

[First Reprint]

**SENATE, No. 3042**

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# **STATE OF NEW JERSEY**

## **222nd LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2026 SESSION

**Sponsored by:**

**Senator BENJIE E. WIMBERLY**

**District 35 (Bergen and Passaic)**

**Co-Sponsored by:**

**Senator Stack**

**SYNOPSIS**

Concerns availability of fire escape mechanisms in residential dwellings; provides penalty for violation.

**CURRENT VERSION OF TEXT**

As reported by the Senate Community and Urban Affairs Committee on October 1, 2026, with amendments.



**(Sponsorship Updated As Of: 10/8/2026)**

1 AN ACT concerning fire safety and availability of escape  
2 mechanisms and amending P.L.1991, c.92.

3

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

6

7 <sup>1</sup>**[**1. Section 1 of P.L.1991, c.92 (C.52:27D-198.1) is amended to  
8 read:

9 1. a. A structure used or intended for use for residential  
10 purposes by not more than two households shall have a smoke-  
11 sensitive alarm device on each level of the structure and outside  
12 each separate sleeping area in the immediate vicinity of the  
13 bedrooms and located on or near the ceiling in accordance with  
14 National Fire Protection Association Standard No. 74-1984 for the  
15 installation, maintenance, and use of household fire warning  
16 equipment. The installation of battery operated smoke-sensitive  
17 alarm devices shall be accepted as meeting the requirements of this  
18 section. The smoke-sensitive device shall be tested and listed by a  
19 product certification agency recognized by the Bureau of Fire  
20 Safety.

21 b. Each structure, other than a seasonal rental unit, shall also be  
22 equipped with at least one portable fire extinguisher in conformance  
23 with rules and regulations promulgated by the Commissioner of  
24 Community Affairs pursuant to the "Administrative Procedure Act,"  
25 P.L.1968, c.410 (C.52:14B-1 et seq.). For the purposes of this  
26 section, "portable fire extinguisher" means an operable portable  
27 device, carried and operated by hand, containing an extinguishing  
28 agent that can be expelled under pressure for the purpose of  
29 suppressing or extinguishing fire, and which is: (1) rated for  
30 residential use consisting of an ABC type; (2) no larger than a 10  
31 pound rated extinguisher; and (3) mounted within 10 feet of the  
32 kitchen area, unless otherwise permitted by the enforcing agency.  
33 "Seasonal rental unit" means a dwelling unit rented for a term of not  
34 more than 125 consecutive days for residential purposes by a person  
35 having a permanent residence elsewhere, but shall not include use  
36 or rental of living quarters by migrant, temporary or seasonal  
37 workers in connection with any work or place where work is being  
38 performed.

39 c. Each structure used or intended for use for residential  
40 purposes shall also be equipped with a fire escape mechanism on  
41 each level of the structure containing living space above the ground  
42 floor of the structure. For purposes of this section, a "fire escape  
43 mechanism" means a device or system of devices which will  
44 provide for the safe exit of a person or persons from a window  
45 when egress through the use of ground floor exits is inaccessible

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Senate SCU committee amendments adopted October 1, 2026.

1 due to fire, smoke, or other life-threatening danger. A fire escape  
2 mechanism shall include, but be not limited to, an anchor plate,  
3 hook, and rope system. The Commissioner of Community Affairs  
4 shall promulgate rules and regulations pursuant to the  
5 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
6 seq.) to implement the requirements of P.L. , c. (C. )  
7 (pending before the Legislature as this bill).

8 d. This section shall not be enforced except pursuant to  
9 sections 2 and 3 of P.L.1991, c.92 (C.52:27D-198.2 and 52:27D-  
10 198.3).

11 (cf: P.L.2005, c.71, s.1)】<sup>1</sup>

12  
13 <sup>1</sup>【2. Section 2 of P.L.1991, c.92 (C.52:27D-198.2) is amended to  
14 read:

15 2. a. In any case where a change of occupancy of any building  
16 subject to the requirements of section 1 of P.L.1991, c.92  
17 (C.52:27D-198.1) is subject to a municipal ordinance requiring the  
18 issuance of a certificate of occupancy, certificate of inspection or  
19 other documentary certification of compliance with laws and  
20 regulations relating to safety, healthfulness and upkeep of the  
21 premises, no such certificate shall issue until the municipal officer  
22 or agency responsible for its issuance has determined that the  
23 building is equipped with an alarm device or devices **【and】** , a  
24 portable fire extinguisher, and a fire escape mechanism as required  
25 by section 1 of P.L.1991, c.92 (C.52:27D-198.1).

