

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

N.J.S.A. 45:1-14 et seq. and 45:5A-6; and
P.L. 2013, c. 182 and P.L. 2013, c. 49.

Source and Effective Date

R.2015 d.043, effective March 16, 2015.
See: 46 N.J.R. 1930(a), 47 N.J.R. 651(b).

Chapter Expiration Date

Chapter 31, Board of Examiners of Electrical Contractors, expires on March 16, 2022.

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Subchapter 2, Forms, containing a section on a uniform penalty letter was repealed by R.1981 d.372, effective October 8, 1981.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: 33 N.J.R. 3404(a), 34 N.J.R. 1932(b).

Chapter 31, Board of Examiners of Electrical Contractors, was readopted as R.2007 d.301, effective August 23, 2007. See: 39 N.J.R. 1632(a), 39 N.J.R. 3940(a).

Subchapter 5, Qualified Journeyman Electricians, was adopted as new rules by R.2008 d.374, effective December 15, 2008. See: 39 N.J.R. 4915(a), 40 N.J.R. 6986(a).

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 31, Board of Examiners of Electrical Contractors, was scheduled to expire on August 23, 2014. See: 43 N.J.R. 1203(a).

Chapter 31, Board of Examiners of Electrical Contractors, expired on February 19, 2015, and was adopted as new rules by R.2015 d.043, effective March 16, 2015. 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

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

“Act” means the Electrical Contractor Licensing Act of 1962, P.L. 1962, c.162, N.J.S.A. 45:5A-1 et seq.

“Apprentice” means a person who is enrolled in a four-year apprenticeship program approved by both a Federal agency and a Federally certified state agency.

“Board” means the Board of Examiners of Electrical Contractors established pursuant to N.J.S.A. 45:5A-3.

“Business permit holder” means an electrical contractor who has obtained a business permit pursuant to N.J.S.A. 45:5A-9.

“Employee” means a person whose remuneration is reported on a Form W-2 to the Internal Revenue Service, and whose work is supervised pursuant to the provisions of N.J.A.C. 13:31-3.4.

“Licensee” means a person who has satisfied the requirements of N.J.A.C. 13:31-2.1 and 2.2 and has been issued a license as an electrical contractor by the Board pursuant to N.J.S.A. 45:5A-9.

“Minor repair work” shall include, without limitation, the replacement of lamps and fuses operating at less than 150 volts to ground with like or similar lamps or fuses.

“Qualifying licensee” means a licensee who has satisfied the requirements of N.J.A.C. 13:31-2.1 and 2.2 and whose license qualifies a business permit holder to engage in the business of electrical contracting in the State of New Jersey.

“Regular employee” as used in N.J.S.A. 45:5A-18(k) and (l) means an individual hired to work on an ongoing and continuous basis, whose remuneration is reported on a Form W-2 to the Internal Revenue Service, for the performance of functions, which include 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.

Repeal and New Rule, R.2004 d.190, effective May 17, 2004.

See: 35 N.J.R. 3438(a), 36 N.J.R. 2533(a).

Section was “Definitions”.

Amended by R.2008 d.374, effective December 15, 2008.

See: 39 N.J.R. 4915(a), 40 N.J.R. 6986(a).

In (a), deleted definition “Qualified journeyman electrician”.

Amended by R.2015 d.043, effective March 16, 2015.

See: 46 N.J.R. 1930(a), 47 N.J.R. 651(b).

In the introductory paragraph, deleted designation (a); added definition “Employee”; and in definition “Regular employee”, substituted “18(k) and (l)” for “18(l)”, substituted “hired to work on an ongoing and continuous basis, whose remuneration is reported on a Form W-2 to the Internal Revenue Service,” for “who receives a regular salary”, and inserted a comma following “functions” and following “repair”.

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 principal 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.

Amended by R.2015 d.043, effective March 16, 2015.

See: 46 N.J.R. 1930(a), 47 N.J.R. 651(b).

Inserted a comma following “aggrieved”, substituted “principal” for “obligor”, deleted comma following “45:5A-1”, and inserted a comma following “et seq.”

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, qualified journeyman electricians, 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 in the practice of electrical contracting. 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 or registrant 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.

Amended by R.2015 d.043, effective March 16, 2015.

See: 46 N.J.R. 1930(a), 47 N.J.R. 651(b).

Inserted “, qualified journeyman electricians,” inserted a comma following “State” twice and following “ordinances” twice, inserted “or registrant”, and substituted “in the practice of electrical contracting” for “therein”.

13:31-1.5 Identification of licensees and permittees; 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; and
2. 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.
 - 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 or 2 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 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 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.

(d) Every licensed electrical contractor whose name, office address, place of practice, license number or business permit number appears or is mentioned in any advertisement of any kind or character shall be presumed to have caused, permitted

or approved the advertising and shall be personally responsible for its content and character.

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

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.

Recodified from N.J.A.C. 13:31-1.9 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. 13:31-1.5, Bonds, recodified to N.J.A.C. 13:31-1.3.

