

COMMUNITY AFFAIRS

DIVISION OF CODES AND STANDARDS

Liquefied Petroleum Gas

Adopted Amendments: N.J.A.C. 5:18-1.2, 1.3, 3.1, 3.3, 3.4, 3.6, 6.4, and 11.1

Proposed: April 7, 2025, at 57 N.J.R. 638(a).

Adopted: January 13, 2026, by Jacquelyn A. Suárez, Commissioner, Department of Community Affairs.

Filed: January 13, 2026, as R.2026 d.041, **with non-substantial changes** not requiring additional notice and public comment (see N.J.A.C. 1:30-6.3).

Authority: N.J.S.A. 21:1B-2 and 52:27D-509.

Effective Date: July 6, 2026.

Expiration Date: July 1, 2031.

Summary of Public Comments and Agency Responses:

Comments were received from Mitch Malec.

1. COMMENT: The commenter recommends amending the proposed language at N.J.A.C. 5:18-1.3(e)6 to include “master” in the heating, ventilation, air conditioning, and refrigeration contractor license title.

RESPONSE: The Department of Community Affairs (Department) thanks the commenter for their recommendation and agrees that the license title requires adjustment upon adoption for clarification and accuracy. As such, this rulemaking will incorporate non-substantial changes in order to integrate language referencing “master” in the title of licensed master heating, ventilation, air conditioning, and refrigeration contractors at N.J.A.C. 5:18-1.3(e)6.

2. COMMENT: The commenter requests the Department accurately reflect when NFPA 58 and when the State Fire Prevention Code is applicable at N.J.A.C. 5:18-1.3(l) and 3.1(a)5ix. The commenter notes that N.J.A.C. 5:70-3 does not apply to owner-occupied one- and two-family dwellings and suggests revising the proposed language.

RESPONSE: The Department respectfully disagrees that the proposed amendments do not accurately reflect when NFPA 58 and the State Fire Prevention Code are applicable. The proposed amendments state that when liquefied petroleum gas (LPG) equipment is to be abandoned or temporarily placed out of service at one- or two-family dwellings, the user/owner shall comply with the NFPA 58 provisions. Further, the proposed language also states that in cases where LPG equipment is abandoned or temporarily placed out of service at other than one- or two-family dwellings, the user/owner shall comply with the provisions of the State Fire Prevention Code, N.J.A.C. 5:70-3.

3. COMMENT: Regarding the proposed amendments at N.J.A.C. 5:18-1.3(l), the commenter requests the specific sections of NFPA 58 that are applicable when LPG equipment is abandoned or temporarily placed out of service. Additionally, the commenter notes that they have found errors at N.J.A.C. 5:70, the Uniform Fire Code, and requests the Department review and revise the chapter.

RESPONSE: NFPA section 6.8.7.1 sets forth the applicable provisions for LPG equipment that is abandoned or temporarily placed out of service. Additionally, this rulemaking concerns various changes at N.J.A.C. 5:18 and is not applicable to N.J.A.C. 5:70. As such, the request for review and revision is outside the scope of this rulemaking.

4. COMMENT: The commenter requests the Department review the proposed language at N.J.A.C. 5:18-3.3(i) and (j) for consistency of terminology among codes. Additionally, the commenter recommends that alternatives to the crash post requirements be allowed and expressed in the regulations.

RESPONSE: The Department has reviewed the proposed language at N.J.A.C. 5:18-3.3(i) and (j) for consistency and has not found inconsistent terminology of these items at N.J.A.C. 5:18. Additionally, the Department respectfully disagrees with the recommendation for alternatives to the crash post requirements. These requirements are expressed at N.J.A.C. 5:18 for uniformity of crash protection devices across the State to ensure they provide the appropriate protection in the event of a collision. Further, alternative methods of protection have not been evaluated for effectiveness by the Department and are not under consideration at this time.

5. COMMENT: Regarding the proposed amendments at N.J.A.C. 5:18-6.4(b), the commenter states that, as written, if an LPG tank remains in place for over six months, then an LPG notice of installation is not required. However, the commenter also explains that the language states that heating equipment or systems cannot be installed until a notice of LPG installation is filed. The commenter notes that the proposed language is illogical and requires revision. The commenter further asks why installing heating equipment or systems prior to tanks being placed is an issue.

