

CHAPTER 31
BOARD OF EXAMINERS OF ELECTRICAL
CONTRACTORS

Authority
N.J.S.A. 45:5A-6.

Source and Effective Date
R.1996 d.559, effective November 6, 1996.
See: 28 N.J.R. 4163(a), 28 N.J.R. 5077(b).

Chapter Expiration Date
In accordance with N.J.S.A. 52:14B-5.1c, Chapter 31, Board of Examiners of Electrical Contractors, expires on May 5, 2002. See: 33 N.J.R. 3404(a).

Chapter Historical Note
Chapter 31, Board of Examiners of Electrical Contractors, was filed and became effective prior to September 1, 1969. Subchapter 2, Forms, containing a section on a uniform penalty letter was repealed by R.1981 d.372, effective October 8, 1981. See: 13 N.J.R. 442(b), 13 N.J.R. 707(d). Pursuant to Executive Order No. 66(1978), Chapter 31 was readopted as R.1987 d.44, effective December 12, 1986. See: 18 N.J.R. 2113(d), 19 N.J.R. 137(a). Pursuant to Executive Order No. 66(1978), Chapter 31 was readopted as R.1991 d.596, effective November 20, 1991. See: 23 N.J.R. 2917(a), 23 N.J.R. 3762(a). Pursuant to Executive Order No. 66(1978), Chapter 31 was readopted as R.1996 d.559, effective November 6, 1996. See: Source and Effective Date.

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SUBCHAPTER 2. (RESERVED)

SUBCHAPTER 1. GENERAL RULES AND REGULATIONS

13:31-1.1 Board meetings; quorum

(a) Regular Board meetings shall be held in accordance with a schedule that is published yearly and filed with the Secretary of State.

(b) Special meetings may be held at the request of a Board member or called by the Chairman with publication of appropriate notice pursuant to the requirements of the Open Public Meetings Act.

(c) A majority of the voting members of the Board shall constitute a quorum thereof and no action of the Board shall be taken except on the affirmative vote of a majority of the members of the entire Board.

(d) In the absence of the chairman, members shall select one of the members attending the meeting to serve as chairman for that meeting.

Amended by R.1987 d.44, effective January 5, 1987.
See: 18 N.J.R. 2113(d), 19 N.J.R. 137(a).

Old text deleted and new text substituted.

13:31-1.2 Qualifications of applicants

(a) Applicants for examination for a license as an electrical contractor shall present proof satisfactory to the Board that the applicant:

1. Is over the age of 21 years;
2. Holds a high school diploma or equivalency certificate; and
3. Has had, immediately preceding the making of the application, at least five years of hands-on experience working with tools in the installation, alteration, or repair of wiring for electric light, heat or power, which work shall have been done in compliance with the National Electrical Code. Hands-on experience shall not include time spent in supervising, engineering, estimating and other managerial tasks. Hands-on experience means that the applicant has:
 - i. Completed a four-year apprenticeship program approved by both a Federal agency and a Federally certified state agency recognized by the Board and at least one year of hands-on experience acceptable to the Board. A certificate of completion issued by the apprenticeship program shall be submitted with the application for the electrical contractor's examination as well as proof of the additional year of hands on experience; or
 - ii. Met the definition of a qualified journeyman electrician. The applicant shall submit proof of having satisfied the definition of N.J.A.C. 13:31-1.4(b);
 - iii. Earned a bachelor's degree in electrical engineering and completed two years of hands-on experience acceptable to the Board; or
 - iv. Provided proof of the necessary education and five years of hands-on experience gathered through an alternative means.

Amended by R.1987 d.44, effective January 5, 1987.

See: 18 N.J.R. 2113(d), 19 N.J.R. 137(a).

Added text in (a) "The required term . . . other managerial tasks."

Amended by R.1996 d.143, effective March 18, 1996.

See: 28 N.J.R. 63(a), 28 N.J.R. 1553(a).

Amended by R.1998 d.543, effective November 16, 1998.

See: 30 N.J.R. 2351(a), 30 N.J.R. 4057(a).

In (a), rewrote 3.

13:31-1.3 Examinations

(a) The Board examination shall be the National Electrical Contractor Licensing Examination developed by the National Assessment Institute of College Park, Maryland.

(b) An applicant must obtain a passing grade on the National Electrical Contractor Licensing Examination. Any applicant who fails to pass the Board examination shall not be eligible to retake the examination for six months from the date of such failure.

(c) An applicant shall complete all required application forms and questionnaires supplied by the Board. Examinations shall be held at least four times a year. Information about scheduled examinations and deadlines for submissions of completed applications including appropriate fees may be obtained from the Board offices at Post Office Box 45006, Newark, New Jersey 07101.

Amended by R.1981 d.491, effective December 21, 1981.

