

Canons of Professional Ethics and Standards of Conduct for Licensees

A Licensed Tree Expert and a Licensed Tree Care Operator shall abide by the following Canons of Professional Ethics:

1. Adhere to the highest standards of integrity, honesty, and skill to inspire and instill public trust and confidence;
2. Remain reasonably well-informed about current advances in technology and arboricultural techniques, practice, and standards of practice within the professional community;
3. Honestly and accurately describe to prospective clients the likely results of contemplated services, to the extent reasonably necessary to permit a client to make an informed decision regarding the retention of services;
4. Undertake to perform professional services only when he or she, together with those who may be engaged as consultants, are qualified by education, training, and experience in the specific scope of contractual obligations and technical areas involved;
5. Base expert testimony on information found in publications typically relied upon in the profession and/or well-accepted standards and practices of the profession;
6. Maintain a high regard for the safety, health, and welfare of the general public in the performance of his or her professional duties;
7. Render professional services in a manner that is not misleading, false, fraudulent, or grossly negligent;
8. When making any public statement on arboricultural matters, disclose when he or she is being compensated for making such statements; and
9. Accurately disclose his or her qualifications to prospective clients for any contracted work, if asked.

Wrongful conduct by a Licensed Tree Expert or Licensed Tree Care Operator includes:

1. Handling or neglecting to handle professional services in such a manner that the conduct constitutes gross negligence, malpractice, or gross incompetence;
2. Exhibiting a pattern or repeated acts of neglect, negligence, malpractice, or incompetence in the performance of professional services;
3. Engaging in the use or employment of dishonesty, fraud, deception, misrepresentation, false promise, or false pretense in the performance of professional services;
4. Using or approving the use of false, fraudulent, or deceptive advertising;
5. Charging a fee for work not done or hours not spent in the performance of professional services; or
6. Failing to comply with a standard set forth at N.J.A.C. 7:3A-8.1(a) or (b).

N.J. A. C. 7:3A-8.1 (a) or (b)

Conformance with certain industry standards and applicable OSHA regulations:

(a) Each licensee and each registered business providing tree care services for hire in New Jersey shall adhere to the version of the following standards in effect at the time the tree care services in question were performed:

1. The Dictionary of Standard Definitions for the Green Industry, 2009-2010 edition, which is incorporated herein by reference, as amended and supplemented, and available from the Tree Care Industry Association, 136 Harvey Road, Suite 101, Londonderry, NH 03053 shall be the reference standard for nomenclature and terminology for all practices that fall under this chapter unless otherwise defined at N.J.A.C. 7:3A-1.5;

2. The following standards of practice, available from the Tree Care Industry Association, 136 Harvey Road, Suite 101, Londonderry, NH 03053 and the International Society of Arboriculture, PO Box 3129, Champaign, IL 61826, shall be incorporated by reference, as amended and supplemented:



- i. ANSI A300 American National Standard for Tree Care Operations – Tree, Shrub, and Other Woody Plant Management, including: (Part1) – 2014 Pruning, (Part 2) - 2011 Soil Management (modification, fertilization, and drainage), (Part 3) – 2013 Supplemental Support Systems, (Part 4) – 2014 Lightning Protection Systems, (Part 5) – 2012 Management of Trees and Shrubs During Site Planning, Site Development, and Construction, (Part 6) - 2012 Planting and Transplanting, (Part 7) – 2012 Integrated Vegetation Management (Electric Utility Rights-of-Way), (Part 8) – 2013 Root Management, (Part 9) – 2011 Tree Risk Assessment (Tree Structure Assessment), and (Part 10) – 2016 Integrated Pest Management;
- ii. ANSI Z60.1-2014, American Standards for Nursery Stock;
- iii. ANSI Z133-2012, Safety Standards for Arboricultural Operations; and
- iv. The applicable OSHA, Federal Motor Carrier Safety Administration, and Federal Highway Administration regulation, which are set forth in ANSI Z133-2012.

3. Each of the Best Management Practices in the series published by the International Society of Arboriculture, incorporated herein, as amended and supplemented, including Tree Planting (2005), Tree Lightning Protection Systems, Second Edition (2008), Tree and Shrub Fertilization (2007), Integrated Pest Management (2007), Managing Trees During Construction (2008), Tree Support Systems: Cabling, Bracing, Guying, and Propping Second Edition (2007), Utility Pruning of Trees (2004), Tree Pruning Second Edition (2008), Tree Inventories Second Edition (2013), Integrated Vegetation Management Second Edition (2013), and Tree Risk Assessment (2011), as applicable to the practices being performed.

(b) Failure to conform to the standards of practice and safety requirements set forth in (a) above shall constitute a violation of the Tree Expert and Tree Care Operators Licensing Act and this chapter and may result in suspension or revocation of the business’s registration or the licensee’s license and/or imposition of civil administrative penalties as set forth at N.J.A.C. 7:3A-9.6(a).

