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NEW JERSEY ADMINISTRATIVE CODE
TITLE 13
LAW AND PUBLIC SAFETY
CHAPTER 31
BOARD OF EXAMINERS OF ELECTRICAL
CONTRACTORS

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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.

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.

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.

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.

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.

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
- 17) Temporary courtesy license fee \$ 50.00
- 18) Qualified journeyman electrician temporary courtesy registration fee..... \$ 20.00
- 19) Renewal of temporary courtesy license fee \$ 50.00
- 20) Renewal of qualified journeyman electrician temporary courtesy registration fee \$ 20.00

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
 - 4) Authorship of a published article related to the practice of electrical contracting in the State of New Jersey, provided the article, as published, is at least 250 words in length.
- e) Credit for continuing education shall be granted as follows for each triennial registration period:
- 1) Attendance at continuing education programs and courses approved by the Board: one credit for each hour of attendance at an approved program or course. Credit shall not be granted for programs or courses that are less than one instructional hour long. Credit shall not be granted for more than eight instructional hours obtained in one day. 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;
 - 2) Participation in instructional activities: one credit per hour of program or course instruction to a maximum of 15 credits per triennial registration period;
 - 3) Authorship of a textbook or manual or a chapter of a textbook or manual: five continuing education credits per textbook or manual or chapter of a textbook or manual, to a maximum of 10 credits per triennial registration period; and
 - 4) Authorship of a published article: two continuing education credits per published article, to a maximum of eight credits per triennial registration period.
- f) The Board may perform audits on randomly selected licensees or upon any licensee 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 licensee shall maintain the following documentation for a period of six years after completion of the credits and shall submit such documentation to the Board upon request:
- 1) For attendance at programs or courses approved by the Board: a certificate of completion from the sponsor;
 - 2) For publication of manual, textbook, or article: the published item, including the date of publication; and

- 3) For developing curriculum or teaching a course or program: documentation, including a copy of the curriculum, location, date and time of course, duration of course by hour, and letter from sponsor confirming that the licensee developed or taught the course or program.
- g) 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 license.
- 1) A licensee seeking a waiver of the continuing education requirements shall apply to the Board in writing at least 90 days prior to license renewal and set forth in specific detail the reasons for requesting the waiver. The licensee 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 licensee shall apply to the Board for the renewal of such waiver for the new triennial period.
- h) All sponsors of continuing education programs or courses shall:
- 1) Obtain Board approval prior to representing that any course, seminar or program fulfills the requirements of this section;
 - 2) Submit the following for each course or program offered, for evaluation by the Board:
 - i) A detailed description of course content and the hours of instruction; and
 - ii) A curriculum vitae of each lecturer, including specific background which qualifies the individual as a lecturer in the area of instruction;
 - 3) Monitor the attendance at each approved course and furnish to each enrollee a verification of attendance, which shall include at least the following information:
 - i) The title, date and location of program or course offering;
 - ii) The name and license number of attendee;
 - iii) The number of hours attended; and

- iv) The name and signature of officer or responsible party;
 - 4) Solicit program or course evaluations from both participants and the instructors;
 - 5) Submit a fee pursuant to N.J.A.C. 13:31-1.6 for each submission of course or program offering(s) for which Board approval is sought; and
 - 6) Retain accurate records of attendance for a six-year period and submit such documentation to the Board upon request.
- i) A sponsor of a course or program offering that has been previously approved by the Board shall reapply to the Board for approval of the course or program if there are any changes to the course content, hours of instruction or course lecturer. The sponsor shall resubmit to the Board the documentation and continuing education sponsor fee set forth in (h)2 and 5 above. If there are no changes in course content, hours of instruction or course lecturer for a previously approved course or program, the sponsor shall not be required to reapply to the Board for approval prior to offering the course or program in subsequent renewal periods.
- j) Sponsors of continuing education programs or courses shall not:
- 1) Teach the 10 hour course of study on the National Electrical Code set forth in (c) above prior to the January following the publication of the most recent edition of the National Electrical Code; and
 - 2) Conduct a continuing education course or program with more than 75 participants.
- k) The Board may direct or order a licensee to complete continuing education credits:
- 1) As part of a disciplinary or remedial measure in addition to the required 34 hours of continuing education credit; or
 - 2) To correct a deficiency in the licensee's continuing education requirements.