See: 13 N.J.R. 664(a), 13 N.J.R. 946(c).

(c): "two" was "three"; (c)1: "and" added and deleted after (c)2; (c)3 deleted.

(d): Old text deleted and new text substituted therefor.

Amended by R.1987 d.44, effective January 5, 1987.

See: 18 N.J.R. 2113(d), 19 N.J.R. 137(a).

Deleted old text and substituted new.

Amended by R.1991 d.596, effective December 16, 1991.

See: 23 N.J.R. 2917(a), 23 N.J.R. 3762(a).

Revised (c).

Amended by R.1994 d.331, effective July 5, 1994.

See: 26 N.J.R. 1218(a), 26 N.J.R. 2795(a).

13:31-1.4 Definitions

(a) Minor repair work within the meaning of N.J.S.A. 45:5A-18(a) shall include, without limitation, the replacement of lamps and fuses operating at less than 150 volts to ground with a like or similar item.

(b) "Qualified journeyman electrician" as used in N.J.S.A. 45:5A-18(k) shall mean and include any person who is either:

1. The holder of a current valid license to practice electrical contracting issued by the Board;

2. A person who has acquired 8,000 hours of practical experience working with tools in the installation, alteration or repair of wiring for electric light, heat or power and who has had a minimum of 576 classroom hours of related instruction. The requirement of practical experience shall not include time spent in supervising, engineering, estimating and other managerial tasks; or

3. A person who can demonstrate to the satisfaction of the Board that he or she has gathered the required experience through alternative means.

(c) "Regular employee" as used in N.J.S.A. 45:5A-18(l) shall mean an individual who receives a regular salary for the performance of functions which include, but are not necessarily exclusively limited to, those associated with the installation, repair and maintenance of electrical work for the State, county, municipality, or school district which occupies the premises on which such work is done.

Amended by R.1987 d.44, effective January 5, 1987.

See: 18 N.J.R. 2113(d), 19 N.J.R. 137(a).

Deleted text "existing wall swatches . . . existing incandescent fixtures." and added "operating at less . . .".

Amended by R.1991 d.596, effective December 16, 1991.

See: 23 N.J.R. 2917(a), 23 N.J.R. 3762(a).

Corrected error.

Amended by R.1992 d.66, effective February 3, 1992.

See: 23 N.J.R. 979(a), 24 N.J.R. 471(b).

Section revised.

Amended by R.1998 d.543, effective November 16, 1998.

See: 30 N.J.R. 2351(a), 30 N.J.R. 4057(a).

In (b), substituted "Qualified" for "The term qualified" at the beginning of the introductory paragraph and added 3.

Amended by R.1999 d.244, effective August 2, 1999.

See: 30 N.J.R. 4112(a), 31 N.J.R. 2222(b).

Added (c).

13:31-1.5 Bonds

An action may be maintained on the bond required by N.J.S.A. 45:5A-19 by any person injured, aggrieved or damaged through the failure of the obligor to perform the duties prescribed for electrical contractors under the provisions of N.J.S.A. 45:5A-1, et seq. or any rule of the Board.

Case Notes

Ordinance regulating building contractors invalidated as too vague and imprecise; eligibility for financial benefits of bond. *New Jersey Builders Ass'n v. Mayor and Tp. Council, Tp. of East Brunswick*, 60 N.J. 222, 287 A.2d 725 (1972).

13:31-1.6 Familiarity with laws

Electrical contractors and business permit holders shall be familiar with all general and special Federal, State and municipal laws, ordinances and regulations pertaining to the business of electrical contracting and those employed or engaged therein.

13:31-1.7 Worker's compensation

(a) Business permit holders shall obtain the worker's compensation insurance required by the laws of this State covering employees employed by the business permit holder or his subcontractor. Business permit holders shall keep a certificate of insurance evidencing such coverage on file with the Board.

(b) Business permit holders shall be responsible for ensuring all temporary employees in their employ have the required worker's compensation coverage.

Amended by R.1987 d.44, effective January 5, 1987.
See: 18 N.J.R. 2113(d), 19 N.J.R. 137(a).
"Worker's" substituted for "workmen's".

Amended by R.1998 d.543, effective November 16, 1998.
See: 30 N.J.R. 2351(a), 30 N.J.R. 4057(a).
In (a), added a new last sentence; and added (b).

13:31-1.8 Work standards and inspections

(a) Every licensee who performs or supervises the installation, erection, repair or alteration of electrical equipment for the generation, transmission or utilization of electrical energy subject to "The Electrical Contractors Licensing Act of 1962" (N.J.S.A. 45:5A-1 et seq.) shall assure that the work performed conforms to the standards of the National Electrical Code in effect at the time the work is performed.

(b) Every licensee who performs or supervises work described in (a) above shall, within a reasonable time after completion of the work, secure an inspection of the completed work in conformity with the State Uniform Construction Code Act, N.J.S.A. 52:27D-119 et seq., and the Uniform Construction Code, N.J.A.C. 5:23-1.1 et seq.

(c) Every such licensee shall be responsible for correcting, within a reasonable time and at no additional charge to the customer, any Code violation discovered in the work performed or supervised by the licensee.

(d) Failure to comply with (a), (b) or (c) above shall be deemed occupational misconduct within the meaning of N.J.S.A. 45:1-21(e).

Amended by R.1982 d.92, effective April 5, 1982.

See: 13 N.J.R. 607(b), 14 N.J.R. 346(c).

Rule concerning inspection authorities repealed and replaced with rule concerning work standards and inspections.

13:31-1.9 Identification of licensees, permittee and qualified journeyman electricians

(a) All vehicles utilized for the installation or repair of electrical equipment shall be visibly marked with the company name, the license number and the business permit number.

(b) All business correspondence and advertising shall display the license or business permit number.

(c) No licensee shall perform electrical contracting work without having in his possession a business permit identification as provided in N.J.S.A. 45:5A-9.

(d) Upon request, the Board of Examiners of Electrical Contractors will issue a qualified journeyman electrician identification card to an individual who satisfies the definition of N.J.A.C. 13:31-1.4(b)1, 2 or 3 and requests such a card. The fee, as set forth in N.J.A.C. 13:31-1.11, shall be payable only one time.

Amended by R.1987 d.44, effective January 5, 1987.

See: 18 N.J.R. 2113(d), 19 N.J.R. 137(a).

Added "and advertising" to text.

Amended by R.1994 d.467, effective September 19, 1994.

See: 26 N.J.R. 1218(b), 26 N.J.R. 3877(a).

Amended by R.1996 d.143, effective March 18, 1996.

See: 28 N.J.R. 63(a), 28 N.J.R. 1553(a).

Added (d).

Amended by R.1998 d.543, effective November 16, 1998.

See: 30 N.J.R. 2351(a), 30 N.J.R. 4057(a).

In (d), deleted "either" following "definition of" and updated N.J.A.C. references in the first sentence.

13:31-1.10 Requirement of pressure seal defined

(a) At the time of the issuance of the license or as soon thereafter as deemed appropriate, the Board of Examiners of Electrical Contractors shall furnish a seal to every State-licensed electrical contractor. The cost of the seal shall be paid for by the State-licensed electrical contractor to whom it is issued. The seal shall be used exclusively by the State-licensed electrical contractor in the conduct of his practice. The State-licensed electrical contractor is required to impress the said seal upon all applications for electrical inspection by the appropriate duly licensed State inspection agency.

(b) No person, other than the electrical contractor to whom the license and business permit shall have been issued by this board, shall have the right to use the aforesaid seal. Any violation of this provision shall subject, first, the person wrongfully using the seal, and secondly, the licensee who willfully or negligently allows such unlicensed and unauthorized person to use said seal to such penalties and sanctions as shall be imposed by the board pursuant to authority granted by N.J.S.A. 45:5A-1 et seq. and N.J.S.A. 45:1-14 et seq.

(c) A licensee whose license is suspended or revoked as a result of either a disciplinary order or a failure to pay licensing fees shall immediately return to the Board the previously issued official pressure seal.

(d) If the person whose license qualified a business entity to engage in electrical contracting is rendered incapable of fulfilling his or her professional duties due to death, illness or other condition, the licensee or such other individual who may lawfully act for the business entity may delay returning the official pressure seal for at least six months provided that:

1. The Board is immediately notified in writing of the name of a new electrical contractor licensed by the Board, or of such other person as the Board deems acceptable, who shall qualify the business entity during the interim period provided by this subsection; and

2. The business entity complies with all the provisions of the Electrical Contractors Licensing Act of 1962 and all regulations adopted thereafter.

(e) During this interim period, the business entity may complete work in progress and may contract for new work provided that all such electrical work is performed or supervised by a licensed electrical contractor.

(f) The Board may, for good cause shown, extend by six months the interim period during which electrical contracting may be performed provided that the conditions set forth in (d) above are satisfied.

(g) By the end of either the initial six-month period or the additional six-month extension period, the pressure seal issued by the Board to the individual licensee cited in (d) above shall be returned to the Board consistent with N.J.S.A. 45:5A-14.

New Rule, R.1976 d.369, effective November 19, 1976.

See: 8 N.J.R. 424(d), 8 N.J.R. 563(a).

Amended by R.1987 d.44, effective January 5, 1987.

See: 18 N.J.R. 2113(d), 19 N.J.R. 137(a).

Deleted subsection (c).