Amended by R.2008 d.374, effective December 15, 2008.

See: 39 N.J.R. 4915(a), 40 N.J.R. 6986(a).

Section was “Identification of licensees, permittees and qualified journeyman electricians; vehicles; stationery; advertising”. Deleted (f).

Amended by R.2015 d.043, effective March 16, 2015.

See: 46 N.J.R. 1930(a), 47 N.J.R. 651(b).

Rewrote the section.

13:31-1.6 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. 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. Initial/replacement pressure seal\$ 25.00
10. Replacement license/business permit fee\$ 25.00
11. Replacement wall license/business permit\$ 40.00
12. Verification of licensure\$ 25.00
13. Qualified journeyman electrician registration fee:
 - i. If paid during the first year of a triennial..... \$ 60.00
 - ii. If paid during the second year of a triennial\$ 40.00
 - iii. If paid during the third year of a triennial.....\$ 20.00
14. Qualified journeyman electrician registration renewal\$ 60.00

15. Telecommunications wiring exemption—application fee and issuance of identification card (non-refundable)..... \$120.00
16. Continuing education sponsor fee \$100.00

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.

Amended by R.2002 d.121, effective April 15, 2002.

See: 33 N.J.R. 2238(a), 34 N.J.R. 1548(a).

Added (a)15.

Recodified from N.J.A.C. 13:31-1.11 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. 13:31-1.6, Familiarity with laws, recodified to N.J.A.C. 13:31-1.4.

Amended by R.2007 d.301, effective September 17, 2007.

See: 39 N.J.R. 1632(a), 39 N.J.R. 3940(a).

In (a)9, substituted "Initial/replacement" for "Replacement" and "\$25.00" for "\$40.00".

Amended by R.2008 d.374, effective December 15, 2008.

See: 39 N.J.R. 4915(a), 40 N.J.R. 6986(a).

In (a), rewrote (a)13, added new (a)14, and recodified former (a)14 and (a)15 as (a)15 and (a)16.

Amended by R.2015 d.043, effective March 16, 2015.

See: 46 N.J.R. 1930(a), 47 N.J.R. 651(b).

In (a)6, substituted "Business" for "Initial business"; in (a)9, substituted "pressure seal" for "seal press"; and in (a)10, substituted "Replacement" for "Duplicate".

13:31-1.7 Continuing education requirements

(a) Upon triennial license renewal, a licensee shall attest that he or she has completed courses of continuing education of the types and number of credits specified in (b), (c), (d) and (e) below. Falsification of any information submitted on the renewal application may require an appearance before the Board and may subject a licensee to disciplinary action as set forth at N.J.S.A. 45:1-21 et seq.

(b) Each applicant for triennial license renewal shall be required to complete, during the preceding triennial period, except as provided in (b)1 below, a minimum of 34 credit hours of continuing education.

1. Licensees shall not be required to complete the continuing education requirements for the triennial registration period in which they initially received licensure.

2. A licensee who completes more than the minimum continuing education credits set forth above in any triennial registration period may carry no more than eight of the additional credits into a succeeding triennial period;

3. Any continuing education credits completed by the licensee in compliance with an order or directive from the Board as set forth in (j) below shall not be used to satisfy the minimum continuing education requirements as set forth in this section.

(c) A licensee, who is not exempt pursuant to (b)1 above, shall complete a minimum of a 10 hour course of study relating to the most recent edition of the National Electrical Code, nine hours of which shall pertain to the code and one hour of which shall pertain to applicable State statutes and rules. A licensee shall obtain the balance of continuing education credits in the following areas:

1. Installation, erection, repair or alteration of electrical equipment for the generation, transmission or utilization of electrical energy;
2. Transmission or utilization of electrical energy;
3. Job estimating, management and business practices;
4. Supervisory responsibilities as set forth in N.J.A.C. 13:31-3.4; and
5. Any other subjects relevant to electrical contracting and electrical construction.

(d) A licensee may obtain continuing education credits from the following:

1. Successful completion of continuing education courses or programs approved by the Board pursuant to (h) below. The Board shall approve only such continuing education courses and programs as are available and advertised on a reasonable nondiscriminatory basis to all persons practicing electrical contracting in the State and are directly related to the practice of electrical contracting in the State of New Jersey, except that an electrical contracting association or other professional or technical association offering continuing education programs or courses may impose a reasonable differential in program or course registration fees for licensees who are not members of that association. The Board shall maintain a list of all approved programs, courses and lecturers at the Board office and shall furnish this information to licensees upon request;
2. Participation in instructional activities such as developing curriculum for a new program or course and/or teaching a new program or course, provided the program or course is directly related to the practice of electrical contracting in the State of New Jersey. "New" means that the licensee has never taught or developed curriculum for that course or program in any educational setting;