26 b. In the case of change of occupancy of any building subject  
27 to the requirements of section 1 of P.L.1991, c.92 (C.52:27D-198.1)  
28 to which the provisions of subsection a. of this section do not apply,  
29 no owner shall sell, lease or otherwise permit occupancy for  
30 residential purposes of that building without first obtaining from the  
31 relevant enforcement agency under the "Uniform Fire Safety Act,"  
32 P.L.1983, c.383 (C.52:27D-192 et seq.) a certificate evidencing  
33 compliance with the requirements of P.L.1991, c.92 (C.52:27D-  
34 198.1 et seq.). The local governing body having jurisdiction over  
35 the said enforcing agency or, where the Bureau of Fire Safety is the  
36 enforcing agency, the Commissioner of Community Affairs shall  
37 establish a fee which covers the cost of inspection and of issuance  
38 of the certificate.

39 (cf: P.L.2005, c.71, s.2)】<sup>1</sup>

40  
41 <sup>1</sup>【3. Section 3 of P.L.1991, c.92 (C.52:27D-198.3) is amended  
42 to read:

43 3. An owner who sells, leases, rents or otherwise permits to be  
44 occupied for residential purposes any premises subject to the  
45 provisions of P.L.1991, c.92 (C.52:27D-198.1 et seq.) when the  
46 premises do not comply with the requirements of section 1 of  
47 P.L.1991, c.92 (C.52:27D-198.1), or without complying with the

1 inspection and certification requirements of section 2 of P.L.1991,  
2 c.92 (C.52:27D-198.2), shall be subject to a fine of not more than  
3 **["\$500.00"] \$500** in the case of a violation for an alarm device, **[or]**  
4 a fine of not more than \$100 in the case of a violation for a portable  
5 fire extinguisher, or a fine of not more than \$1,000 in the case of a  
6 violation for a fire escape mechanism, which may be collected and  
7 enforced by the local enforcing agency as defined in subsection g.  
8 of section 5 of P.L.1983, c.383 (C.52:27D-196) by summary  
9 proceedings pursuant to the "Penalty Enforcement Law of 1999,"  
10 P.L.1999, c.274 (C.2A:58-10 et seq.).  
11 (cf: P.L.2005, c.71, s.3) **1**<sup>1</sup>  
12

13 <sup>1</sup>1. Section 1 of P.L.1991, c.92 (C.52:27D-198.1) is amended to  
14 read as follows:

15 1. a. A structure used or intended for use for residential purposes  
16 by not more than two households shall have a smoke-sensitive alarm  
17 device on each level of the structure and outside each separate sleeping  
18 area in the immediate vicinity of the bedrooms and located on or near  
19 the ceiling in accordance with regulations established by the  
20 Commissioner of Community Affairs. The smoke-sensitive device  
21 shall be tested and listed by a product certification agency recognized  
22 by the Division of Fire Safety.

23 b. Each structure subject to the requirements of this section that  
24 contains a secondary power source shall have a label installed within  
25 18 inches of the main electrical panel and electrical meter warning of  
26 the danger associated with secondary power sources.

27 c. Each structure used or intended for use for residential purposes  
28 shall also be equipped with a fire escape mechanism on each level of  
29 the structure containing living space above the ground floor of the  
30 structure. For purposes of this section, a "fire escape mechanism"  
31 means a device or system of devices which will provide for the safe  
32 exit of a person or persons from a window when egress through the  
33 use of ground floor exits is inaccessible due to fire, smoke, or other  
34 life-threatening danger. A fire escape mechanism shall include, but be  
35 not limited to, an anchor plate, hook, and rope system. The  
36 Commissioner of Community Affairs shall, on or before the first day  
37 of the 13th month next following the enactment of P.L. , c.  
38 (pending before the Legislature as this bill), promulgate rules and  
39 regulations pursuant to the "Administrative Procedure Act," P.L.1968,  
40 c.410 (C.52:14B-1 et seq.) to implement the requirements of P.L. , c.  
41 (pending before the Legislature as this bill).

