



PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

State of New Jersey
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS
PO BOX 45006
NEWARK, NJ 07101

MATTHEW J. PLATKIN
Attorney General

CARI FAIS
Acting Director

BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS
994th BUSINESS MEETING
NOVEMBER 13TH 2024
(PUBLIC SESSION) AGENDA

CALL TO ORDER

Consistent with the requirements of N.J.S.A. 10:4-9.1, electronic notice is herein provided that the Board of Examiners of Electrical Contractors will hold a meeting on Wednesday, November 13, 2024, at 9:00 A.M. The meeting will not be held at 124 Halsey Street, but remotely. Notice has been provided to the Secretary of State, the Star Ledger, Trenton Times, and the Asbury Park Press. The agenda is provided below to the extent known at the time of this notice.

The meeting is scheduled to begin at 9:00 A.M. and can be accessed by the public via the link:

Join ZoomGov Meeting

<https://njoag.zoomgov.com/j/1609503409?pwd=K9hduBDoRLtrTJLQsb5HSBdadjs2yS.1>

Meeting ID: 160 950 3409

Passcode: 260321

Dial by your location

- 833 568 8864 US Toll-free
- 833 435 1820 US Toll-free

Any public comments should be submitted by 2:00 P.M. on November 12, 2024, by e-mailing Philameana L. Tucker, Executive Director, at tuckerp@dca.njoag.gov. The Board will make its best efforts to read any comments received during the meeting.

Open Public Meeting Act
Pledge of Allegiance
Roll Call of Members



ROLL CALL

Mr. James Flaherty Chairman
Mr. Constantinos Papademas
Mr. Gino Pasqualone
Mr. Anthony L. Anzelone

Deputy Attorney General Ms. Amy Ramirez
Deputy Attorney General Mr. James Pham
Philameana Tucker Executive Director

APPROVAL OF INITIAL LICENSES
APPROVAL OF INITIAL BUSINESS PERMITS

APPROVAL OF THE MINUTES OF THE 993RD OPEN SESSION BUSINESS MEETING HELD October 9, 2024

PENALTIES

1. ALBERT E. KOLATAC, LICENSE #13491

Money orders in the amount of \$200.00 received from Albert E. Kolatac, License #13491, t/a AEK Electric LLC, as the fifth installment of a civil penalty in the amount of \$2,000.00 for the violation of *N.J.A.C. 13: 31-3.3(c) (1)*. Payments started June 6, 2024 and the balance due is \$600.00.

2. ROBERTO VACCARELLA, LICENSE #16628

Check in the amount of \$600.00 received from Roberto Vaccarella, License #16628, t/a Vaccarella Electrical Services LLC, as the third installment of a civil penalty in the amount of \$3,375.00 for the violation of *N.J.A.C. 13:31-3.3 (c) (1)*. Payments stated on August 14, 2024 and the balance due is \$2,100.00.

3. GIOVANN DITURI, LICENSE #16992

Check in the amount of \$200.00 received from Giovanni Dituri, License #16992, t/a E.N.E.L. Electrical Corp., as the 10th and final payment of a civil penalty in the \$2,000.00 for the violation of *N.J.A.C. 13:31-3.3 (c)(1)*.

4. NICHOLAS A. LORDO, LICENSE #12001

Money order in the amount of \$600.00 received from Nicholas A. Lordo, License #12001, t/a Terrapin Electric, Inc., as the 13th and final payment of a civil penalty in the amount of \$3,000.00 for violation of *N.J.A.C. 13:31-3.3 (c) (1)*.

5. LARRY C. MCCRAE, LICENSE #8258

Check in the amount of \$3,000.00 received from Larry C. McCrae, License #8258, t/a Larry C. McCrae, Inc., as the first and final payment of a civil penalty in the amount of \$3,000.00 for violation of *N.J.A.C. 13:31-3.3 (c) (1)*.

November 13, 2024

6. SEAN P. MCFADDEN, LICENSE #16534

Money order in the amount of \$250.00 received from Sean P. McFadden, License #16534, t/a Allied Construction, LLC., as the 5th installment of a civil penalty in the amount of \$2,000.00 for violation of *N.J.A.C. 13:31-3.3 (c) (1)*. Payments started February 16, 2024 and the balance due is \$1,000.00.

7. PATRICK B. SHARPE, LICENSE #166695

Money order in the amount of \$200.00 received from Patrick B/ Sharpe, License #16695, t/a Sharpe Electrical Solutions, as the first installment of a civil penalty in the amount of \$3,000.00 for violation of *N.J.A.C. 13:31-3.3 (c) (1)*.

8. EDWARD G. CLIFTON, LICENSE #16025

Check in the amount of \$3,000.00 received from Edward G. Clifton, license #16025 as the first and final payment of a civil penalty in the amount of \$3,000.00 for violation of *N.J.S.A. 45:5A-9(a)*.