3. Authorship of a textbook or manual or a chapter of a textbook or manual directly related to the practice of electrical contracting in the State of New Jersey, provided the textbook or manual, as published, is at least 7,500 words in length; and

completion of the training within a period of time prescribed by the Board following the restoration of the license. The Board in its discretion may restore the license subject to the applicant's completion of the training within a period of time prescribed by the Board following the restoration of the license. In making its determination whether there are practice deficiencies requiring remediation, the Board shall consider the following factors including, but not limited to:

1. Length of duration license was inactive;
2. Employment history;
3. Professional history;
4. Disciplinary history and any action taken against the applicant's license by any licensing board;
5. Actions affecting the applicant's privileges taken by any institution, organization, or employer related to the practice of electrical contracting or other professional or occupational practice in New Jersey, any other state, the District of Columbia, or in any other jurisdiction;
6. Pending proceedings against a professional or occupational license issued to the licensee by a professional board in New Jersey, any other state, the District of Columbia, or in any other jurisdiction; and
7. Civil litigation related to the practice of electrical contracting or other professional or occupational practice in New Jersey, any other state, the District of Columbia, or in any other jurisdiction.

New Rule, R.2002 d.164, effective June 3, 2002.

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

Amended by R.2007 d.301, effective September 17, 2007.

See: 39 N.J.R. 1632(a), 39 N.J.R. 3940(a).

Inserted "application to the Board, which shall include the", "the renewal fee set forth in N.J.A.C. 13:31-1.6 and" and "for the current triennial registration period within three years prior to the date of application for the return to active status, as" and deleted "to the Board" following "evidence".

Repeal and New Rule, R.2015 d.043, effective March 16, 2015.

See: 46 N.J.R. 1930(a), 47 N.J.R. 651(b).

Section was "Inactive license status".

13:31-2.5 License reinstatement

(a) Pursuant to N.J.S.A. 45:1-7.1.c, a licensee who has had his or her license suspended pursuant to N.J.A.C. 13:31-2.3(e) may apply to the Board for reinstatement. A licensee applying for reinstatement shall submit:

1. A reinstatement application;
2. A certification of employment listing each job held during the period of suspended license, which includes the name, address, and telephone number of each employer;
3. The renewal fee for the triennial period for which reinstatement is sought;
4. The past due renewal fee for the triennial period immediately preceding the renewal period for which reinstatement is sought;

5. The reinstatement fee set forth in N.J.A.C. 13:31-1.6; and

6. Evidence of having completed all continuing education credits for the current triennial registration period which were required to be completed during the triennial period immediately prior to the renewal period for which reinstatement is sought, consistent with the requirements set forth in N.J.A.C. 13:31-1.7.

i. An applicant who holds a valid, current license in good standing issued by another state to engage in the practice of electrical contracting and submits proof of having satisfied that state's continuing education requirements for that license, shall be deemed to have satisfied the requirements of (a)6 above. If the other state does not have any continuing education requirements, the requirements of (a)6 above apply.

ii. To the extent that specific courses are required to satisfy the continuing education requirement for, or are required to have been satisfied prior to, the triennial period for which reinstatement is sought, the Board will allow applicants to take the courses within 12 months following reinstatement. If the Board concludes, in accordance with (b) below, that there are practice deficiencies in need of remediation, (b) below shall apply.

(b) If a Board review of an application establishes a basis for concluding that there may be practice deficiencies in need of remediation prior to reinstatement, the Board may require the applicant to submit to and successfully pass an examination or an assessment of skills, a refresher course, or other requirements as determined by the Board prior to reinstatement license. If that examination or assessment identifies deficiencies or educational needs, the Board may require the applicant, as a condition of reinstatement of licensure, to take and successfully complete any education or training or to submit to any supervision, monitoring, or limitations, as the Board determines are necessary to assure that the applicant practices with reasonable skill and safety. The Board in its discretion may restore the license subject to the applicant's completion of the training within a period of time prescribed by the Board following the restoration of the license. In making its determination whether there are practice deficiencies requiring remediation, the Board shall consider the following factors including, but not limited to:

1. Length of duration license was suspended;
2. Employment history;
3. Professional history;
4. Disciplinary history and any action taken against the applicant's license by any licensing board;
5. Actions affecting the applicant's privileges taken by any institution, organization, or employer related to the practice of electrical contracting or other professional or

occupational practice in New Jersey, any other state, the District of Columbia, or in any other jurisdiction;

6. Pending proceedings against a professional or occupational license issued to the licensee by a professional board in New Jersey, any other state, the District of Columbia, or in any other jurisdiction; and

7. Civil litigation related to the practice of electrical contracting or other professional or occupational practice in New Jersey, any other state, the District of Columbia, or in any other jurisdiction.

New Rule, R.2015 d.043, effective March 16, 2015.
See: 46 N.J.R. 1930(a), 47 N.J.R. 651(b).

13:31-2.6 Credit towards licensure for education, training, and experience received while serving as a member of the Armed Forces

(a) An applicant who has served in the Armed Forces of the United States and who does not meet all of the training, education, and experience requirements for licensure under N.J.A.C. 13:31-2.1 may apply to the Board for recognition of the applicant's training, education, or experience received while serving as a member of the Armed Forces, which the Board shall consider together with any training, education, and experience obtained outside of the Armed Forces, for determining substantial equivalence to the training, education, and experience required for licensure.

(b) The Board shall issue a license to the applicant, if the applicant presents evidence to the Board that:

1. The applicant has been honorably discharged from active military service;

2. The relevant training, experience, and education the applicant has received in the military and outside the military is substantially equivalent in scope and character to the training, experience, and education required for licensure under N.J.A.C. 13:31-2.1.

i. An applicant seeking credit for military training and experience shall submit to the Board the applicant's Verification of Military Experience and Training (VMET) Document, DD Form 2586 or a successor form, as amended and supplemented.

ii. An applicant seeking credit for education courses completed while in the military and outside of the military that are not part of an earned bachelor's degree in electrical engineering shall submit to the Board a transcript of his or her education for a determination that the education courses completed are substantially equivalent in level, scope, and intent to the educational background under N.J.A.C. 13:31-2.1. For the purpose of determining substantial equivalence of the applicant's military education or training, the Board shall consider only those courses relevant to the practice of electrical engineering that have been evaluated by the American

Council on Education for substantial equivalence to civilian postsecondary curricula; and

3. The applicant complies with all other requirements for licensure, including successful completion of the Board's licensing examination as set forth in N.J.A.C. 13:31-2.2.

(c) It is the applicant's responsibility to provide timely and complete evidence of the education, training, and/or service gained in the military for review and consideration.

(d) If the applicant's military training, education, or experience, or a portion thereof, is not deemed to be substantially equivalent to that required for licensure, the Board shall credit whatever portion of the military training, education, or experience that is substantially equivalent towards meeting the requirements under N.J.A.C. 13:31-2.1 for the issuance of the license.

(e) Satisfactory evidence of such education, training, or service will be assessed on a case-by-case basis.

New Rule, R.2015 d.043, effective March 16, 2015.
See: 46 N.J.R. 1930(a), 47 N.J.R. 651(b).
Administrative correction.
See: 47 N.J.R. 829(a).

SUBCHAPTER 3. STANDARDS OF PRACTICE

13:31-3.1 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 maintain on file a certificate of insurance evidencing such coverage.

(b) Business permit holders shall ensure that all temporary employees working under the supervision of the permit holders have obtained 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).

Recodified from N.J.A.C. 13:31-1.7 and amended by R.2002 d.164, effective June 3, 2002.

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

In (a), rewrote the second sentence; rewrote (b).

13:31-3.2 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 ensure that the work performed is in conformity with the standards of the State

2. A certification that the applicant is familiar with and is in full compliance with Part 68 of the Federal Communications Commission regulations (47 C.F.R. section 68.1 et seq.) concerning installation of telecommunications wiring and any other applicable Federal regulations;

3. A certification that the applicant is familiar with and will comply with applicable National Electrical Code requirements, including, but not limited to, Article 800 (communication circuits) and the State Uniform Construction Code Act, N.J.S.A. 52:27D-119 et seq., and its implementing rules set forth in the Uniform Construction Code, N.J.A.C. 5:23, and that the applicant will be responsible for obtaining any required local permits and inspections for all work;

4. A certification that the applicant shall not perform the following work unless or until an electrical contractor's business permit is obtained from the Board:

i. Wiring defined by the National Electrical Code as service conductors (the conductors from the service point to the service disconnecting means), feeder (all circuit conductors between the service equipment, the source of a separately derived system, or other power supply source and the final branch-circuit overcurrent device), and branch circuit (the circuit conductors between the final overcurrent device protecting the circuit and the outlets(s)). Wiring between power supplies integral with telecommunication equipment and the telecommunication equipment is not intended to be prohibited.

ii. Telecommunications wiring from telecommunications equipment to power operated controlled equipment; or

iii. Installation of work in hazardous/classified areas as defined by Article 500 of the National Electrical Code. Classified areas are those in which hazardous liquids, vapors, gases, dusts and fiber are normally present (Division 1 locations) or may be present due to maintenance or equipment malfunction (Division 2 locations); and

5. A certification that the business shall not subcontract telecommunications wiring work to a person or business entity not having a business permit or a telecommunications wiring exemption issued by the Board.

(d) The application shall be accompanied by a processing fee as set forth in N.J.A.C. 13:31-1.6.

(e) The Board may require a personal interview with the applicant.

(f) If the applicant meets Board requirements for exemption set forth in this subsection, the Board shall issue a letter and an identification card designating the business as exempt.

(g) The exempt entity shall notify the Board in writing of any change of address within 10 days of the address change.

(h) The exempt entity shall notify the Board in writing of any change in name, ownership or form of ownership within 30 days of such change.

(i) After an opportunity to be heard pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., a telecommunications wiring exemption may be revoked on a showing that the exempt entity has engaged in the unlicensed practice of electrical contracting involving non-exempt electrical work; or that the exempt entity has a history of failure to pass local inspections or to obtain required permits; or for any reason which may serve as a basis to suspend, revoke or deny a license to engage in electrical contracting as more particularly set forth in N.J.S.A. 45:1-21 et seq.