42 d. This section shall not be enforced except pursuant to sections 2  
43 and 3 of P.L.1991, c.92 (C.52:27D-198.2 and C.52:27D-198.3).<sup>1</sup>  
44 (cf: P.L.2025, c.19, s.1)  
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46 <sup>1</sup>2. Section 2 of P.L.1991, c.92 (C.52:27D-198.2) is amended to  
47 read as follows:

1        2. a. In any case where a change of occupancy of any building  
2 subject to the requirements of section 1 of P.L.1991, c.92 (C.52:27D-  
3 198.1) is subject to a municipal ordinance requiring the issuance of a  
4 certificate of occupancy, certificate of inspection, or other  
5 documentary certification of compliance with laws and regulations  
6 relating to safety, healthfulness, and upkeep of the premises, no such  
7 certificate shall issue until the municipal officer or agency responsible  
8 for its issuance has determined that the building is equipped with an  
9 alarm device or devices and a fire escape mechanism as required by  
10 section 1 of P.L.1991, c.92 (C.52:27D-198.1).

11        b. In the case of change of occupancy of any building subject to  
12 the requirements of section 1 of P.L.1991, c.92 (C.52:27D-198.1) to  
13 which the provisions of subsection a. of this section do not apply, no  
14 owner shall sell, lease, or otherwise permit occupancy for residential  
15 purposes of that building without first obtaining from the relevant  
16 enforcement agency under the "Uniform Fire Safety Act," P.L.1983,  
17 c.383 (C.52:27D-192 et seq.) a certificate evidencing compliance with  
18 the requirements of P.L.1991, c.92 (C.52:27D-198.1 et seq.). A  
19 change of ownership of a structure which requires rehabilitation such  
20 that a new certificate of occupancy is required shall be exempted from  
21 this section, provided, however, that the structure shall not be occupied  
22 until the appropriate certificate is obtained pursuant to the "State  
23 Uniform Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et  
24 seq.). In cases including a sheriff's sale, foreclosure, forfeiture, or  
25 purchase from an agency of the federal government where the  
26 structure purchased requires rehabilitation such that a new certificate  
27 of occupancy is required, and where a certificate evidencing  
28 compliance with the requirements of P.L.1991, c.92 (C.52:27D-198.1  
29 et seq.) is not obtained, it shall be the responsibility of the purchaser to  
30 obtain the necessary certificates prior to occupancy.

31 The local governing body having jurisdiction over the said enforcing  
32 agency or, where the Division of Fire Safety is the enforcing agency,  
33 the Commissioner of Community Affairs shall establish a fee which  
34 covers the cost of inspection and of issuance of the certificate.<sup>1</sup>

35 (cf: P.L.2025, c.19, s.2)

36

37        <sup>1</sup>3. Section 3 of P.L.1991, c.92 (C.52:27D-198.3) is amended to  
38 read as follows:

39        3. An owner who sells, leases, rents, or otherwise permits to be  
40 occupied for residential purposes any premises subject to the  
41 provisions of P.L.1991, c.92 (C.52:27D-198.1 et seq.) when the  
42 premises do not comply with the requirements of section 1 of  
43 P.L.1991, c.92 (C.52:27D-198.1), or without complying with the  
44 inspection and certification requirements of section 2 of P.L.1991, c.92  
45 (C.52:27D-198.2), shall be subject to a fine of not more than \$500, or  
46 a fine of not more than \$1,000 in the case of a violation for a fire  
47 escape mechanism, which may be collected and enforced by the local  
48 enforcing agency as defined in subsection g. of section 5 of P.L.1983,

1 c.383 (C.52:27D-196) by summary proceedings pursuant to the  
2 "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et  
3 seq.).<sup>1</sup>  
4 (cf: P.L.2025, c.19, s.3)  
5

6 4. This act shall take effect <sup>1</sup>**【immediately】** on the first day of the  
7 13th month next following enactment, except that the Commissioner  
8 of Community Affairs may take anticipatory administrative action as  
9 shall be necessary for the implementation of this act<sup>1</sup>.