**13:31-1.8 NOTIFICATION OF CHANGE OF ADDRESS OR BUSINESS NAME;
SERVICE OF PROCESS; TERMINATION OR RESIGNATION OF QUALIFYING
LICENSEE**

- a) Every licensee, qualified journeyman electrician, and business permit holder shall give notice to the Board of any change of his or her address of record within 10 days of such change. For purposes of this section, "address of record" means an address designated by a licensee, qualified journeyman electrician, or business permit holder which is part of the

public record and which may be disclosed upon request. "Address of record" may be a licensee, qualified journeyman electrician, or business permit holder's home, business or mailing address, but shall not be a post office box unless the licensee, qualified journeyman electrician, or business permit holder also provides another address that includes a street, city, state, and zip code.

- b) Service of an administrative complaint or other process initiated by the Board, the Attorney General or the Division of Consumer Affairs at the licensee or business permit holder's address of record shall be deemed adequate notice for the commencement of any inquiry or disciplinary proceeding against the licensee or business permit holder.
- c) A licensee who has been terminated or has resigned from his or her position as a qualifying licensee for a business shall immediately notify the Board of such termination or resignation.
- d) A licensee shall immediately notify the Board of any change in the name of the electrical contracting business in which he or she is engaged as the qualifying licensee.

SUBCHAPTER 2. LICENSURE AND BUSINESS PERMIT REQUIREMENTS

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) Is over the age of 21 years;
 - 2) Holds a high school diploma or equivalency certificate; and
 - 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) Completed a four-year apprenticeship program approved by both a Federal agency and a Federally certified State agency and at least one year of practical hands-on experience as defined in (a)3 above. A certificate of completion issued by the apprenticeship program and a certification by an employer regarding the additional

- year of practical hands-on experience shall be submitted with the application for the electrical contractor's examination; or
- 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) Earned a bachelor's degree in electrical engineering and completed two years of practical hands-on experience as defined in (a)3 above. The applicant shall submit a copy of his or her diploma and a certification by an employer regarding the additional two years of practical hands-on experience; or
 - iv) Worked in the field of electrical contracting for at least five years immediately preceding the date of application. The applicant shall submit a certification by an employer establishing that the applicant has at least five years of practical hands-on experience as defined in (a)3 above.

13:31-2.2 EXAMINATIONS

- a) The Board licensing examination shall be prepared and administered by a third-party vendor, but no license shall be granted except by the Board. The examination shall consist of three written sections: electrical contractor, business and law, and alarm systems.
- b) An applicant must obtain a passing grade on all sections of the Board licensing examination. An applicant taking the licensing examination for the first time shall take all sections of the examination.
- c) Any applicant who fails to pass any section(s) of the Board licensing examination shall retake the failed section(s) as provided below:
 - 1) An applicant shall not be eligible to retake the failed section(s) for six months from the date of such failure;
 - 2) If an applicant fails to obtain a passing score on the previously failed section(s) during the second examination, the applicant shall not be eligible to retake those section(s) of the examination for six months following the date of reexamination; and

- 3) If the applicant fails to obtain a passing score on the previously failed section(s) during the third examination, the applicant shall forfeit all passing scores received on any section(s) and shall be required to retake all sections of the examination.
- d) If an applicant fails to obtain a passing score on all sections of the Board licensing examination within five years of the date of approval to take the examination for the first time, the application for licensure shall be deemed abandoned and closed.
- e) If an applicant fails to sit for the Board licensing examination within two years of the date of approval to take the examination for the first time, the application for licensure shall be deemed abandoned and closed.
- f) An applicant shall complete all required application forms and questionnaires supplied by the Board. Examinations shall be held at least four times a year. Information about scheduled examinations and deadlines for submissions of completed applications including appropriate fees may be obtained from the Board offices at Post Office Box 45006, Newark, New Jersey 07101 and on the Board's website at www.state.nj.us/lps/ca/electric/index.htm.

