

or 2.6, the applicant shall submit to the Board the initial pressure seal fee pursuant to N.J.A.C. 13:32A-6.1. The pressure seal shall remain the property of the Board and shall be returned to the Board as provided in (f) below.

(c) The seal shall be used exclusively by the master HVACR contractor in the conduct of the heating, ventilating, air conditioning, and refrigeration business practice. The master HVACR contractor shall impress the seal upon all applications for heating, ventilating, air conditioning, and refrigeration permits.

(d) Use of a seal by any person other than the master HVACR contractor to whom it was issued or the securing of a heating, ventilating, air conditioning, and refrigeration permit for an unlicensed person shall be deemed to be the use or employment of dishonesty, fraud, deception, misrepresentation, or false pretense. Such conduct may be grounds for the suspension or revocation of the license of an unauthorized user if he or she is already licensed by the Board. With respect to an unlicensed user, such conduct shall be grounds for the refusal to issue a State license at any point in the future, which does not preclude the Board from proceeding against unlicensed practice pursuant to any other law or rule. Nothing in this subsection shall be deemed to preclude a bona fide representative from securing a heating, ventilating, air conditioning, and refrigeration permit for the heating, ventilating, air conditioning, and refrigeration business he or she represents.

(e) A master HVACR contractor who willfully or negligently allows an unlicensed or unauthorized person to use his or her seal shall be subject to such penalties and sanctions as shall be imposed by the Board pursuant to authority granted by N.J.S.A. 45:16A-1 et seq. and 45:1-14 et seq.

(f) A master HVACR contractor who has been suspended for failure to renew a license in accordance with N.J.A.C. 13:32A-3.1 or who has had his or her license suspended or revoked for any reason shall return the pressure seal to the Board within 30 days of the suspension, revocation, or lapse of license.

(g) A master HVACR contractor who no longer possesses a pressure seal due to theft, loss, or other cause shall replace the seal by submitting to the Board a notarized letter detailing why the master HVACR contractor no longer possesses the pressure seal. The master HVACR contractor shall submit to the Board the replacement pressure seal fee pursuant to N.J.A.C. 13:32A-6.1. The replacement pressure seal shall remain the property of the Board and shall be returned to the Board as provided in (f) above.

(h) Only the Board recognized vendor of seal presses shall issue or create seal presses. No other entity or person shall issue or create seal presses.

### 13:32A-2.5 Reciprocity with other states

(a) An individual who is licensed to practice HVACR contracting in another state may obtain a license in New Jersey without taking the master HVACR licensing examination as long as the other state:

1. Has licensure standards equal to or comparable to licensure requirements in New Jersey; and
2. Permits New Jersey licensees to obtain licensure based upon a New Jersey license.

(b) An applicant for a master HVACR contractor license who is licensed in another state shall submit:

1. A completed application for licensure through reciprocity, on a form provided by the Board, which shall include a full street name and number. An application containing only a post office box number as a mailing address shall not be considered a complete application;
2. Proof that the applicant is at least 21 years of age;
3. A passport size photograph of the applicant taken within the last six months;
4. Proof that the applicant has met the education requirements of N.J.A.C. 13:32A-2.2;
5. Proof that the state in which he or she is licensed allows New Jersey licensed master HVACR contractors to obtain a license in that state based upon New Jersey licensure;
6. Proof that the applicant is licensed in the other state; and
7. The application fee as set forth in N.J.A.C. 13:32A-6.1.

(c) Once the Board has reviewed the submitted information, and has determined whether the other state meets the requirements of (a) above, the Board shall inform the applicant whether he or she qualifies for licensure and, if eligible, that he or she should submit the information and documentation required by N.J.A.C. 13:32A-2.4.

### 13:32A-2.6 Issuance of license to individuals engaged in practice as of March 1, 2012

(a) Prior to September 1, 2014, a licensed master plumber or any other person may apply for a license as a master HVACR contractor without satisfying the education requirements of N.J.A.C. 13:32A-2.2 or the examination requirements of N.J.A.C. 13:32A-2.3 if the person has for at least two years prior to the date the application is submitted to the Board engaged in the practice of installing, servicing, maintaining, planning the installation, laying out the installation, and supervising the installation and/or servicing of HVACR systems.

1. For the purposes of this subsection, engaging in the practice of installing, servicing, maintaining, planning the installation, laying out the installation, or supervising the installation and/or servicing of HVACR systems shall include:

i. Being employed as an inspector of HVACR systems and holding a license as a mechanical inspector or a plumbing inspector from the Department of Community Affairs; and

ii. Teaching courses in the HVACR field at an apprentice or other training program approved by the United States Department of Labor or a bachelor's degree program in a college or university accredited by a regional accrediting body recognized by the United States Department of Education, Office of Postsecondary Education. Such an applicant shall have worked as a master HVACR contractor for at least five years prior to, or during, the time he or she was teaching HVACR courses.

(b) An applicant who meets the requirements of (a) above shall submit:

1. A completed application for licensure, on a form provided by the Board, including a full street name and number. An application containing only a post office box number as a mailing address shall not be considered a complete application;

2. A passport size photograph of the applicant taken within the last six months;

3. Proof that the applicant has met the experience requirements of (a) above. Such proof may include:

i. An attestation from a master HVACR contractor indicating that the applicant has completed the requirements of (a) above;

ii. Any certifications the applicant has obtained indicating expertise in the field of heating, ventilating, air conditioning, and refrigeration contracting;

iii. Any education the applicant has completed related to the field of heating, ventilating, air conditioning, and refrigeration contracting;

iv. An employment history showing that the applicant has engaged in the practice of heating, ventilating, air conditioning, and refrigeration contracting;

v. A copy of a Form W-2 that has been submitted to the Internal Revenue Service indicating that the applicant engaged in the practice of heating, ventilating, air conditioning, and refrigeration contracting; or

vi. Any other documentation that demonstrates to the Board that the applicant has completed at least two years of experience in heating, ventilating, air conditioning, and refrigeration contracting.

4. The application and licensing fees as set forth in N.J.A.C. 13:32A-6.1.

Administrative correction.  
See: 45 N.J.R. 2335(a), 2606(a).

**13:32A-2.7 Credit towards licensure for education, training, and experience received while serving as a member of the Armed Forces**

(a) An applicant who has served in the Armed Forces of the United States (Armed Forces) and who does not meet all of the training, education, and experience requirements for licensure under N.J.A.C. 13:32A-2.2 may apply to the Board for recognition of the applicant's training, education, or experience received while serving as a member of the Armed Forces, which the Board shall consider together with any training, education, and experience obtained outside of the Armed Forces, for determining substantial equivalence to the training, education, and experience required for licensure.

(b) The Board shall issue a license to the applicant, if the applicant presents evidence to the Board that:

1. The applicant has been honorably discharged from active military service;

2. The relevant training, education, and experience the applicant has received in the military, together with any training, education, and experience obtained outside of the Armed Forces, is substantially equivalent in scope and character to the training, education, and experience required for licensure under N.J.A.C. 13:32A-2.2.

i. An applicant seeking credit for military training and experience shall submit to the Board the applicant's Verification of Military Experience and Training (VMET) Document, DD Form 2586.

ii. An applicant seeking credit for education courses and/or training completed while in the military shall submit to the Board a Joint Services Transcript of his or her education/training for a determination that the education courses and/or training completed are substantially equivalent in level, scope, and intent to the program required for licensure under N.J.A.C. 13:32A-2.2. For the purpose of determining substantial equivalence of the applicant's military education and/or training, the Board shall consider only those education courses or training courses and/or training relevant to the practice of heating, ventilating, air conditioning, and refrigeration that have been evaluated by the American Council on Education for substantial equivalence to civilian heating, ventilating, air conditioning, and refrigeration education; and

3. The applicant complies with all other requirements for licensure, including successful completion of licensing examination.

(c) It is the applicant's responsibility to provide timely and complete evidence of the training, education, and experience gained in the military for review and consideration.

(d) If the applicant's military training, education, and experience, or a portion thereof, is not deemed to be substantially equivalent to that required for licensure, the Board shall credit whatever portion of the military training, education, and experience that is substantially equivalent towards meeting the requirements under N.J.A.C. 13:32A-2.2 for the issuance of the license.

(e) Satisfactory evidence of such training, education, and experience shall be assessed on a case-by-case basis.

New Rule, R.2015 d.155, effective September 21, 2015.  
See: 46 N.J.R. 2261(a), 47 N.J.R. 2385(a).

### SUBCHAPTER 3. RENEWAL OF LICENSURE

#### 13:32A-3.1 Renewal of license

(a) Licenses shall be renewed biennially on a form provided by the Board. Each applicant for renewal shall attest that the continuing education requirements of N.J.A.C. 13:32A-4.1 have been completed during the prior biennial period.

