



MEMORANDUM

To: Members of the Assembly Regulated Professions Committee
From: David Brogan, Executive Director
Date: December 4, 2017
Re: **NJAA Opposition to A-97 (Prieto/Eustace/Lagana/Jimenez/Vainieri Huttle)**

On behalf of the New Jersey Apartment Association, and our members who provide both market rate and affordable housing to over one million New Jersey residents, we would like to express our **OPPOSITION** to A-97 (Prieto/Eustace/Lagana/Jimenez/Vainieri Huttle), and we would urge you to vote **NO** when the bill comes before the General Assembly on December 7, 2017.

A-97 would require a fire watch to be maintained at a construction site of any hotel or apartment community from the moment that framing begins until a certificate of occupancy is issued. The fire watch would be required regardless of size or types of construction materials being used, and must be performed by a person whose exclusive responsibility is fire watch.

While this requirement would impose a cost on the construction of hotels and multiple dwellings, it is unlikely to achieve the desired result of reducing construction fires, simply because a fire watch would be looking for fires after they have started, rather than trying to prevent them in the first place.

We believe it would be a better use of resources to focus on reducing the occurrence of fires in the first place. As such, the focus of both industry and regulators should be on improving practices on a construction site that could lead to fire. We would suggest that as an alternative to the provisions A-97, the Legislature instead create a program modelled after the Construction Site Fire Safety Manager (CSFM) in New York City. The CSFM program would designate a person on a construction site who is trained and certified by the state. The CSFM would ensure that work is performed properly and safely, that portable fire extinguishers are appropriately deployed, and that unsafe practices, such as smoking and cooking on a construction site, are avoided. We believe that this proactive approach would have a greater impact on fire safety at construction sites.

Accordingly, we oppose A-97 as currently written and ask you to vote **NO** on the bill when it comes before the General Assembly on December 7, 2017. Should you have any questions or need further information, please do not hesitate to contact me at 732-992-0600.

The New Jersey Apartment Association represents over 600 multi-family rental housing providers throughout the State of New Jersey. We are a statewide organization dedicated to maintaining, improving, and building market-rate and affordable rental housing that serves one in three New Jersey residents.