

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

Amended by R.1982 d.92, effective April 5, 1982.
See: 13 N.J.R. 607(b), 14 N.J.R. 346(c).

Rule concerning inspection authorities repealed and replaced with rule concerning work standards and inspections.

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

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

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

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

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

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

Added "and advertising" to text.
Amended by R.1994 d.467, effective September 19, 1994.
See: 26 N.J.R. 1218(b), 26 N.J.R. 3877(a).
Amended by R.1996 d.143, effective March 18, 1996.
See: 28 N.J.R. 63(a), 28 N.J.R. 1553(a).

Added (d).

13:31-1.10 Requirement of pressure seal defined

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

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

granted by N.J.S.A. 45:5A-1 et seq. and N.J.S.A. 45:1-14 et seq.

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

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

1. The Board is immediately notified in writing of the name of a new electrical contractor licensed by the Board, or of such other person as the Board deems acceptable, who shall qualify the business entity during the interim period provided by this subsection; and
2. The business entity complies with all the provisions of the Electrical Contractors Licensing Act of 1962 and all regulations adopted thereafter.

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

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

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

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

See: 8 N.J.R. 424(d), 8 N.J.R. 563(a).
Amended by R.1987 d.44, effective January 5, 1987.
See: 18 N.J.R. 2113(d), 19 N.J.R. 137(a).

Deleted subsection (c).
Amended by R.1991 d.596, effective December 16, 1991.
See: 23 N.J.R. 2917(a), 23 N.J.R. 3762(a).

Corrected error in (a).
Amended by R.1994 d.332, effective July 5, 1994.
See: 26 N.J.R. 1594(a), 26 N.J.R. 2795(b).

13:31-1.11 Fee schedule

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

1. Application fee (non-refundable) \$100.00
2. Initial license fee:
 - i. If paid during the first year of a triennial renewal period \$150.00
 - ii. If paid during the second year of a triennial renewal period \$100.00

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

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

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

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

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

Upon adoption amended to reflect P.L. 1991 c.6, triennial renewals. Administrative Correction to (a)1: Application fee should be \$50.00.

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

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

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

Added new (a)6.

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

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

Administrative correction.

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

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

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

In (a) added free for qualified journeyman electrician.

13:31-1.12 Continuing education

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

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

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

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

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

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

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

Added (c).

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

See: 29 N.J.R. 4576(a), 29 N.J.R. 5111(a).

13:31-1.13 Supervision of electrical work

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

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

1. Failure to personally inspect and supervise the work of employees where necessary and appropriate.

2. Failure to ensure that electrical workers are afforded the degree of personal on-site supervision commensurate with their level of competence and the complexity of the work to be performed.

3. Failure to be personally available on a reasonable basis where circumstances require personal availability.

4. Regular and continuous absence from the principal office of the permit holder where the permit holder maintains a New Jersey office; or the regular and continuous absence from the work sites of electrical work performed in New Jersey where the permit holder does not maintain a New Jersey office.

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

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

13:31-1.14 Notification of change of address

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

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

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

13:31-1.15 Joint ventures

(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.

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).

13:31-1.16 Requirement of identification card defined

(a) At the time of triennial renewal of the license and business permit, the Board of Examiners of Electrical Contractors shall furnish a wallet size identification card to every licensee. The card shall be used exclusively by the licensee in the conduct of his practice. A licensee who willfully or negligently allows an unlicensed or an unauthorized person to use his identification card shall be deemed to have engaged in occupational misconduct and shall be subject to such penalties and sanctions as shall be imposed by the Board pursuant to authority granted by N.J.S.A. 45:5A-1 et seq. and N.J.S.A. 45:1-14 et seq. The licensee is required to present said 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 or his duly authorized agent acting on the licensee's behalf 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 is already licensed by the Board. 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.

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).

13:31-1.17 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 telecommunications wiring.

(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 regulations of the New Jersey Department of Community Affairs 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 supply conductors that extend from the main or transformers to the service equipment of the premises supplied), feeder (all conductors between service equipment or the source of a separately derived system and the final branch-circuit overcurrent device), and branch circuit (the connection between the final overcurrent device protecting the circuit and the outlet/appliance). 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. 13:31-1.11.

(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).

SUBCHAPTER 2. (RESERVED)