RESPONSE: The Department respectfully disagrees that the proposed language requires revision because N.J.A.C. 5:18-6.4 only applies to LPG heating and system installations using one or more tanks of 250 gallons or more water capacity in place for six months or less, as this type of installation is deemed temporary. Any LPG heating and system installations in place for over six

months would be deemed to be non-temporary installations, as long as the requirements pursuant to N.J.A.C. 5:18-6.1 are met. Additionally, the Department's impetus for the proposed amendment is due to the temporary nature of these LPG installations and the ability of the Department's Liquefied Petroleum Gas Safety Unit to be notified in a timely manner of such installations prior to their installation and before their removal. Due to the safety issues that could arise, the Department maintains that it is necessary for the submittal of notice prior to an LPG heating system installation pursuant to N.J.A.C. 5:18-6.4.

6. COMMENT: The commenter, in reference to the proposed amendments at N.J.A.C. 5:18-6.4, questions if the Department considers LPG installations that remain in place for six months or less as temporary installations or does the Department use the NFPA 58 limit on temporary installations.

RESPONSE: In accordance with the provisions at N.J.A.C. 5:18-6.4, LPG heating installations using one or more tanks of 250 gallons or more water capacity are considered temporary if they are in place for six months or less. Additionally, N.J.A.C. 5:18-3.1(a)3ii and iii delete the NFPA 58 provisions on temporary installations; as such, the Department does not use the requirements of NFPA 58 for temporary installations.

7. COMMENT: The commenter recommends that the Department's Notice of LP-Gas Installation form (LP-Gas Installation form) be reviewed for clarity of information and to properly reference items included on the form in the regulations. Additionally, the commenter notes different capitalizations on the LP-Gas Installation form and at N.J.A.C. 5:18. The commenter also questions if the Department's email addresses listed on the LP-Gas Installation

form are correct due to different capitalizations.

RESPONSE: The Department thanks the commenter for their recommendation and will review the LP-Gas Installation form to determine if it should reference information within the regulations, and if further clarification of items is needed. The Department will review the regulations to ensure consistency of email addresses and correct them if deemed necessary. However, the Department does note that differences in capitalizations of the Department's email addresses do not impact the delivery of an email.

Summary of Agency-Initiated Changes:

At N.J.A.C. 5:18-1.3(e)6, language is included to correct the title of a license to reflect the appropriate terminology in accordance with the State Heating, Ventilating, Air Conditioning and Refrigeration Contracting License Law, N.J.S.A. 45:16A-1 through 28. Additionally, at paragraph (e)6, the Department is electing not to adopt the proposed language referencing licensed master hearth specialists due to further review of licensing requirements for these titles for liquified petroleum gas work.

Federal Standards Statement

A Federal standards analysis is not required because the adopted amendments are not being adopted pursuant to the authority of, in order to implement, comply with, or participate in any program established pursuant to Federal law, or pursuant to a State law that incorporates or refers to Federal law, standards, or requirements.

Full text of the adopted amendments follows (additions to proposal indicated in boldface with asterisks ***thus***; deletions from proposal indicated in brackets with asterisks *[thus]*):

SUBCHAPTER 1. GENERAL PROVISIONS

5:18-1.3 Compliance

(a)-(d) (No change from proposal.)

(e) Any person performing installation, maintenance, repair, removal, adjustment, or other services to propane containers or appliances, including, but not limited to, ranges, water heaters, heaters, furnaces, and other propane fueled systems for residential and commercial applications, shall obtain a Propane Service Certification issued by the Department. Persons performing installation or service work on containers must be certified in accordance with (e)1 below; persons performing installation or service work on appliances must be certified in accordance with (e)2 below.

1.-5. (No change from proposal.)

6. Licensed master plumbers*[,]* ***and*** licensed ***master*** heating, ventilation, air conditioning, and refrigeration contractors*[, and licensed master hearth specialists]* are permitted to perform work on LP-Gas systems within the limits established at N.J.S.A. 45:14C-1 through 33 and 45:16A-1 through 41.

(f)-(n) (No change from proposal.)