

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 certification.

(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).

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 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, in effect at the time work is performed.

(b) Every licensee who performs or supervises work described in (a) above shall secure permits when required and, within a reasonable time after completion of the work, secure an inspection of the completed work when required to ensure conformity with 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.

(c) Every 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 may be deemed occupational misconduct within the meaning of N.J.S.A. 45:1-21(e) and may subject the licensee to disciplinary action as set forth in N.J.S.A. 45:1-21 et seq.

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.

Recodified from N.J.A.C. 13:31-1.8 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.

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

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

Rewrote (a); and in (b), inserted "its implementing rules set forth in".

13:31-3.3 Pressure seal and signature requirements

(a) At the time of the issuance of the license or as soon thereafter as deemed appropriate, the Board shall furnish a pressure seal to every licensed electrical contractor. The cost of the pressure seal, as set forth in N.J.A.C. 13:31-1.6, shall be paid for by the licensed electrical contractor to whom it is issued. The pressure seal shall be used exclusively by the licensed electrical contractor in the conduct of his or her practice. The licensed electrical contractor shall be required to sign and seal all applications for electrical permits and inspection. The pressure seal shall remain the property of the Board and shall be returned to the Board as provided in (c) below.

(b) No person, other than the electrical contractor to whom the license and business permit shall have been issued by the Board, shall have the right to use the pressure seal. Any violation of this provision shall subject the person wrongfully using the pressure seal, and the licensee who willfully or negligently allows such unlicensed and unauthorized person to use said seal to such penalties and sanctions or disciplinary action as shall be imposed by the Board pursuant to authority granted by N.J.S.A. 45:5A-1 et seq., 45:1-14 et seq. and 45:1-21 et seq.

(c) A licensee shall immediately return to the Board the previously issued official pressure seal when:

1. The licensee has had his or her license suspended or revoked as a result of either a disciplinary order or a failure to pay licensing fees, or has registered with the Board as inactive pursuant to N.J.A.C. 13:31-2.4;

2. The licensee's employment has been terminated or the licensee has resigned from the business entity for which the pressure seal was issued;

3. The licensee no longer holds a position as a qualifying licensee for the business for which the pressure seal was issued; or

4. The business entity for which the pressure seal was issued ceases to operate.

(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 a qualified journeyman electrician registered with the Board pursuant to N.J.A.C. 13:31-5.1, or other person with substantially equivalent experience 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 six month 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 the person whose name is provided to the Board pursuant to (d)1 above.

(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, qualified journeyman electrician or other qualified person cited in (d) above shall be returned to the Board consistent with N.J.S.A. 45:5A-14.

(h) A licensee seeking a replacement pressure seal following the return of a previously issued pressure seal to the Board shall remit the fee set forth in N.J.A.C. 13:31-1.6 for the issuance of the replacement pressure seal.

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).

Recodified from N.J.A.C. 13:31-1.10 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.

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), inserted “, as set forth in N.J.A.C. 13:31-1.6,”; in (b), inserted “or disciplinary action” and substituted “N.J.S.A. 45:5A-1 et seq., 45:1-14 et seq. and 45:1-21 et seq.” for “N.J.S.A. 45:5A-1 et seq. and 45:1-14 et seq.”; and in (c), inserted “or who has been terminated or has resigned from his or her position as a qualifying licensee for a business,” and inserted the last sentence.

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

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

In (d)1, inserted “pursuant to N.J.A.C. 13:31-5.1”.

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

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

Rewrote (a) and (c); and added (h).

13:31-3.4 Supervision of electrical work

(a) The qualifying licensee shall assume full responsibility for the inspection and supervision of all electrical work, other than electrical activities exempt pursuant to N.J.S.A. 45:5A-18, to be performed by the business permit holder in compliance with N.J.A.C. 13:31-1.4 and, if applicable, 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.

(b) The qualifying licensee shall:

1. Supervise the installation, erection, repair or alteration of electrical equipment for the generation, transmission or utilization of energy, other than electrical activities exempt pursuant to N.J.S.A. 45:5A-18, to ensure that such work is performed in compliance with N.J.A.C. 13:31-1.4 and with 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, in effect at the time that the work is performed.

2. Personally inspect the work of employees pursuant to (d) below;

3. 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 pursuant to (d) below; and

4. Be present, on a regular and continuous basis, at the principal office of the business permit holder, where the business permit holder maintains a New Jersey office, or at work sites of electrical work performed in New Jersey, where the business permit holder does not maintain a New Jersey office.