(j) Nothing in this section shall preclude a licensed electrical contractor from performing telecommunications wiring.

New Rule, R.1993 d.93, effective February 16, 1993.

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

Recodified from N.J.A.C. 13:31-1.17 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 (c)4i; in (d), revised N.J.A.C. reference.

Amended by R.2007 d.301, effective September 17, 2007.

See: 39 N.J.R. 1632(a), 39 N.J.R. 3940(a).

In (c)3, substituted "State Uniform Construction Code Act, N.J.S.A. 52:27D-119 et seq., and its implementing rules set forth in the Uniform Construction Code, N.J.A.C. 5:23," for "regulations of the New Jersey Department of Community Affairs".

Amended by R.2015 d.043, effective March 16, 2015.

See: 46 N.J.R. 1930(a), 47 N.J.R. 651(b).

In (a), added the last sentence.

13:31-4.2 Limited well drillers or pump installers exemption

(a) Well drillers or pump installers licensed pursuant to N.J.S.A. 58:4A-4.1 et seq., are exempt from the license and business permit requirements of N.J.S.A. 45:5A-9(a) for work involving the installation, servicing, or maintenance of well or water pumps.

1. Such work includes any exterior wiring from the well or water pump to the outside of the building and any interior wiring from the exterior wall terminating at the load side terminals of the pump controller, pressure switch or disconnecting means for the pump which must be no more than 10 feet from the point where the exterior wiring enters the building.

2. Nothing in this section shall be deemed to exempt such work from permits and inspections required by the State Uniform Construction Code Act, N.J.S.A. 52:27D-119 et seq. and its implementing rules set forth in the Uniform Construction Code, N.J.A.C. 5:23.

New Rule, R.1998 d.543, effective November 16, 1998.

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

Recodified from N.J.A.C. 13:31-1.18 by R.2002 d.164, effective June 3, 2002.

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

Amended by R.2007 d.301, effective September 17, 2007.

See: 39 N.J.R. 1632(a), 39 N.J.R. 3940(a).

In (a)2, substituted "N.J.S.A. 52:27D-119 et seq. and its implementing rules set forth in the Uniform Construction Code, N.J.A.C. 5:23" for "P.L. 1975, c.217 (N.J.S.A. 52:27D-119 et seq.) or rules adopted pursuant thereto".

13:31-4.3 Testing, servicing, or repairing of electrical equipment or apparatus exemption

(a) Pursuant to N.J.S.A. 45:5A-18(c), testing, servicing, or repairing of electrical equipment or apparatus, consistent with the provisions of this section, shall be exempt from the license and business permit requirements of N.J.S.A. 45:5A-9(a).

(b) For purposes of this section, the following words and terms shall have the following meanings, unless the context clearly indicates otherwise:

"Ballast" means a component of an electric-discharge lamp used to obtain the necessary circuit conditions for starting and operating the electric-discharge lamp.

"Branch circuit" means the circuit conductor between the final overcurrent device protecting the circuit and the outlet(s).

"Electrical equipment or apparatus" means utilization equipment, other than electric signs, that are connected to a branch circuit.

"Servicing or repairing" means restoration or improvement of electrical equipment or apparatus by replacing a component of the electrical equipment or apparatus that is worn or

broken, such that the electrical equipment or apparatus, once serviced or repaired, conforms to the manufacturer's original specifications. "Servicing or repairing" shall not be construed to permit the replacement of ballasts or light emitting diode (LED) drivers.

"Testing" means procedures used to determine proper operation of electric equipment or apparatus or to isolate non-functioning components of such equipment or apparatus.

"Utilization equipment" means equipment that utilizes electric energy for electronic, electromechanical, chemical, heating, lighting or similar purpose.

New Rule, R.2004 d.417, effective November 1, 2004.

See: 35 N.J.R. 4818(a), 36 N.J.R. 4983(a).

Amended by R.2015 d.043, effective March 16, 2015.

See: 46 N.J.R. 1930(a), 47 N.J.R. 651(b).

Section was "Testing, servicing or repairing of electrical equipment or apparatus exemption". Rewrote the section.

SUBCHAPTER 5. QUALIFIED JOURNEYMAN ELECTRICIANS

13:31-5.1 Registration as qualified journeyman electrician

(a) A person shall register as a qualified journeyman electrician in order to engage in the activities set forth in N.J.S.A. 45:5A-18(k), and, if the person is not a licensee, in order to supervise the performance of electrical work pursuant to N.J.A.C. 13:31-3.4. In order to register as a qualified journeyman electrician, an applicant shall submit the registration fee set forth at N.J.A.C. 13:31-1.6 and shall submit a completed application that establishes that the applicant:

1. Holds a current valid active license to practice electrical contracting issued by the Board;
2. 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, which work shall have been done in compliance with the National Electrical Code, 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. At least 4,000 hours of the practical experience shall have been obtained within five years of the date of application; or
3. Can demonstrate to the satisfaction of the Board that he or she has gathered the required experience through alternative means.

