

## CHAPTER 2

**AN ACT** concerning perimeter fence intrusion protection systems and other alarm systems, amending and supplementing P.L.1962, c.162, and amending P.L.1997, c.305.

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

1. Section 2 of P.L.1962, c.162 (C.45:5A-2) is amended to read as follows:

C.45:5A-2 Definitions.

2. For the purpose of this act, unless otherwise indicated by the context:

(a) "Act" means this act, P.L.1962, c.162 (C.45:5A-1 et seq.) and the rules and regulations adopted under it;

(b) "Board" means the Board of Examiners of Electrical Contractors created by section 3 of this act;

(c) "Department" means the Department of Law and Public Safety;

(d) "Electrical contractor" means a person who engages in the business of contracting to install, erect, repair or alter electrical equipment for the generation, transmission or utilization of electrical energy;

(e) "Person" means a person, firm, corporation or other legal entity;

(f) "Alarm business" means the sales, installation, servicing or maintenance of burglar alarm, fire alarm or electronic security systems, or the monitoring or responding to alarm signals when provided in conjunction therewith. "Alarm business" shall also include the installation, sales, servicing or maintenance of a smoke detection system or a smoke aspiration system in one or two family detached residential dwellings, or both; and the type of alarm business that engages in the installation, sales, servicing or maintenance of (1) perimeter intrusion protection systems; (2) unmanned aerial drones used to protect a premise, building, or complex; and (3) any artificial intelligence and evolving technology used for physical security applications consisting of a device or machine, computer or software used for detection, security, surveillance, monitoring of unauthorized access, or providing a warning of intrusion, which is designed to discourage crime or warn of potential threats using unmanned aerial drones, robots or machines. "Installation," as used in this definition, includes the survey of a premises, the design and preparation of the specifications for the equipment or system to be installed pursuant to a survey, the installation of the equipment or system, or the demonstration of the equipment or system after the installation is completed, but does not include any survey, design or preparation of specifications for equipment or for a system that is prepared by an engineer licensed pursuant to the provisions of P.L.1938, c.342 (C.45:8-27 et seq.), or an architect licensed pursuant to the provisions of chapter 3 of Title 45 of the Revised Statutes, if the survey, design, or preparation of specifications is part of a design for construction of a new building or premises or a renovation of an existing building or premises, which renovation includes components other than the installation of a burglar alarm, fire alarm or electronic security system, and further does not include the design or preparation of specifications for the equipment or system to be installed that are within the practice of professional engineering as defined in subsection (b) of section 2 of P.L.1938, c.342 (C.45:8-28);

(g) "Burglar alarm" means a security system comprised of an interconnected series of alarm devices or components, including systems interconnected with radio frequency signals, or Internet protocol and any successor protocols, which emits an audible, visual or electronic signal indicating an alarm condition and providing a warning of intrusion, which is designed

to discourage crime. "Burglar alarms" include but are not limited to perimeter intrusion protection systems and perimeter fence intrusion protection systems;

(h) "Business firm" means a partnership, corporation or other business entity engaged in the alarm business or locksmithing services;

(i) "Committee" means the Fire Alarm, Burglar Alarm, and Locksmith Advisory Committee created by section 3 of P.L.1997, c.305 (C.45:5A-23);

(j) "Electronic security system" means a security system comprised of an interconnected series of devices or components, or Internet protocol and any successor protocols, including systems with audio and video signals, or perimeter intrusion protection systems, or other electronic systems, which emits or transmits an audible, visual or electronic signal warning of intrusion and provides notification of authorized entry or exit, which is designed to discourage crime. "Electronic security system" shall include access control systems, CCTV systems, intercom systems, automation systems when integrating with security devices, perimeter intrusion protection systems, and other electronic monitoring devices;

(k) "Fire alarm" means a system comprised of an interconnected series of alarm devices or components, and notification appliances, including systems interconnected with radio frequency signals, which emits an audible, visual or electronic signal indicating an alarm condition and which provides a warning of the presence of gas, smoke or fire, or a notification of emergency evacuation. "Fire alarm" does not mean a system whose primary purpose is telecommunications with energy control, the monitoring of the interior environment being an incidental feature thereto;

(l) "Licensed locksmith" means a person who is licensed pursuant to the provisions of section 7 of P.L.1997, c.305 (C.45:5A-27);

(m) "Licensee" means a person licensed to engage in the alarm business or provide locksmithing services pursuant to the provisions of section 7 of P.L.1997, c.305 (C.45:5A-27);

(n) "Locksmithing services" means the modification, recombination, repair or installation of mechanical locking devices and electronic security systems for any type of compensation and includes the following: repairing, rebuilding, recoding, servicing, adjusting, installing, manipulating or bypassing of a mechanical or electronic locking device, for controlled access or egress to premises, vehicles, safes, vaults, safe doors, lock boxes, automatic teller machines or other devices for safeguarding areas where access is meant to be limited; operating a mechanical or electronic locking device, safe or vault by means other than those intended by the manufacturer of such locking devices, safes or vaults; or consulting and providing technical advice regarding selection of hardware and locking systems of mechanical or electronic locking devices and electronic security systems; except that "locksmithing services" shall not include the installation of a prefabricated lock set and door knob into a door of a residence;

(o) "Qualified journeyman electrician" means a person registered pursuant to P.L.1962, c.162 (C.45:5A-1 et seq.) or P.L.2001, c.21 (C.45:5A-11.1 et al.), as a qualified journeyman electrician by the board;

(p) "Access control system" means a system that provides access to authorized persons and may record and report which persons entered or exited a facility or areas within a facility, which doors or areas were accessed while persons are within a facility, and the time that such activity occurred. "Access control systems" may include the use of keys, access cards, locks, card readers, biometric identification devices, recorders, printers and control devices. "Access control systems" may be independent systems or may be integrated with other electronic security systems or internet protocol and any successor protocols;