(c) Every 10 employees who are performing electrical work at either one job site or who are performing electrical work at several jobs at different sites simultaneously shall be

supervised, pursuant to (d) below, by a qualifying licensee or by a licensee or qualified journeyman electrician.

(d) A qualifying licensee, licensee, or qualified journeyman electrician shall provide the following supervision:

1. If the employee performing the electrical work has less than three and one half years electrical experience working under 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, the qualifying licensee, licensee, or qualified journeyman electrician shall ensure constant on-site supervision of the employee; or

2. If the employee performing the electrical work has more than three and one half years electrical experience working under 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, the qualifying licensee, licensee, or qualified journeyman electrician shall provide the employee with a verbal or written work order specifying the type of work to be performed, and at the conclusion of the job, the employee shall confirm that the work order has been completed.

(e) A qualifying licensee who violates any provision of this section shall be deemed to have engaged in occupational misconduct within the meaning of N.J.S.A. 45:1-21(e) and shall be subject to disciplinary action as set forth at N.J.S.A. 45:1-21 et seq.

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

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

Recodified from N.J.A.C. 13:31-1.13 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.2004 d.190, effective May 17, 2004.

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

Rewrote the section.

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

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

Rewrote (a), (b)1, (d)1, (d)2 and (e).

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), inserted “, if applicable,”; in (d), inserted a comma following the second occurrence of “licensee” throughout; in (d)1 and (d)2, inserted “electrical” twice; in (d)1, inserted a comma following the second occurrence of “Code”; and in (d)2, inserted “N.J.A.C.”.

13:31-3.5 Joint ventures; subcontracting of electrical work

(a) Where two or more persons form a joint venture for the purpose of contracting to perform electrical work in New Jersey, each party to the joint venture shall hold a business permit issued by the Board to engage in electrical contracting in New Jersey.

(b) The term “persons,” as used in (a) above, is defined to mean individuals, corporations, partnerships or other business entities.

(c) An electrical contractor holding a business permit issued by the Board may only subcontract electrical work to a person or persons holding a business permit issued by the Board.

(d) An electrical contractor holding a business permit shall not subcontract electrical work to be performed by unlicensed persons. This provision shall not be interpreted to prohibit an electrical contractor holding a business permit from assigning electrical work to be performed by his or her unlicensed employees.

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

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

Public Notice: Receipt of petition for rulemaking and action on petition.

See: 28 N.J.R. 2087(b).

Recodified from N.J.A.C. 13:31-1.15 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.2006 d.108, effective March 20, 2006.

See: 37 N.J.R. 583(a), 38 N.J.R. 1460(a).

Section heading was "Joint ventures"; added (c) through (e).

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

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

Deleted (e).

13:31-3.6 Identification card required

(a) At the time of triennial renewal of the license and/or business permit, the Board shall furnish a wallet size identification card to every licensee. The card shall be used exclusively by the licensee in the conduct of his or her practice. A licensee who willfully or negligently allows an unlicensed or an unauthorized person to use his or her identification card shall be deemed to have engaged in occupational misconduct and shall be subject to disciplinary action as shall be imposed by the Board pursuant to authority granted by N.J.S.A. 45:5A-1 et seq., 45:1-14 et seq. and 45:1-21 et seq. The licensee shall be required to present the identification card upon request to the appropriate duly licensed inspection agency upon all applications for electrical permits.

(b) Use of an identification card by any person other than the licensee to whom it is issued shall be deemed to be the use or employment of dishonesty, fraud, deception, misrepresentation, or false pretense. Such conduct shall be unlawful and may be grounds for the suspension or revocation of the license of the unauthorized user if he or she is already licensed by the Board or may result in other disciplinary action against such unauthorized user by the Board pursuant to N.J.S.A. 45:1-21 et seq. With respect to an unlicensed user, such conduct shall be grounds for the refusal to issue a State license at any point in the future or any other action permitted by law pursuant to the provisions of N.J.S.A. 45:1-14 et seq., including a finding that such person has engaged in the unlicensed practice of electrical contracting.

New Rule, R.1987 d.244, effective June 15, 1987.

See: 19 N.J.R. 352(a), 19 N.J.R. 1100(a).

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

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

Recodified from N.J.A.C. 13:31-1.16 and amended by R.2002 d.164, effective June 3, 2002.

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

Neutralized gender references throughout; in (b), inserted reference to N.J.S.A. 45:1-14 et seq.

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), substituted "disciplinary action" for "such penalties and sanctions" and "N.J.S.A. 45:5A-1 et seq., 45:1-14 et seq. and 45:1-21 et seq." for "N.J.S.A. 45:5A-1 et seq. and 45:1-14 et seq."; and in (b), inserted "or may result in other disciplinary action against such unauthorized user by the Board pursuant to N.J.S.A. 45:1-21 et seq.", "or any other action permitted by law" and "including a finding that such person has engaged in the unlicensed practice of electrical contracting".