9. JASON PATRISSE, UNLICENSED

Check in the amount of \$5,000.00 received from Jason Patrisse, Unlicensed as the first and final payment of a civil penalty in the amount of \$5,000.00 for violation of *N.J.A.C. 13:31-3.3 (c) (1)*.

REINSTATEMENTS

10. MICHAEL W. MCCLELLAND, LICENSE #17370

Application to Reinstate an Expired Electrical Contractors License received from Michael W. McClelland, License #17370.

Office files reflect that License and Business Permit#17370 expired on March 31, 2018.

Office files reflect that the pressure seal issued to McClelland Electric, Inc. was returned September 27, 2024.

11. JOSEPH V. CANNIZZARO, LICENSE #16317

Application to Reinstate an Expired Electrical Contractors License received from Joseph V. Cannizzaro, License #16317.

Office files reflect that License and Business Permit#17370 was Inactive on April 8, 2015.

Office files reflect that the pressure seal issued to Zaro Electric LLC., was returned April 8, 2015.

November 13, 2024

12. KENNETH NIELSEN, LICENSE #1507

Application to Reinstate an Expired Class A Journeyman Electrician License received from Kenneth Nielsen, License #1507.

Office files reflect that License #1507 expired on December 31, 2021.

CONTINUING EDUCATION

13. K2 EDUCATION, LLC.

Application for Continuing Education Course / Seminar received from Patrick Sherlock, K2 Education, LLC. Requesting approval for one (1) new instructor to teach ten (10) new courses.

14. THE ELECTRICAL ASSOCIATION OF PHILADELPHIA

Application for Continuing Education Course / Seminar received from Mair Malfara, The Electrical Association of Philadelphia, requesting approval for one (1) new instructor to teach six (6) new courses.

15. NJ ELECTRONIC LIFE SAFETY ASSOCIATION

Application for Continuing Education Course / Seminar received from Christine Higgins, NJ Electronic Life Safety Association, requesting approval for one (1) approved instructor to teach six (6) new courses.

16. INDEPENDENT ALLIANCE of the ELECTRICAL INDUSTRY (IAEI)

Application for Continuing Education Course / Seminar received from Angela DiPalma, Independent Alliance of the Electrical Industry, requesting approval for (2) approved instructors and (1) new instructor to teach (1) new course, and all (3) instructors to teach (59) already approved courses.

17. IEC CHESAPEAKE APPRENTICESHIP & TRAINING, INC.

Application for Continuing Education Course / Seminar received from Delonta Dent, IEC Chesapeake Apprenticeship & Training, Inc., requesting approval for (1) new instructor to teach (3) already approved courses.

EXECUTIVE DIRECTOR'S REPORT

Ms. Talashoma Examination Director for NASCLA is requesting the attached changes to the Business and Law portion of the examination.

The Executive Director is seeking the Boards approval of 2025 meeting dates.

ADJOURN



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(PUBLIC SESSION) AGENDA - ADDENDUM

PLEASE BE ADVISED THAT THE BOARD HAS ADDED AN ADDENDUM TO THE PUBLIC SESSION AGENDA TO INCLUDE THE FOLLOWING:

"The Board will consider whether to adopt the proposed rules implementing P.L. 2021, c. 479 that were published in the May 6, 2024 Register."

Please review the attachments.



CHAPTER 479

AN ACT concerning the Board of Examiners of Electrical Contractors, and amending and supplementing various provisions of statutory law.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Section 1 of P.L.1972, c.108 (C.45:1-7) is amended to read as follows:

C.45:1-7 Issuance of certain licenses or certificates of registration.

1. Notwithstanding any of the provisions of Title 45 of the Revised Statutes or of any other law to the contrary, all professional or occupational licenses or certificates of registration, except such licenses or certificates issued to real estate brokers or salesmen pursuant to chapter 15 of Title 45, which prior to the effective date of this act were issued for periods not exceeding one year and were annually renewable, shall, on and after the effective date of this act, be issued for periods of two years and be biennially renewable, except that licenses and business permits issued to electrical contractors, and licenses issued to Class A journeymen electricians, Class A electrical apprentices, and Class B wiremen pursuant to chapter 5A of Title 45 shall be issued for periods of three years and be triennially renewable; provided, however, the boards or commissions in charge of the issuance or renewal of such licenses or certificates may, in order to stagger the expiration dates thereof, provide that those first issued or renewed after the effective date of this act, shall expire and become void on a date fixed by the respective boards or commissions, not sooner than six months nor later than 29 months, after the date of issue.

The fees for the respective licenses and certificates of registration issued pursuant to this act for periods of less or greater than one year shall be in amounts proportionately less or greater than the fees established by law.