(q) “Closed circuit television” or “CCTV” means a video security system that may include video cameras, Internet protocol cameras, monitors, switches, camera enclosures, controls and other related devices. “Closed circuit television” shall include an independent system or system that is integrated with other electronic security systems or Internet protocol and any successor protocols;

(r) “Internet protocol and any successor protocol” means a protocol that integrates with any electronic security devices in any existing and future data network protocols to carry alarm signals or video transmission signals or fire alarm signals or any security system now and in the future;

(s) “Intercom system” means an audio security communication system containing control circuitry that may include a feature designed to selectively release electronically secured doors or capable of viewing an image at the same time;

(t) “Perimeter intrusion protection system” means a device, machine, computer or software used for detection, security, surveillance, or monitoring of unauthorized access, providing a warning of intrusion, which is designed to discourage crime or warn of potential threats using unmanned aerial drones, robots, machines, computers, or software with minimal human intervention, and is a type or component of a security system;

(u) “Perimeter fence intrusion protection system” means a perimeter intrusion protection system that satisfies the requirements established pursuant to section 2 of P.L.2021, c.2 (C.45:5A-54), and all attached system components or equipment, including but not limited to a fence, an energizer powered by a commercial storage battery not exceeding 12 volts dc, which produces a short electric pulsed charge upon contact with the fence, and battery charging device used exclusively to charge the battery, or utilization of micro wave energy or radio frequencies for perimeter intrusion protection, and any successor technologies used for perimeter intrusion protection, and is a type or component of a security system;

(v) “Smoke aspiration system” means a smoke detection system that takes samples of the air and tests them for presence of smoke;

(w) “Smoke detection system” means an electronic system consisting of a control unit, which may be a component of a combination fire and burglar control panel, or one or more smoke aspiration systems, smoke detectors, heat detectors, gas detectors, if required, audible appliances, and battery back-up, as utilized in one or two family detached residential dwellings, or both;

(x) “Branch circuit wiring” means the circuit conductors between the final overcurrent device protecting the circuit and the outlet or outlets.

C.45:5A-54 Requirements of perimeter fence intrusion protection system.

2. A perimeter fence intrusion protection system shall:

a. interface with a monitored alarm device in a manner that enables the burglar alarm system to transmit a signal intended to summon the business or law enforcement, or both, in response to an intrusion or burglary;

b. be located on property that is not designated by a municipality exclusively for residential use;

c. have an energizer that is driven by a commercial storage battery that is not more than 12 volts of direct current;

d. have an energizer that meets the standards set forth by the International Electrotechnical Commission Standard 60335-2-76, in its current edition, and as amended and supplemented;

- e. be surrounded by a nonelectric perimeter fence or wall that is not less than five feet in height;
- f. not exceed ten feet in height or two feet higher than the nonelectric perimeter fence or wall described in subsection e. of this section, whichever is higher;
- g. be marked with conspicuous warning signs that are located on the perimeter fence intrusion protection system at not more than 40 foot intervals and that read: "WARNING—ELECTRIC FENCE";
- h. comply with the requirements set forth in the rules and regulations adopted by the board; and
- i. be installed by a person trained by the manufacturer or certified in the installation, maintenance, repair, safety and operation of the perimeter fence intrusion protection system.

3. Section 16 of P.L.1997, c.305 (C.45:5A-36) is amended to read as follows:

C.45:5A-36 Municipality, county prohibited from regulating certain locksmiths, alarm businesses.

16. a. Notwithstanding any provision of the "Municipal Land Use Law," P.L.1975, c.291 (C.40:55D-1 et seq.), or any other law to the contrary, no municipality or county shall adopt an ordinance or resolution or promulgate any rules or regulations relating to a licensed locksmith or alarm business that:

- (1) requires the licensing or registration of locksmiths or alarm businesses;
- (2) requires a locksmith or an alarm business to submit information about the business' systems;
- (3) requires a locksmith or an alarm business to pay an alarm registration or licensure fee to a third party person or business;
- (4) requires a permit or fee for the installation of a perimeter fence intrusion protection system in addition to an alarm system permit issued by the municipality or county;
- (5) imposes an installation or operational requirement for a perimeter fence intrusion protection system that is inconsistent with the requirements and standards of the act;
- (6) impedes the installation or continued operation of a perimeter fence intrusion protection system; or
- (7) prohibits the installation or use of a perimeter fence intrusion protection system.

b. The provisions of any ordinance or resolution or rules or regulations of any municipality or county relating to the licensing or registration of locksmiths or alarm businesses are superseded by the provisions of this act. Municipal and county officials and employees shall comply with the provisions of the act. Nothing in this section shall be construed, however, to prohibit municipal regulation of door-to-door vendors or salespersons of burglar alarm, fire alarm or electronic security systems nor shall anything in this section be construed to prohibit or restrict municipal consideration of alarm business service proposals in consent proceedings under the "Cable Television Act," P.L.1972, c.186 (C.48:5A-1 et seq.).

C.45:5A-55 Regulations relative to licensed electrical contractors.

4. Only a licensed electrical contractor holding a valid business permit pursuant to section 9 of P.L.1962, c.162 (C.45:5A-9), shall install, service, maintain, or repair branch circuit wiring. No provision of this section shall preclude a burglar alarm, fire alarm, or locksmith licensee from connecting to, or dismantling from, a branch circuit that was

previously installed by an electrical contractor licensed by the Board of Examiners of Electrical Contractors pursuant to P.L.1962, c.162 (C.45:5A-1 et seq.).

5. This act shall take effect immediately.

Approved January 21, 2021.