



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
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CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

October 20, 2009 (**UPDATED February 3, 2010**)

Subject: 2008 NEC and the Rehab Subcode

Updating the Rehabilitation Subcode to the NEC/2008 has been delayed. Therefore, the Department is hereby reminding all code users that any work done in an existing building or dwelling continues to be required to comply with the NEC/2005, which is referenced in the rehabilitation subcode, materials and methods, N.J.A.C. 5:23- 6.8(d).

For example, when an existing service panel is changed or upgraded, no AFCI is required.

However, an addition to an existing building is new construction. The addition **only** is required to comply with the 2008 NEC. Work in the existing building continues to be required to comply with NEC/2005. For dwelling units, AFCI for the addition will be required only **if** a new branch circuit is provided. It is important to remember that existing circuits in the existing dwelling may continue to be used.

Finally, if a permit applicant chooses to use the 2008 NEC, guidance is included in the Fall 2009 edition of the *Construction Code Communicator*.

Please contact me if you have any questions.

Thank you.

Sincerely,

Suzanne Borek
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