Amended by R.2010 d.038, effective May 17, 2010.

See: 41 N.J.R. 2615(a), 42 N.J.R. 938(a).

In (a)2, inserted ", which work shall have been done in compliance with the National Electrical Code,".

Amended by R.2015 d.043, effective March 16, 2015.

See: 46 N.J.R. 1930(a), 47 N.J.R. 651(b).

In the introductory paragraph of (a), deleted "by December 15, 2009," following the first occurrence of "electrician"; and deleted (b).

13:31-5.2 Registration renewal

(a) The Board shall send a notice of renewal to each qualified journeyman electrician, at least 60 days prior to the expiration of the registration. The notice of renewal shall explain inactive renewal and advise the registrant of the option to renew as inactive. If the notice to renew is not sent 60 days prior to the expiration date, no monetary penalties or fines shall apply to the holder for failure to renew provided that the registration is renewed within 60 days from the date the notice is sent or within 30 days following the date of registration expiration, whichever is later.

(b) A qualified journeyman electrician shall renew his or her registration for a period of three years from the last expiration date. The registrant shall submit a renewal application to the Board, along with the renewal fee set forth in N.J.A.C. 13:31-1.6, prior to the date of registration expiration.

(c) A qualified journeyman electrician may, upon application to the Board, renew his or her certificate of registration by choosing inactive status. A qualified journeyman electrician electing to renew his or her certificate of registration as inactive shall not perform or supervise electrical work as provided in N.J.S.A. 45:5A-18(k) and N.J.A.C. 13:31-3.4, or hold himself or herself out as eligible to perform or supervise electrical work as provided in N.J.S.A. 45:5A-18(k) and N.J.A.C. 13:31-3.4, in New Jersey until such time as the registration is returned to active status. An inactive registrant shall also not perform work as provided in N.J.S.A. 45:5A-18(l) unless, as set forth in N.J.S.A. 45:5A-18(l), the registrant holds a civil service title with a job description that includes electrical work pursuant to the "Civil Service Act," N.J.S.A. 11A:1-1 et seq., or is an employee of a State authority who has completed an apprenticeship training program approved by the United States Department of Labor, Bureau of Apprenticeship Training, that deals specifically with electrical work, and is of a minimum duration of three years.

(d) If a qualified journeyman electrician does not renew the registration prior to its expiration date, the registrant may renew the registration within 30 days of its expiration by submitting a renewal application, a renewal fee, and a late fee as set forth in N.J.A.C. 13:31-1.6. During this 30-day period, the certificate of registration shall be valid and the registrant shall not be deemed practicing without a registration.

(e) A qualified journeyman electrician who fails to submit a renewal application within 30 days of registration expiration shall have his or her certificate of registration suspended without a hearing.

(f) A qualified journeyman electrician who continues to perform or supervise electrical work as provided in N.J.S.A. 45:5A-18(k) and N.J.A.C. 13:31-3.4 with a suspended registration shall be deemed to be engaging in the unauthorized practice of a qualified journeyman electrician and shall be subject to action consistent with N.J.S.A. 45:1-14 et seq., even if no notice of suspension has been provided to the

individual. A qualified journeyman electrician who continues to perform work as provided in N.J.S.A. 45:5A-18(l) with a suspended registration unless, as set forth in N.J.S.A. 45:5A-18(l), the registrant holds a civil service title with a job description that includes electrical work pursuant to the "Civil Service Act," N.J.S.A. 11A:1-1 et seq., or is an employee of a State authority and has completed an apprenticeship training program approved by the United States Department of Labor, Bureau of Apprenticeship Training, that deals specifically with electrical work, and is of a minimum duration of three years, shall be deemed to be engaging in the unauthorized practice of a qualified journeyman electrician and shall be subject to action consistent with N.J.S.A. 45:1-14 et seq., even if no notice of suspension has been provided to the individual.

Repeal and New Rule, R.2015 d.043, effective March 16, 2015.

See: 46 N.J.R. 1930(a), 47 N.J.R. 651(b).

Section was "Registration renewal; suspension; reinstatement".

13:31-5.3 Registration reactivation

(a) A qualified journeyman electrician who holds an inactive certificate of registration pursuant to N.J.A.C. 13:31-5.2(c) may apply to the Board for reactivation of the inactive certificate of registration. A registrant seeking reactivation of an inactive certificate of registration shall submit:

1. A renewal application;
2. A certification of employment listing each job held during the period of inactive registration, which includes the name, address, and telephone number of each employer;
3. The renewal fee for the triennial period for which reactivation is sought as set forth in N.J.A.C. 13:31-1.6; and
4. Evidence of having completed all continuing education credits for the current triennial registration period that were required to be completed during the triennial period immediately prior to the renewal period for which reactivation is sought, consistent with the requirements set forth in N.J.A.C. 13:31-5.5.
 - i. An applicant who holds a valid, current license or certificate of registration in good standing issued by another state to perform or supervise electrical work as provided in N.J.S.A. 45:5A-18(k) and (l), and N.J.A.C. 13:31-3.4 and submits proof of having satisfied that state's continuing education requirements for that certification of registration, shall be deemed to have satisfied the requirements of (a)4 above. If the other state does not have any continuing education requirements, the requirements of (a)4 above apply.

ii. To the extent that specific courses are required to satisfy the continuing education requirement for, or are required to have been satisfied prior to, the triennial period for which reactivation is sought, the Board will

allow applicants to take the courses within 12 months following reactivation. If the Board concludes, in accordance with (b) below, that there are practice deficiencies in need of remediation, (b) below applies.

(b) If a Board review of an application establishes a basis for concluding that there may be practice deficiencies in need of remediation prior to reactivation, the Board may require the applicant to submit to and successfully pass an examination or an assessment of skills, a refresher course, or other requirements as determined by the Board prior to reactivation of the registration. If that examination or assessment identifies deficiencies or educational needs, the Board may require the applicant, as a condition of reactivation of registration, to take and successfully complete any education or training or to submit to any supervision, monitoring, or limitations, as the Board determines are necessary to assure that the applicant practices with reasonable skill and safety. The Board in its discretion may restore the certificate of registration subject to the applicant's completion of the training within a period of time prescribed by the Board following the restoration of the certificate of registration. The Board in its discretion may restore the certificate of registration subject to the applicant's completion of the training within a period of time prescribed by the Board following the restoration of the certificate of registration. In making its determination whether there are practice deficiencies requiring remediation, the Board shall consider the following factors including, but not limited to:

1. Length of duration certificate of registration was inactive;
2. Employment history;
3. Professional history;
4. Disciplinary history and any action taken against the applicant's license or registration by any licensing board;
5. Actions affecting the applicant's privileges taken by any institution, organization, or employer related to the performance of supervision of electrical work or other professional or occupational practice in New Jersey, any other state, the District of Columbia, or in any other jurisdiction;
6. Pending proceedings against a professional or occupational license, registration, or certificate issued to the applicant by a professional board in New Jersey, any other state, the District of Columbia, or in any other jurisdiction; and
7. Civil litigation related to the practice of a qualified journeyman electrician or other professional or occupational practice in New Jersey, any other state, the District of Columbia, or in any other jurisdiction.

Repeal and New Rule, R.2015 d.043, effective March 16, 2015.

See: 46 N.J.R. 1930(a), 47 N.J.R. 651(b).

Section was "Inactive registration status".

13:31-5.4 Registration reinstatement

(a) Pursuant to N.J.S.A. 45:1-7.1.c, a qualified journeyman electrician who has had his or her certification of registration suspended pursuant to N.J.A.C. 13:31-5.2(e) may apply to the Board for reinstatement. A registrant applying for reinstatement shall submit:

1. A reinstatement application;
2. A certification of employment listing each job held during the period of suspended registration, which includes the name, address, and telephone number of each employer;
3. The renewal fee for the triennial period for which reinstatement is sought;
4. The past due renewal fee for the triennial period immediately preceding the renewal period for which reinstatement is sought;
5. The reinstatement fee set forth in N.J.A.C. 13:31-1.6; and
6. Evidence of having completed all continuing education credits for the current triennial registration period that were required to be completed during the triennial period immediately prior to the renewal period for which reinstatement is sought, consistent with the requirements set forth in N.J.A.C. 13:31-5.5.
 - i. An applicant who holds a valid, current license or certificate of registration in good standing issued by another state to perform or supervise electrical work as provided in N.J.S.A. 45:5A-18(k) and (l), and N.J.A.C. 13:31-3.4 and submits proof of having satisfied that state's continuing education requirements for that certification of registration, shall be deemed to have satisfied the requirements of (a)6 above. If the other state does not have any continuing education requirements, the requirements of (a)6 above shall apply.
 - ii. To the extent that specific courses are required to satisfy the continuing education requirement for, or are required to have been satisfied prior to, the triennial period for which reinstatement is sought, the Board will allow applicants to take the courses within 12 months following reinstatement. If the Board concludes, in accordance with (b) below, that there are practice deficiencies in need of remediation, then (b) below shall apply.