13:31-2.3 LICENSE RENEWAL

- a) The Board shall send a notice of renewal to each licensee at least 60 days prior to the expiration of the license. The notice of renewal shall explain inactive renewal and advise the licensee 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 license is renewed within 60 days from the date the notice is sent or within 30 days following the date of license expiration, whichever is later.
- b) A licensee shall renew his or her license for a period of three years from the last expiration date. The licensee 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 license expiration.
- c) A licensee may, upon application to the Board, renew his or her license by choosing inactive status. A licensee electing to renew his or her license as inactive shall not engage in the practice of electrical contracting, or hold himself or herself out as eligible to engage in the practice of electrical contracting in New Jersey until such time as the license is returned to active status.
- d) If a licensee does not renew the license prior to its expiration date, the licensee may renew the license 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 license shall be valid and the licensee shall not be deemed practicing without a license.

- e) A licensee who fails to submit a renewal application within 30 days of license expiration shall have his or her license suspended without a hearing.
- f) A licensee who continues to engage in the practice of electrical contracting with a suspended license shall be deemed to be engaging in the unauthorized practice of electrical contracting 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.

13:31-2.4 LICENSE REACTIVATION

- a) A licensee who holds an inactive license pursuant to N.J.A.C. 13:31-2.3(c) may apply to the Board for reactivation of the inactive license. A licensee seeking reactivation of an inactive license shall submit:
 - 1) A renewal application;
 - 2) A certification of employment listing each job held during the period of inactive license status, 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. 13:31-1.7.
 - 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)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, 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 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 license. If that examination or assessment identifies deficiencies or educational needs, the Board may require the applicant, as a condition of reactivation of licensure, to take and successfully complete any education or training or to submit to any supervision, monitoring, or limitations, that 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. 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.

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.

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.

13:31-2.7 TEMPORARY COURTESY LICENSE

- a) The following words and terms, as used in this section, shall have the following meanings, unless the context clearly indicates otherwise:

"Another jurisdiction" means the District of Columbia, a territory of the United States, or a state other than New Jersey.

“Nonresident military spouse” means a person who is not domiciled in this State who is the spouse of an active duty member of the Armed Forces of the United States, where the active duty service member is a resident of New Jersey for one of the following reasons:

- 1) He or she has been temporarily transferred to this State in the course of his or her military service;
 - 2) He or she is legally domiciled in this State; or
 - 3) He or she has moved to this State on a permanent change-of-station basis.
- b) An individual who is licensed, registered, or certified in another jurisdiction may apply to obtain a temporary courtesy license pursuant to N.J.S.A. 45:1-15.5, if he or she:
- 1) Meets the definition of nonresident military spouse set forth in (a) above;
 - 2) Holds a license, registration, or certificate in good standing in a jurisdiction that has licensure, registration, or certification requirements equivalent to New Jersey’s requirements for licensure set forth in N.J.A.C. 13:31-2.1;
 - 3) Has been actively working in the electrical field for at least two of the five years immediately preceding the date of application for the temporary courtesy license, for which purpose relevant full-time experience in the discharge of official duties in the Armed Forces of the United States or an agency of the Federal government shall be credited in the counting of years of service.
 - i) The Board may require a nonresident military spouse who has not been actively working in the electrical field in another jurisdiction during the two years immediately preceding the application to undergo additional training, testing, mentoring, monitoring, or education as the Board determines necessary, to assure that the applicant practices with reasonable skill and safety. In making its determination whether the applicant must undergo additional training, testing, monitoring, or education, the Board shall consider the following factors including, but not limited to:
 - (1) Employment history;
 - (2) Professional history;
 - (3) 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; and

(4) 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;

4) Has not committed an act in another jurisdiction that would have constituted grounds for the denial, suspension, or revocation of his or her license in New Jersey, has not been disciplined, or is not the subject of an investigation of an unresolved complaint or a review procedure or disciplinary proceeding conducted by, or is pending before, a professional or occupational licensing or credentialing entity in another jurisdiction;

5) Has satisfied any continuing education requirements in the jurisdiction meeting the requirements of (b)2 above, where he or she holds a current license, registration, or certificate to work in the electrical field, and, at the discretion of the Board, completes such continuing education hours or credits as may be required by the Board within the time frame the Board may establish.

i) In making its determination whether the applicant must complete additional continuing education hours or credits, the Board shall consider the following factors including, but not limited to:

(1) Employment history;

(2) Professional history;

(3) 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; and

(4) 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; and

6) Completes a 10-hour course of study relating to the most recent edition of the National Electrical Code (Code), nine hours of which shall pertain to the Code and one hour of which shall pertain to applicable State statutes and rules. The course of study shall be provided by a Board-approved continuing education sponsor.

c) An applicant for a temporary courtesy license shall submit, or arrange to submit, to the Board:

1) A completed application form, provided by the Board;

2) A non-refundable application fee and a temporary courtesy license fee as set forth in N.J.A.C. 13:31-1.6;

3) Written or electronic verification of status of licensure, registration, or certification from a jurisdiction in which the applicant is currently licensed, registered, or certified. The verification shall be sent directly to the Board from the applicable state board. The applicant shall also provide a list of all jurisdictions in which the applicant is currently or has been licensed, registered, or certified;

4) Proof that the applicant was actively working in the electrical field in another jurisdiction, including any time spent discharging official duties in the Armed Forces or for an agency of the Federal government, for at least two of the last five years immediately preceding the date of application.

d) A temporary courtesy license shall be valid for one year.

e) An individual who holds a temporary courtesy license may apply to the Board for a renewal of the license for an additional year by submitting a renewal application to the Board and paying a renewal fee as set forth in N.J.A.C. 13:31-1.6.

f) A nonresident military spouse who holds a temporary courtesy license pursuant to this section shall be entitled to the same rights and be subject to the same obligations as provided by the Board for New Jersey residents, except that revocation or suspension of a nonresident military spouse's license, registration, or certificate in the nonresident military spouse's state of residence or any jurisdiction in which the nonresident military spouse held licensure, registration, or certification shall automatically cause the same revocation or suspension of the person's temporary courtesy license in New Jersey, if that revocation or suspension was based on a charge or commission of a criminal offense, competency, or harmful or inappropriate behavior.

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.

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.

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.

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.

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.

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.

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.

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.

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 telecommunications 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.
 - 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.

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.

13:30-4.3 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 outlets).

"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 nonfunctioning components of such equipment or apparatus.

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

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.
- b) A nonresident military spouse as defined in N.J.A.C. 13:31-5.7(a) may apply for a temporary courtesy certificate of registration, if he or she satisfies the criteria set forth in N.J.A.C. 13:31-5.7(b) through (f).

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. 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.
- 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.

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.

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.

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.

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.

13:31-5.7 TEMPORARY COURTESY REGISTRATION AS QUALIFIED JOURNEYMAN ELECTRICIAN

- a) The following words and terms, as used in this section, shall have the following meanings, unless the context clearly indicates otherwise:

“Another jurisdiction” means the District of Columbia, a territory of the United States, or a state other than New Jersey.

