contractor Certification Act," N.J.S.A. 45:5AA-1 et seq. and this chapter. Educational experience shall be accepted by the Board as a substitute for one year's field experience only. Such educational substitution must consist of 12 college credits or 150 course hours of instruction related to landscape irrigation that is sponsored by a trade association, a college, a manufacturer or distributor of landscape irrigation equipment, or similar industrial source, or by this Board. Credit for educational experience may only be utilized to satisfy a maximum of one year of the three year experience requirement.

"Landscape irrigation contracting" means the construction, repair, maintenance, improvement and alteration of any portion of a landscape irrigation system or drip irrigation system, including required wiring within the system and connection to the required power supply and the installation and connection to a public or private water supply system under terms and conditions of a contract.

"Landscape irrigation system" means any assemblage of components, materials or special equipment which is designed, constructed and installed for controlled dispersion of water from any safe and suitable source, including properly treated wastewater, for the purpose of irrigating landscape vegetation or the control of dust and erosion on landscape areas, including drip irrigation systems, integral pumping systems or integral control systems for manual, semi-automatic or automatic control of the operation of these systems.

Amended by R.2001 d.225, effective July 2, 2001.

See: 32 N.J.R. 3888(a), 33 N.J.R. 746(b), 33 N.J.R. 2289(a).

Deleted "Bureau"; in "Certified landscape irrigation contractor", inserted "and has a valid current certificate"; added "Division"; re-wrote "Experience".

SUBCHAPTER 2. CERTIFICATION

7:62-2.1 Application for certification

(a) Upon request, each candidate shall be furnished with an application for certification by the Board or its duly authorized representative.

(b) In order to be considered by the Board or its duly authorized representative, an application must include the applicant's name, home address, social security number, business address, business trade name, Federal employer identification number, New Jersey sales tax number, insurance company name and policy number for general liability/workmen's compensation insurance, a description of the applicant's experience and the appropriate fee.

(c) If the Board or its duly authorized representative deems the application complete, it shall so notify the candidate.

(d) The Board or its duly authorized representative shall notify the candidate when his or her application has been deemed complete. Upon such notification, the candidate shall submit to the Board or its duly authorized representative a completed request to take examination form and the required examination fee.

(e) If the Board or its duly authorized representative deems the application incomplete or finds that the candidate does not meet the requirements set forth in the Landscape Irrigation Contractor Certification Act, N.J.S.A. 45:5AA-1 et seq., it shall reject the application and notify the candidate of the reasons for rejection. The application fee shall not be refundable.

(f) Each candidate has a period of two years from the date of his or her application to pass the examination. An application shall expire two years and one day from the date it is received by the Board or its duly authorized representative. A candidate shall be required to submit a new application and application fee once an application has expired.

Amended by R.2001 d.225, effective July 2, 2001.

See: 32 N.J.R. 3888(a), 33 N.J.R. 746(b), 33 N.J.R. 2289(a).

In (b), deleted "(optional)" following "social security number".

7:62-2.2 Notification of pass-fail

To receive certification, a candidate is required to obtain a passing score on the examination. The passing score will be set by the Board or its duly authorized representative. The Board or its duly authorized representative shall notify all candidates whether they have passed the examination within 60 days of the date of examination.

7:62-2.3 Passed candidates

The Board or its duly authorized representative shall issue a certificate to each candidate who successfully passes the examination and otherwise meets the standards and qualifications set forth in the Landscape Irrigation Contractor Certification Act, N.J.S.A. 45:5AA-1 et seq. Each initial certificate issued pursuant to the act shall expire on January 31 of the second calendar year following issuance.

7:62-2.4 Failed candidates

A candidate who has failed the examination shall be sent the date and location of the next exam which they are eligible to take pursuant to N.J.A.C. 7:62-2.5. The candidate shall also be notified of those subject areas in which a passing grade was not achieved.

Amended by R.2001 d.225, effective July 2, 2001.

See: 32 N.J.R. 3888(a), 33 N.J.R. 746(b), 33 N.J.R. 2289(a).

Rewrote the section.