(b) If a Board review of an application establishes a basis for concluding that there may be practice deficiencies in need of remediation prior to reinstatement, the Board may require the applicant to submit to and successfully pass an examination or an assessment of skills, a refresher course, or other requirements as determined by the Board prior to reinstatement of the certificate of registration. If that examination or assessment identifies deficiencies or educational needs, the Board may require the applicant as a condition of reinstatement

of the certificate of registration to take and successfully complete any education or training or to submit to any supervision, monitoring, or limitations, as the Board determines are necessary to assure that the applicant practices with reasonable skill and safety. The Board in its discretion may restore the certificate of registration subject to the applicant's completion of the training within a period of time prescribed by the Board following the restoration of the certificate of registration. In making its determination whether there are practice deficiencies requiring remediation, the Board shall consider the following factors including, but not limited to:

1. Length of duration certificate of registration was suspended;
2. Employment history;
3. Professional history;
4. Disciplinary history and any action taken against the applicant's license or registration by any licensing board;
5. Actions affecting the applicant's privileges taken by any institution, organization, or employer related to the practice of electrical contracting or other professional or occupational practice in New Jersey, any other state, the District of Columbia, or in any other jurisdiction;
6. Pending proceedings against a professional or occupational license, registration, or certificate issued to the applicant by a professional board in New Jersey, any other state, the District of Columbia, or in any other jurisdiction; and
7. Civil litigation related to the practice of a qualified journeyman electrician or other professional or occupational practice in New Jersey, any other state, the District of Columbia, or in any other jurisdiction.

New Rule, R.2015 d.043, effective March 16, 2015.

See: 46 N.J.R. 1930(a), 47 N.J.R. 651(b).

Former N.J.A.C. 13:31-5.4, Continuing education requirements, recodified to N.J.A.C. 13:31-5.5.

13:31-5.5 Continuing education requirements

(a) Upon triennial registration renewal, a qualified journeyman electrician shall attest that he or she has completed 10 credit hours of continuing education on the most recent edition of the National Electrical Code. Falsification of any information submitted on the registration renewal application may require an appearance before the Board and may subject the registrant to disciplinary action as set forth in N.J.S.A. 45:1-21 et seq. Falsification of any information submitted on the registration renewal application by a qualified journeyman electrician who is also a licensed electrical contractor may also result in the suspension or revocation of his or her electrical contracting license. A licensed electrical contractor who satisfies the requirements of N.J.A.C. 13:31-1.7 shall be deemed to have satisfied the requirements of this section.

(b) Any continuing education credits completed by the qualified journeyman electrician in compliance with an order

or directive from the Board as set forth in (g) below shall not be used to satisfy the minimum continuing education requirements of this section.

(c) One credit of continuing education shall be granted for each hour of attendance at programs or courses approved by the Board pursuant to N.J.A.C. 13:31-1.7(d)1, consistent with the following requirements:

1. Credit shall not be granted for programs or courses that are less than one instructional hour long;
2. Credit shall not be granted for more than eight instructional hours obtained in one day; and
3. Completion of an entire program or course or segment of program or course instruction shall be required in order to receive any continuing education credit.

(d) The Board shall perform audits on randomly selected qualified journeyman electricians or upon any qualified journeyman electrician who is the subject of a complaint received by the Board or who is the subject of any Board investigation to determine compliance with continuing education requirements. A qualified journeyman electrician shall maintain a certificate of completion from the sponsor for a period of six years after completion of the continuing education credits and shall submit such documentation to the Board upon request.

(e) All sponsors of continuing education programs or courses shall comply with the requirements set forth in N.J.A.C. 13:31-1.7(h) and (i).

(f) The Board may waive the continuing education requirements of this section on an individual basis for reasons of hardship, such as severe illness, disability, or military service, or for retirement of the certificate of registration as provided in N.J.A.C. 13:31-5.3.

1. A qualified journeyman electrician seeking a waiver of the continuing education requirements shall apply to the Board in writing at least 90 days prior to registration renewal and set forth in specific detail the reasons for requesting the waiver. The qualified journeyman electrician shall provide the Board with such supplemental materials as will support the request for waiver.

2. A waiver of continuing education requirements granted pursuant to this subsection shall only be effective for the triennial period in which such waiver is granted. If the condition(s) which necessitated the waiver persist(s) into the next triennial period, a qualified journeyman electrician shall apply to the Board for the renewal of such waiver for the new triennial period.

(g) The Board may direct or order a qualified journeyman electrician to complete continuing education credits:

1. As part of a disciplinary or remedial measure in addition to the required 10 hours of continuing education credit; or
2. To correct a deficiency in the qualified journeyman electrician's continuing education requirements.

Recodified from N.J.A.C. 13:31-5.4 by R.2015 d.043, effective March 16, 2015.

See: 46 N.J.R. 1930(a), 47 N.J.R. 651(b).

Former N.J.A.C. 13:31-5.5, Board register of applications, recodified to N.J.A.C. 13:31-5.6.

13:31-5.6 Board register of applications

(a) The Board shall maintain a register of all applicants who apply for registration as qualified journeyman electricians pursuant to N.J.A.C. 13:31-5.1. The register shall contain the following information:

1. The name, address, telephone number, and age of the applicant;
2. The date of the application;
3. The place of business of the applicant, if applicable;
4. Whether the applicant was accepted or rejected, and in the case of a rejection, the reasons for the rejection;
5. The registration number issued to accepted applicants; and
6. The date of Board action on the application.

Recodified from N.J.A.C. 13:31-5.5 by R.2015 d.043, effective March 16, 2015.

See: 46 N.J.R. 1930(a), 47 N.J.R. 651(b).