

New Jersey Design Professional Self-Certification legislation

The bill requires the commissioner to establish and promulgate on the Department of Community Affairs (department) Internet website, a design professional of record self-certification form, and requires a qualified design professional of record to complete, sign, and deliver the completed form to the enforcing agency together with the construction permit application and accompanying documents. The bill requires a qualified design professional to submit a design professional of record self-certification statement, and the qualified design professional's attestation concerning:

- the veracity and correctness of information provided in the permit application, accompanying plans, and other documents submitted in support of the application.
- approval of the project and acknowledgement that the construction permit is subject to audit and revocation under certain circumstances.
- promptness related to the submission of various materials.
- acknowledgement that failure to take specified remedial measures to conform submitted plans and construction to the requirements of the UCC may result in revocation of self-certification privileges and notice to the appropriate State professional licensing board; and
- compliance with the requirements established by the commissioner.

The bill also requires the commissioner to establish and promulgate on the department's Internet website, an owner certification statement, and an owner hold harmless letter. The bill sets forth the contents of the owner certification statement and owner hold harmless letter, which pertain to certain authorization, joint compliance responsibility acknowledgement, and indemnification.

The bill empowers the department to conduct random audits of qualified design professionals to determine whether a construction permit application and plans and other documents submitted in support of the application, comply with the requirements of UCC and other applicable laws. The bill enables the commissioner to exclude, suspend, or sanction a qualified design professional for cause for actions specified by the bill, including failure to correct violations identified by the audit and knowingly or negligently submitting a self-certification, permit application, or construction document that contains false information. The bill also requires the commissioner to create and maintain a searchable database on the department's Internet website of all qualified design professionals who have been excluded from the program, suspended, or sanctioned by the department, and requires notice of such actions to be provided to the State Board of Professional Engineers and Land Surveyors, or the State Board of Architects, under circumstances specified by the bill.

The bill requires the commissioner, within three years following the effective date of the bill: to undertake a study, in consultation with the Code Advisory Board, to determine construction activity that may be added to the self-certification program; and to prepare and submit a report to the Governor and the Legislature regarding the self-certification program and the results of the study. The bill is to take effect on the first day of the fourth month next following enactment, but the bill permits the commissioner to take 3 anticipatory action prior to the effective date, if the action is necessary to effectuate the bill.