

**GOVERNOR'S STATEMENT UPON SIGNING
ASSEMBLY BILL NO. 4191**

Today, I am signing Assembly Bill No. 4191 into law, which revises certain requirements for swimming pools that took effect on January 16, 2018. Prior to that date, certain facilities with a swimming pool that restricted the pool's use to owners, members, or renters and their guests had been exempted from certain lifeguard and first aid personnel staffing requirements by the Legislature, which simultaneously had given the Commissioner of Health the ability to strip the exemption in the event of an increased safety risk or hazard.

The regulations that took effect on January 16, 2018, which were developed and formulated by the previous administration, provided that facilities such as hotels and motels with diving boards, water slides, and other recreational equipment must comply with the lifeguard and first aid personnel staffing requirements mentioned above. In effect, these regulations eliminated the legislatively-created exemption for all of these types of facilities, without regard to individualized consideration of each site.

The bill I am signing today clarifies that the Department of Health cannot strip a facility of this exemption solely on the basis that a facility has a diving board, water slide, or other recreational equipment. The Department of Health will now simply be required to make these determinations on an individualized basis, as it did prior to January 2018. The Department fully retains its authority to impose lifeguard and first aid personnel staffing requirements for a particular facility if it finds an increased safety risk or hazard due to the presence of recreational equipment. Furthermore, the other changes to the regulatory scheme contained in the bill are minor technical adjustments.

I thank the sponsors for their efforts to improve and modify the regulatory framework surrounding these issues, and I am confident that the Department of Health will continue to ensure the safety of all New Jersey residents who visit and access swimming pools across our State.

Date: January 31, 2019

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor