

CHAPTER 31**BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS****Authority**

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

Source and Effective Date

R.2002 d.164, effective May 2, 2002.
See: 33 N.J.R. 3404(a), 34 N.J.R. 1932(b).

Chapter Expiration Date

Chapter 31, Board of Examiners of Electrical Contractors, expires on May 2, 2007.

Chapter Historical Note

Chapter 31, Board of Examiners of Electrical Contractors, was adopted 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Subchapter 2, Forms, containing a section on a uniform penalty letter was repealed by R.1981 d.372, effective October 8, 1981.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, Board of Examiners of Electrical Contractors, 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, Board of Examiners of Electrical Contractors, 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, Board of Examiners of Electrical Contractors, was readopted as R.1996 d.559, effective November 6, 1996. See: 28 N.J.R. 4163(a), 28 N.J.R. 5077(b).

Chapter 31, Board of Examiners of Electrical Contractors, was readopted as R.2002 d.164, effective May 2, 2002. See: Source and Effective Date. See, also, section annotations.

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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 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).

Recodified from N.J.A.C. 13:31-1.4 by R.2002 d.164, effective June 3, 2002.

See: 33 N.J.R. 3404(a), 34 N.J.R. 1932(b).

Former N.J.A.C. 13:31-1.2, Qualification of applicants, recodified to N.J.A.C. 13:31-2.1.

13:31-1.3 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.

Recodified from N.J.A.C. 13:31-1.5 by R.2002 d.164, effective June 3, 2002.

See: 33 N.J.R. 3404(a), 34 N.J.R. 1932(b).

Former N.J.A.C. 13:31-1.3, Examinations, recodified to N.J.A.C. 13:31-2.2.

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).

13:31-1.4 Compliance with laws

Electrical contractors and business permit holders shall comply 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. Violations of any such Federal, State and municipal laws, ordinances and regulations may be deemed occupational misconduct within the meaning of N.J.S.A. 45:1-21(e) and may subject a licensee to disciplinary action as set forth at N.J.S.A. 45:1-21 et seq.

Recodified from N.J.A.C. 13:31-1.6 and amended by R.2002 d.164, effective June 3, 2002.

See: 33 N.J.R. 3404(a), 34 N.J.R. 1932(b).

Rewrote section. Former N.J.A.C. 13:31-1.4, Definitions, recodified to N.J.A.C. 13:31-1.2.

13:31-1.5 Identification of licensees, permittees and qualified journeyman electricians; vehicles; stationery; advertising

(a) All commercial vehicles utilized in the practice of licensed electrical contracting shall be visibly marked on both sides with the following information:

1. The name of the licensed electrical contractor in lettering at least three inches in height;

2. The words "Electrical Contractor license number" or "Electrical Contractor Lic. #" followed by the license number of the qualifying licensee and the words "Electrical Contractor business permit number" or "Electrical Contractor Bus. Permit #" followed by the business permit number of the business permit holder in lettering at least three inches in height; and

3. The name of the owner or lessee of the vehicle and the municipality from which the licensee practices or where the licensee has a principal office in lettering at least three inches in height.

i. Where available space for lettering is limited, either by design of the vehicle or by the presence of other legally specified identification markings, making strict compliance with (a)1, 2 or 3 above impractical, the size of the lettering shall be as close to three inches high as possible within the limited space, provided the name is clearly visible and readily identifiable.

(b) All business correspondence and stationery shall display the following information:

1. The name of the licensed electrical contractor;

2. The words "Electrical Contractor license number" or "Electrical Contractor Lic. #" followed by the license number of the qualifying licensee and the words "Electrical Contractor business permit number" or "Electrical Contractor Bus. Permit #" followed by the business permit number of the business permit holder; and

3. The business address, including the street name and number, of the qualifying licensee.

(c) All advertising shall include the following information:

1. The name of the licensed electrical contractor;

2. The words "Electrical Contractor license number" or "Electrical Contractor Lic. #" followed by the license number of the qualifying licensee and the words "Electrical Contractor business permit number" or "Electrical Contractor Bus. Permit #" followed by the business permit number of the business permit holder; and

14. Continuing education sponsor application fee 100.00

Recodified from N.J.A.C. 13:32-2.1 by R.1997 d.456, effective November 3, 1997.

See: 29 N.J.R. 3592(a), 29 N.J.R. 4704(b).

