

**NEW JERSEY REGISTER
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RULE ADOPTIONS
LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS**

Adopted Amendments: N.J.A.C. 13:31-1.2, 1.5, 1.6, 2.1 and 3.3

Adopted New Rules: N.J.A.C. 13:31-5

Definitions; Identification of Licensees and Permittees; Vehicles; Stationary; Advertising; Fee Schedule; Qualification of Applicants; Pressure Seal and Signature Requirements; Registration as Qualified Journeyman Electrician; Registration Renewal; Suspension; Reinstatement; Inactive Registration Status; Continuing Education Requirements; Board Register of Applicants; Qualified Journeyman Electrician Identification Cards

Proposed: November 19, 2007 at 39 N.J.R. 4915(a).

Adopted: June 4, 2008 by the Board of Examiners of Electrical Contractors, Joseph Schooly, President.

Filed: November 18, 2008 as R.2008 d.374, with substantive and technical changes not requiring additional public notice and comment (see N.J.A.C. 1:30-6.3).

Authority: N.J.S.A. 45:5A-6; 45:5A-11.1 through 45:5A-11.6; and N.J.S.A. 45:1-15.1. Effective Date: December 15, 2008.

Expiration Date: August 23, 2012.

Federal Standards Statement

A Federal standards analysis is not required because the adopted amendments and new rules are governed by N.J.S.A. 45:5A-1 et seq., and are not subject to any Federal standards or requirements. Full text of the adoption follows (additions to the proposal indicated in boldface with asterisks *thus*; deletions from the proposal indicated in brackets with asterisks *[thus]*):

13:31-1.2 Definitions

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

13:31-1.5 Identification of licensees and permittees; vehicles; stationery; advertising

(a)-(e) (No change.)

13:31-1.6 Fee schedule

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

1.-12. (No change.)

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

Recodify existing 14.-15. as 15.-16. (No change in text.)

13:31-2.1 Qualifications of applicants

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

1.-2. (No change.)

3. Has had, immediately preceding the submission of the application, at least five years of practical hands-on experience working with tools in the installation, alteration, or repair of wiring for electric light, heat or power, which work shall have been done in compliance with the National Electrical Code. "Practical hands-on experience" shall not include time spent in supervising, engaging in the practice of engineering, estimating and performing other managerial tasks. In the alternative, the applicant may satisfy the practical hands-on experience requirement by having:

i. (No change.)

ii. Satisfied the eligibility requirements for a qualified journeyman electrician as set forth in N.J.A.C. 13:31-5.1 and completed at least one year of practical hands-on experience as defined in (a)3 above. The applicant shall submit proof of having satisfied the eligibility requirements of a qualified journeyman electrician in N.J.A.C. 13:31-5.1 and a certification by an employer regarding the additional year of practical hands-on experience;

iii.-iv. (No change.)

13:31-3.3 Pressure seal and signature requirements

(a)-(c) (No change.)

(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. (No change.)

(e)-(g) (No change.)

SUBCHAPTER 5. QUALIFIED JOURNEYMAN ELECTRICIANS

13:31-5.1 Registration as qualified journeyman electrician

(a) A person shall register as a qualified journeyman electrician *[within 365 days from (the effective date of this rule)]* *by December 15, 2009,* 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 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.

(b) Any person who holds a qualified journeyman registration identification card issued by the Board pursuant to N.J.A.C. 13:31-1.5(f) on *[(the effective date of this section)]* *December 15, 2008,* shall be deemed to be qualified under (a) above but shall re-register *[within 365 days from (the effective date of this rule)]* *by December 15, 2009,* in order to continue to perform the functions of a qualified journeyman electrician. A previously issued identification card shall be valid *[for 365 days from (the effective date of this rule)]* *until December 15, 2009.* Upon registration as a qualified journeyman electrician, the identification card previously issued shall automatically expire and such person shall be subject to the requirements of N.J.A.C. 13:31-5.2 through 5.5.

13:31-5.2 Registration renewal; suspension; reinstatement

(a) A qualified journeyman electrician shall renew his or her certificate of registration for a period of three years from the last expiration date. The qualified journeyman electrician shall remit 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. A qualified journeyman electrician who submits a renewal application within 30 days following the date of registration expiration shall submit the renewal fee, as well as the late fee set forth in N.J.A.C. 13:31-1.6. 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.

(b) A qualified journeyman electrician who has had his or her certificate of registration suspended pursuant to (a) above may apply to the Board for reinstatement within five years following the date of certificate of registration expiration. A qualified journeyman electrician applying for reinstatement shall submit a renewal application, all past delinquent renewal fees and the reinstatement fee set forth in N.J.A.C. 13:31-1.6, as well as evidence of having completed all continuing education credits, consistent with the requirements set forth in N.J.A.C. 13:31-5.4, for the current triennial registration period within three years prior to the date of application for reinstatement.

13:31-5.3 Inactive registration status

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 [page=6989] for the entire triennial registration period. An inactive registrant may resume the practice of electrical work consistent with the provisions of N.J.S.A. 45:5A-18(k) and N.J.A.C. 13:31-3.4, upon submission of an application to the Board, which shall include evidence of having completed the continuing education requirements, set forth in N.J.A.C. 13:31-5.4, for the current triennial registration period within three years prior to the date of application for return to active status.

13:31-5.4 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 *[, consisting of nine hours]* on the most recent edition of the National Electrical Code *[and one hour on applicable State statutes and rules]*. 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.

13:31-5.5 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.