“Nonresident military spouse” means a person who is not domiciled in this State who is the spouse of an active duty member of the Armed Forces of the United States, where the active duty service member is a resident of New Jersey for one of the following reasons:

- 1) He or she has been temporarily transferred to this State in the course of his or her military service;
 - 2) He or she is legally domiciled in this State; or
 - 3) He or she has moved to this State on a permanent change-of-station basis.
- b) An individual who is licensed, registered, or certified in another jurisdiction may apply to obtain a temporary courtesy certificate of registration as a qualified journeyman pursuant to N.J.S.A. 45:1-15.5, if he or she:
- 1) Meets the definition of nonresident military spouse set forth in (a) above;
 - 2) Holds a license, registration, or certificate in good standing in a jurisdiction that has licensure, registration, or certification requirements equivalent to New Jersey’s requirements for registration set forth in N.J.A.C. 13:31-5.1;

3) Has been engaged in the active practice of a qualified journeyman electrician for at least two of the five years immediately preceding the date of application for the temporary courtesy certificate of registration, for which purpose relevant full-time experience in the discharge of official duties in the Armed Forces of the United States or an agency of the Federal government shall be credited in the counting of years of service.

i) The Board may require a nonresident military spouse who has not been engaged in the active practice of a qualified journeyman electrician in another jurisdiction during the two years immediately preceding the application to undergo additional training, testing, mentoring, monitoring, or education as the Board determines necessary, to assure that the applicant practices with reasonable skill and safety. In making its determination whether the applicant must undergo additional training, testing, monitoring, or education, the Board shall consider the following factors including, but not limited to:

(1) Employment history;

(2) Professional history;

(3) Actions affecting the applicant's privileges taken by any institution, organization, or employer 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; and

(4) 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;

4) Has not committed an act in another jurisdiction that would have constituted grounds for the denial, suspension, or revocation of his or her certificate of registration in New Jersey, has not been disciplined, or is not the subject of an investigation of an unresolved complaint or a review procedure or disciplinary proceeding conducted by, or is pending before, a professional or occupational licensing or credentialing entity in another jurisdiction;

5) Has satisfied any continuing education requirements in the jurisdiction meeting the requirements of (b)2 above, where he or she holds a current license, registration, or certificate to practice as a qualified journeyman electrician, and, at the discretion of the Board, completes such continuing education hours or credits as may be required by the Board within the time frame the Board may establish.

i) In making its determination whether the applicant must complete additional continuing education hours or credits, the Board shall consider the following factors including, but not limited to:

(1) Employment history;

(2) Professional history;

(3) Actions affecting the applicant's privileges taken by any institution, organization, or employer 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; and

(4) 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; and

6) Completes a 10-hour course of study relating to the most recent edition of the National Electrical Code (Code), nine hours of which shall pertain to the Code and one hour of which shall pertain to applicable State statutes and rules. The course of study shall be provided by a Board-approved continuing education sponsor.

c) An applicant for a temporary courtesy certificate of registration shall submit, or arrange to submit, to the Board:

1) A completed application form, provided by the Board;

2) A non-refundable application fee and a temporary courtesy registration fee as set forth in N.J.A.C. 13:31-1.6;

3) Written or electronic verification of status of licensure, registration, or certification from a jurisdiction in which the applicant is currently licensed, registered, or certified. The verification shall be sent directly to the Board from the applicable state board. The applicant shall also provide a list of all jurisdictions in which the applicant is currently or has been licensed, registered, or certified;

4) Proof that the applicant was engaged in the practice of a qualified journeyman electrician in another jurisdiction, including any time spent discharging official duties in the Armed Forces or for an agency of the Federal government, for at least two of the last five years immediately preceding the date of application.

- d) A temporary courtesy certificate of registration shall be valid for one year.

- e) An individual who holds a temporary courtesy certificate of registration may apply to the Board for a renewal of the registration for an additional year by submitting a renewal application to the Board and paying a renewal fee as set forth in N.J.A.C. 13:31-1.6.

- f) A nonresident military spouse who holds a temporary courtesy certificate of registration pursuant to this section shall be entitled to the same rights and be subject to the same obligations as provided by the Board for New Jersey residents, except that revocation or suspension of a nonresident military spouse's license, registration, or certificate in the nonresident military spouse's state of residence or any jurisdiction in which the nonresident military spouse held licensure, registration, or certification shall automatically cause the same revocation or suspension of the person's temporary courtesy certificate of registration in New Jersey, if that revocation or suspension was based on a charge or commission of a criminal offense, competency, or harmful or inappropriate behavior.