(b) The Board shall send a notice of renewal to each master HVACR contractor, at least 60 days prior to the expiration of the license. If the notice to renew is not sent at least 60 days prior to the expiration date, no monetary penalties or fines shall apply to the holder for any unlicensed practice during the period following the licensure expiration,

not to exceed the number of days short of the 60 before the notice of renewal was sent.

(c) The master HVACR contractor shall submit the renewal application and pay the renewal and pressure seal fees pursuant to N.J.A.C. 13:32A-6.1 prior to the date of expiration of the license.

(d) If the master HVACR contractor does not renew the license prior to its expiration date, the master HVACR contractor may renew the license no later than 30 days after its expiration date by submitting a renewal application and paying a renewal fee and a late fee pursuant to N.J.A.C. 13:32A-6.1. If a master HVACR contractor fails to renew the license within 30 days after the expiration date, the license shall be suspended without a hearing. A master HVACR contractor whose license has been suspended shall return his or her pressure seal to the Board.

(e) A person who continues to practice or hold himself or herself out as a master HVACR contractor after his or her license has been suspended pursuant to (d) above shall be deemed to have committed unlicensed practice pursuant to N.J.S.A. 45:16A-7, even if no notice of suspension has been provided to the person.

(f) A person seeking reinstatement within five years following the suspension of a license pursuant to (d) above shall submit the following to the Board:

1. A completed reinstatement application;
2. Payment of all past delinquent renewal fees as set forth in N.J.A.C. 13:32A-6.1;
3. Payment of a reinstatement fee as set forth in N.J.A.C. 13:32A-6.1;

4. A certification verifying completion of the continuing education credits required pursuant to N.J.A.C. 13:32A-4.1 for the biennial renewal period immediately preceding the date the application for reinstatement is submitted; and

5. An affidavit of employment listing each job held during the period of suspension which includes the names, addresses, and telephone numbers of each employer.

(g) A person seeking reinstatement after more than five years following the suspension of a license pursuant to (d) above shall successfully complete the examination required for initial licensure as set forth in N.J.A.C. 13:32A-2.3 and shall submit:

1. A completed reinstatement application;
2. Payment of all past delinquent renewal fees as set forth in N.J.A.C. 13:32A-6.1;
3. Payment of a reinstatement fee as set forth in N.J.A.C. 13:32A-6.1; and
4. An affidavit of employment listing each job held during the period of suspension, which includes the names, addresses, and telephone numbers of each employer.

(h) Renewal applications for all master HVACR contractors shall provide the applicant with the option of either active or inactive renewal. Applicants electing to renew as inactive shall not practice or hold themselves out to the public as master HVACR contractors. A master HVACR contractor renewing as inactive shall submit to the Board:

1. A completed renewal application; and
2. The pressure seal.

(i) Upon application to the Board, the Board may permit an applicant who has been on inactive status to return to active status provided such applicant completes the continuing education credits that are required pursuant to N.J.A.C. 13:32A-4.1 for the biennial period immediately preceding the date the application for reactivation is submitted and the applicant pays the renewal fee as set forth in N.J.A.C. 13:32A-6.1. The Board shall return the master HVACR contractor's pressure seal, or arrange for a new pressure seal to be issued, when the master HVACR contractor returns to active status.

#### SUBCHAPTER 4. CONTINUING EDUCATION

##### 13:32A-4.1 License renewal; continuing education requirement

(a) Every master HVACR contractor shall successfully complete five credits of continuing education at an approved course every biennial period. Master HVACR contractors

applying for their first biennial renewal are exempt from this continuing education requirement.

(b) A master HVACR contractor shall indicate on the license renewal form that he or she has completed the continuing education requirements of this subchapter. Failure to meet the continuing education requirements as set forth in this subchapter or the falsification of any information submitted with the renewal application may result in the imposition of disciplinary sanctions pursuant to N.J.S.A. 45:1-21 et seq.

(c) Every master HVACR contractor shall maintain, for a period of four years, all verification of attendance forms for all continuing education courses the master HVACR contractor has completed. Master HVACR contractors who teach a continuing education course during a biennial period shall maintain, for a four-year period, records that indicate that the master HVACR contractor has taught a Board-approved continuing education course.

(d) The Board may review the records of any master HVACR contractor, at any time, in order to ensure that the master HVACR contractor has complied with the continuing education requirements.