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

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

In (b), deleted "or his duly authorized agent acting on the licensee's behalf" following "issued", and inserted a comma following "misrepresentation".

13:31-3.7 Unconscionable pricing

(a) A licensee of the State Board of Examiners of Electrical Contractors shall not charge an excessive fee for services. A fee is excessive when, after a review of the facts, a licensee of ordinary prudence and familiarity with local market rates would recognize that the price is so high as to be manifestly unconscionable or overreaching under the circumstances. The Board shall consider the following factors in determining whether a fee is excessive:

1. The time and effort required;
2. The novelty or difficulty of the job;
3. The skill required to perform the job properly;
4. Any special conditions placed upon the performance of the job by the person or entity for which the work is being performed;
5. The experience, reputation and ability of the licensee to perform the services;
6. The cost of materials; and
7. The price customarily charged in the locality for similar services.

(b) It shall constitute occupational misconduct within the meaning of N.J.S.A. 45:1-21(e) to charge an excessive price for services.

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. 13:31-1.19 by R.2002 d.164, effective June 3, 2002.

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

13:31-3.8 Activities requiring licensure and business permit

(a) The following words and terms, when used in this section, shall have the following meaning unless the context indicates otherwise.

“Service point” means the point of connection between the facilities of the public utility serving a customer and the premises wiring.

“Premises wiring” means interior and exterior wiring, including power, lighting, control, and signal circuit wiring, together with all of their associated hardware, fittings, and wiring devices, both permanently and temporarily installed, that extends from the service point of utility conductors or source of power such as a battery, a photovoltaic system, or a generator, transformer, or converter windings, to the outlets. Premises wiring does not include wiring internal to appliances, fixtures, motors, controllers, motor control centers, and similar equipment.

(b) Installing, maintaining, or servicing wiring for the supplying of power from the service point on a customer’s premises to an appliance or other equipment used by the customer for the purpose of light, heat, or power, shall be performed only by a licensee holding a business permit or an employee, except as provided in N.J.S.A. 45:5A-18 and (c) below.

(c) Installing, maintaining or servicing wiring for the supplying of power from the service point on a customer’s premises to an appliance or other equipment used by the customer for the purpose of light, heat or power may be performed by an employee of a public utility offering services that relate to an end user’s premises wiring and determined by the Board of Public Utilities to be competitive, provided that the employee has obtained a license from the Board or is working under the supervision of such a licensee and the utility has obtained a business permit from the Board pursuant to N.J.S.A. 45:5A-9.

(d) Installing, maintaining, servicing, and handling exposed photovoltaic panels, solar inverters, and all other electrical components shall be performed only by a licensee holding a business permit or an employee.

New Rule, R.2003 d.87, effective March 3, 2003.

See: 34 N.J.R. 1622(a), 35 N.J.R. 1269(b).

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), in “Premises wiring”, inserted a comma following “control”, following “fittings”, and following “transformer”, and deleted “solar” preceding “photovoltaic”; in (b), inserted a comma following “maintaining” and following “heat”, and inserted “or an employee”; and added (d).

SUBCHAPTER 4. LICENSURE EXEMPTIONS

13:31-4.1 Limited telecommunications wiring exemption

(a) Pursuant to N.J.S.A. 45:5A-18, the Board may grant an exemption from the license and business permit requirements of N.J.S.A. 45:5A-9(a) to a business engaged in telecom-

munications wiring. Nothing in this section shall be deemed to exempt a business entity from the license and business permit requirements of N.J.S.A. 45:5A-9(a) for the work of an electrical contractor as defined in N.J.S.A. 45:5A-2 or from the license requirements of N.J.S.A. 45:5A-25 when engaging in the alarm business or in the provision of locksmithing services as defined in N.J.S.A. 45:5A-2.

(b) For purposes of this subsection, “telecommunications wiring” means wiring within a premises, either inside or outside a building for voice and/or data transmission at voltage(s) compatible with the system being installed and connected to an FCC recognized communication network at the point of connection provided by the public utility providing communication services to the customer. It shall also include the interconnection of data wiring between computers and/or terminals.

(c) An applicant for a telecommunications wiring exemption shall provide the following to the Board:

1. The full name and address of the applicant together with the nature of the business entity (for example, corporation, partnership or individual proprietorship) and the names and addresses of the owners, partners and/or officers of the entity;

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.