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RULE ADOPTION
LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
NEW JERSEY BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS
DEFINITIONS; SUPERVISION OF ELECTRICAL WORK

Adopted Repeal and New Rule: N.J.A.C. 13:31-1.2

Adopted Amendment: N.J.A.C. 13:31-3.4

Proposed: August 4, 2003 at 35 N.J.R. 3438(a).

Adopted: November 5, 2003 by the Board of Examiners of Electrical Contractors, Joseph P. Schooley, Chairman.

Filed: April 16, 2004 as R.2004 d.190, without change.

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

Effective Date: May 17, 2004.

Expiration Date: May 2, 2007.

Federal Standards Statement

A Federal standards analysis is not required because the new rule and amendments are governed by N.J.S.A. 45:5A-1 et seq., and are not subject to any Federal standards or requirements. Specifically, N.J.A.C. 13:31-3.4 requires a qualifying licensee to supervise the installation, erection, repair or alteration of electrical equipment so as to ensure that all work is done in accordance with N.J.A.C. 13:31-1.4, which provides that all licensees and business permit holders must comply with all Federal laws, ordinances or regulations pertaining to the business of electrical contracting.

Full text of the adoption follows:

<< NJ ADC 13:31-1.2 >>

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.

"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.

"Qualified journeyman electrician" means:

1. A person who has a current license to practice electrical contracting issued by the Board;
2. A person who has acquired 8,000 hours of practical hands-on 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 instruction in the installation, alteration or repair of wiring for electric light, heat or power. "Practical hands-on experience," as used in this definition, does not include time spent supervising, engaging in the practice of engineering, estimating or performing other managerial tasks; or
3. A person who can demonstrate that he or she has gathered the required experience through alternative means.

"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(l) means an individual who receives a regular salary 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.

<< NJ ADC 13:31-3.4 >>

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 the Electrical Subcode of the Uniform Construction Code, set forth at N.J.A.C. 5:23-3.16 and N.J.A.C. 13:31- 1.4.

(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 provisions of the Electrical Subcode of the Uniform Construction Code, set forth at N.J.A.C. 5:23-3.16, 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 work has less than three and one half years experience working under the Uniform Construction Code set forth at N.J.A.C. 5:23-3.16, the qualifying licensee, licensee or qualified journeyman electrician shall ensure constant on-site supervision of the employee; or

2. If the employee performing the work has more than three and one half years experience working under the Uniform Construction Code set forth at N.J.A.C. 5:23-3.16, 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 the provisions of N.J.S.A. 45:1-21.