##### 13:32A-4.2 Continuing education sponsors; Board approval; duties

(a) All sponsors of continuing education courses shall obtain Board approval prior to offering a continuing education course for an upcoming biennial period. The Board shall maintain a list of approved courses at the Board offices and shall furnish this information to master HVACR contractors upon request.

(b) A sponsor seeking Board approval shall appear before the Board and submit, prior to that appearance, the following:

1. Detailed descriptions of course content and estimated hours of instruction;
2. Curriculum vitae of each instructor, including the background that qualifies him or her as an instructor in specific areas; and
3. The continuing education sponsor application fee pursuant to N.J.A.C. 13:32A-6.1.

(c) The sponsor of a continuing education course shall furnish each attendee a verification of attendance, which shall include the following:

1. The title, date, and location of course or program offering;
2. The name and license number of the attendee;
3. The number of hours attended; and
4. The name and signature of the sponsor or instructor.

(d) The sponsor of a continuing education course shall monitor the attendance at each approved course and maintain an attendance log, which lists the name and license number of every master HVACR contractor who attends a course. The log shall document that each master HVACR contractor has completed the sponsor's course.

(e) The sponsor shall obtain course evaluations from both participants and instructors and maintain these evaluations as part of the sponsor's records.

(f) The Board may evaluate the performance of any continuing education instructor through observation of the instructor during the presentation of a course or evaluate the qualifications and abilities of the instructor by conducting an interview during a Board meeting.

(g) A continuing education class shall consist of no more than 50 people.

#### 13:32A-4.3 Required course topics

(a) Every biennial period, master HVACR contractors shall complete one hour of continuing education in statutes and rules governing the practice of heating, ventilating, air conditioning, and refrigeration, including the Uniform Construction Code, N.J.A.C. 5:23.

(b) Three months prior to the beginning of a biennial period, the Board shall determine the topics for the remaining four hours of continuing education that shall be provided by program sponsors for the upcoming biennial period. The Board shall determine these topics at a regularly scheduled public Board meeting.

(c) The list of required topics shall be published as a public notice in the New Jersey Register and shall be available at the Board offices.

#### 13:32A-4.4 Credit awarded

(a) One continuing education credit shall equal one hour of attendance at a continuing education course.

(b) A master HVACR contractor who teaches a continuing education course approved by the Board shall earn five credits of continuing education for the biennial period in which he or she teaches the course and shall be exempt from the requirement of N.J.A.C. 13:32A-4.3(a).

(c) A master HVACR contractor who has completed the continuing education requirements for renewal of a license as a master plumber shall earn four credits of continuing education. Such a master HVACR contractor shall be required to complete one hour of continuing education in the statutes and rules governing the practice of heating, ventilating, air conditioning, and refrigeration required by N.J.A.C. 13:32A-4.3.

#### 13:32A-4.5 Waiver of continuing education requirement

(a) The Board may waive continuing education requirements on an individual basis for reasons of hardship, such as illness, disability, military duty, or other good cause that prevents the master HVACR contractor from completing continuing education credits during a biennial period.

(b) Any master HVACR contractor seeking a waiver of the continuing education requirements shall apply to the Board in writing and set forth in specific detail the reasons for requesting the waiver. The master HVACR contractor shall provide the Board with such supplemental materials as will support the request for waiver.

### SUBCHAPTER 5. IDENTIFICATION OF LICENSEES; BONA FIDE REPRESENTATIVE; SUPERVISION

#### 13:32A-5.1 Identification of master HVACR contractor; vehicles, stationery; advertising

(a) All commercial vehicles used by a master HVACR contractor shall be marked on driver's and passenger's sides with the following information:

1. The name of the HVACR business;
2. The name of the master HVACR contractor who owns the business or the name of the bona fide representative for the business in lettering at least one inch in height;
3. The words "Master HVACR contractor license number" or "Master HVACR contractor Lic. #" followed by the license number of the master HVACR contractor in lettering at least one inch in height; and
4. The municipality from which the master HVACR contractor practices or where the master HVACR contractor has a principal office in lettering at least three inches in height.

(b) All business correspondence, invoices, and stationery shall display:

1. The name of the master HVACR contractor;
2. The words "Master HVACR contractor license number" or "Master HVACR contractor Lic. #" followed by the license number of the master HVACR contractor; and
3. The New Jersey business address, including the street name and number.

(c) All advertising shall include:

1. The name of the master HVACR contractor; and