Amended by R.1991 d.596, effective December 16, 1991.

See: 23 N.J.R. 2917(a), 23 N.J.R. 3762(a).

Corrected error in (a).

Amended by R.1994 d.332, effective July 5, 1994.

See: 26 N.J.R. 1594(a), 26 N.J.R. 2795(b).

13:31-1.11 Fee schedule

(a) The following fees shall be charged by the Board:

1. Application fee (non-refundable).....\$100.00
2. Initial license fee:
 - i. If paid during the first year of a triennial renewal period\$150.00
 - ii. If paid during the second year of a triennial renewal period\$100.00
 - iii. If paid during the third year of a triennial renewal period\$ 50.00
3. Triennial license renewal.....\$150.00
4. Late renewal fee (within 30 days)\$ 50.00
5. Reinstatement fee\$100.00
6. Initial business permit:
 - i. If paid during the first year of a triennial renewal period\$ 75.00
 - ii. If paid during the second year of a triennial renewal period\$ 50.00
 - iii. If paid during the third year of a triennial renewal period\$ 25.00
7. Triennial business permit renewal\$ 75.00
8. Late renewal fee, permit\$ 25.00
9. Replacement seal press\$ 40.00
10. Duplicate license/business permit fee\$ 25.00
11. Replacement wall license/business permit.....\$ 40.00
12. Verification of licensure\$ 25.00
13. Identification card, qualified journeyman electrician (payable one time).....\$10.00
14. Telecommunications wiring exemption—application fee and issuance of identification card (non-refundable).....\$120.00

New Rule, R.1986 d.193, effective June 2, 1986.

See: 18 N.J.R. 462(a), 18 N.J.R. 1201(b).

Amended by R.1991 d.163, effective March 18, 1991.

See: 23 N.J.R. 22(a), 23 N.J.R. 879(a).

Upon adoption amended to reflect P.L. 1991 c.6, triennial renewals.

Administrative Correction to (a)1: Application fee should be \$50.00.

See: 23 N.J.R. 1199(a).

Amended by R.1993 d.93, effective February 16, 1993.

See: 24 N.J.R. 339(a), 25 N.J.R. 705(a).

Added new (a)6.

Amended by R.1994 d.594, effective December 5, 1994.

See: 26 N.J.R. 2742(a), 26 N.J.R. 4780(a).

Administrative correction.

See: 27 N.J.R. 5032(a).

Amended by R.1996 d.143, effective March 18, 1996.

See: 28 N.J.R. 63(a), 28 N.J.R. 1553(a).

In (a) added free for qualified journeyman electrician.

13:31-1.12 Continuing education

(a) At the time of publication of each new edition of the National Electrical Code, each licensee shall attend a course of study approved by the Board relating to the new Code.

(b) Proof of the completion of the Code course referred to in (a) above shall be provided to the Board by each licensee as a prerequisite to the renewal of his license.

(c) The Board may, in its discretion, waive the requirements of this section for reasons of hardship or illness. To apply for a waiver from the continuing education requirement, a licensee shall write to the Board explaining the reasons for the waiver request.

New Rule, R.1987 d.242, effective June 15, 1987.

See: 19 N.J.R. 49(a), 19 N.J.R. 1099(a).

Amended by R.1996 d.143, effective March 18, 1996.

See: 18 N.J.R. 63(a), 28 N.J.R. 1553(a).

Added (c).

Public Notice: Notice of Receipt of and Action on a Petition for Rulemaking.

See: 29 N.J.R. 4576(a), 29 N.J.R. 5111(a), 30 N.J.R. 248(a), 30 N.J.R. 495(b).

13:31-1.13 Supervision of electrical work

(a) The licensee whose license qualifies the holder of a business permit to engage in the business of electrical contracting in the State of New Jersey shall assume full responsibility for the inspection and supervision of all electrical work to be performed by the permittee in compliance with recognized safety standards.

(b) The qualifying licensee shall be deemed not to have assumed such required responsibility where he engages in the following acts and practices:

1. Failure to personally inspect and supervise the work of employees where necessary and appropriate.
2. Failure to ensure that electrical workers are afforded the degree of personal on-site supervision commensurate with their level of competence and the complexity of the work to be performed.
3. Failure to be personally available on a reasonable basis where circumstances require personal availability.
4. Regular and continuous absence from the principal office of the permit holder where the permit holder maintains a New Jersey office; or the regular and continuous absence from the work sites of electrical work performed in New Jersey where the permit holder does not maintain a New Jersey office.

New Rule, R.1987 d.242, effective June 15, 1987.

See: 19 N.J.R. 49(a), 19 N.J.R. 1099(a).

13:31-1.14 Notification of change of address

Every licensee and business permit holder shall give notice to the Board of any change of address within 10 days of such change.