Amended by R.1999 d.212, effective July 6, 1999.

See: 31 N.J.R. 836(b), 31 N.J.R. 1816(b).

Rewrote (a).

Amended by R.2002 d.80, effective March 18, 2002.

See: 33 N.J.R. 3731(a), 34 N.J.R. 1266(a).

In (a), added 14.

SUBCHAPTER 6. CONTINUING EDUCATION

Authority

N.J.S.A. 45:14C-7.

Source and Effective Date

R.2002 d.80, effective March 18, 2002.

See: 33 N.J.R. 3731(a), 34 N.J.R. 1266(a).

13:32-6.1 License renewal, continuing education requirement

(a) Every licensee shall successfully complete five credits of continuing education at an approved course per biennial period. Licensees applying for their first biennial renewal are exempt from this continuing education requirement.

(b) A licensee shall indicate on the license renewal form that he or she has completed the continuing education requirements required by this subchapter. Failure to meet the continuing education requirements as set forth in this subchapter or the falsification of any information submitted with the renewal application may result in an appearance before the Board, or the imposition of disciplinary sanctions pursuant to N.J.S.A. 45:1-21 et seq.

(c) A person whose license is inactive shall not be required to take continuing education courses during the period of inactive status. A person who wishes to reactivate his or her license shall successfully complete continuing education credits for the biennial period immediately preceding his or her reactivation.

(d) Every licensee shall maintain, for a period of four years, a record of all verification of attendance forms for all continuing education courses the licensee has completed. Licensees who teach a continuing education course during a biennial period shall maintain, for a four year period, records which indicate that the licensee has taught a Board approved continuing education course.

(e) The Board may review the records of any licensee, at any time, in order to ensure that the licensee has complied with the continuing education requirements.

13:32-6.2 Continuing education sponsors; Board approval; duties

(a) All sponsors of continuing education courses shall obtain Board approval prior to offering a continuing education course for an upcoming biennial period. The Board shall maintain a list of approved courses at the Board offices and shall furnish this information to licensees upon request.

(b) A sponsor seeking Board approval shall appear before the Board and submit, prior to that appearance, the following:

1. Detailed descriptions of course content and estimated hours of instruction;
2. Curriculum vitae of each instructor, including specific background which qualifies the individual as an instructor in specific areas; and
3. The continuing education sponsor application fee pursuant to N.J.A.C. 13:32-5.1(a)14.

(c) The sponsor of a continuing education course shall furnish each attendee a verification of attendance, which shall include the following:

1. The title, date and location of course or program offering;
2. The name and license number of the attendee;
3. The number of hours attended; and
4. The name and signature of the sponsor or instructor.

(d) The sponsor of a continuing education course shall monitor the attendance at each approved course and maintain an attendance log which lists the name and license number of every licensee who attends a course. The program sponsor shall submit the attendance log to the Board upon completion of the course. The log shall document that each licensee has completed the sponsor's course.

(e) The sponsor shall obtain course evaluations from both participants and instructors and maintain these evaluations as part of the sponsor records.

(f) The Board may evaluate the performance of any continuing education instructor through observation of the instructor during the presentation of a course or evaluate the qualifications and abilities of the instructor by conducting an interview during a Board meeting.

(g) A continuing education class shall consist of no more than 50 people.

13:32-6.3 Required course topics

(a) Three months prior to the beginning of a biennial period, the Board shall determine which topics shall be provided by program sponsors for the upcoming biennial

period. The Board shall determine these topics at a regularly scheduled public Board meeting.

(b) The list of topics which shall be required by the Board for a biennial period shall be published as a public notice in the New Jersey Register and shall be available at the Board offices.

13:32-6.4 Credit awarded

(a) One continuing education credit shall equal one hour of attendance at a continuing education course.

(b) A licensee who teaches a continuing education course shall earn five credits of continuing education for the biennial period in which he or she teaches.

13:32-6.5 Waiver of continuing education requirement

(a) The Board may waive continuing education requirements on an individual basis for reasons of hardship, such as illness, disability, military duty or other good cause which prevents the licensee from completing continuing education credits during a biennial period.

(b) Any licensee seeking a waiver of the continuing education requirements shall apply to the Board in writing and set forth in specific detail the reasons for requesting the waiver. The licensee shall provide the Board with such supplemental materials as will support the request for waiver.