2. Section 2 of P.L.1962, c.162 (C.45:5A-2) is amended to read as follows:

C.45:5A-2 Definitions.

2. For the purpose of this act, unless otherwise indicated by the context:

(a) "Act" means this act, P.L.1962, c.162 (C.45:5A-1 et seq.) and the rules and regulations adopted under it;

(b) "Board" means the Board of Examiners of Electrical Contractors created by section 3 of this act;

(c) "Department" means the Department of Law and Public Safety;

(d) "Electrical contractor" means a person who engages in the business of contracting to install, erect, repair or alter electrical equipment for the generation, transmission or utilization of electrical energy;

(e) "Person" means a person, firm, corporation or other legal entity;

(f) "Alarm business" means the sales, installation, servicing or maintenance of burglar alarm, fire alarm or electronic security systems, or the monitoring or responding to alarm signals when provided in conjunction therewith. "Alarm business" shall also include the installation, sales, servicing or maintenance of a smoke detection system or a smoke aspiration system in one or two family detached residential dwellings, or both; and the type of alarm business that engages in the installation, sales, servicing or maintenance of (1) perimeter intrusion protection systems; (2) unmanned aerial drones used to protect a premise, building, or complex; and (3) any artificial intelligence and evolving technology used for physical security applications consisting of a device or machine, computer or software used for detection, security, surveillance, monitoring of

unauthorized access, or providing a warning of intrusion, which is designed to discourage crime or warn of potential threats using unmanned aerial drones, robots or machines. "Installation," as used in this definition, includes the survey of a premises, the design and preparation of the specifications for the equipment or system to be installed pursuant to a survey, the installation of the equipment or system, or the demonstration of the equipment or system after the installation is completed, but does not include any survey, design or preparation of specifications for equipment or for a system that is prepared by an engineer licensed pursuant to the provisions of P.L.1938, c.342 (C.45:8-27 et seq.), or an architect licensed pursuant to the provisions of chapter 3 of Title 45 of the Revised Statutes, if the survey, design, or preparation of specifications is part of a design for construction of a new building or premises or a renovation of an existing building or premises, which renovation includes components other than the installation of a burglar alarm, fire alarm or electronic security system, and further does not include the design or preparation of specifications for the equipment or system to be installed that are within the practice of professional engineering as defined in subsection (b) of section 2 of P.L.1938, c.342 (C.45:8-28);

(g) "Burglar alarm" means a security system comprised of an interconnected series of alarm devices or components, including systems interconnected with radio frequency signals, or Internet protocol and any successor protocols, which emits an audible, visual or electronic signal indicating an alarm condition and providing a warning of intrusion, which is designed to discourage crime. "Burglar alarms" include but are not limited to perimeter intrusion protection systems and perimeter fence intrusion protection systems;

(h) "Business firm" means a partnership, corporation or other business entity engaged in the alarm business or locksmithing services;

(i) "Committee" means the Fire Alarm, Burglar Alarm, and Locksmith Advisory Committee created by section 3 of P.L.1997, c.305 (C.45:5A-23);

(j) "Electronic security system" means a security system comprised of an interconnected series of devices or components, or Internet protocol and any successor protocols, including systems with audio and video signals, or perimeter intrusion protection systems, or other electronic systems, which emits or transmits an audible, visual or electronic signal warning of intrusion and provides notification of authorized entry or exit, which is designed to discourage crime. "Electronic security system" shall include access control systems, CCTV systems, intercom systems, automation systems when integrating with security devices, perimeter intrusion protection systems, and other electronic monitoring devices;

(k) "Fire alarm" means a system comprised of an interconnected series of alarm devices or components, and notification appliances, including systems interconnected with radio frequency signals, which emits an audible, visual or electronic signal indicating an alarm condition and which provides a warning of the presence of gas, smoke or fire, or a notification of emergency evacuation. "Fire alarm" does not mean a system whose primary purpose is telecommunications with energy control, the monitoring of the interior environment being an incidental feature thereto;

(l) "Licensed locksmith" means a person who is licensed pursuant to the provisions of section 7 of P.L.1997, c.305 (C.45:5A-27);

(m) "Licensee" means a person licensed to engage in the alarm business or provide locksmithing services pursuant to the provisions of section 7 of P.L.1997, c.305 (C.45:5A-27);

(n) "Locksmithing services" means the modification, recombination, repair or installation of mechanical locking devices and electronic security systems for any type of compensation and includes the following: repairing, rebuilding, recoding, servicing, adjusting, installing, manipulating or bypassing of a mechanical or electronic locking device, for controlled access or egress to premises, vehicles, safes, vaults, safe doors, lock boxes, automatic teller machines or other devices for safeguarding areas where access is meant to be limited; operating a mechanical

or electronic locking device, safe or vault by means other than those intended by the manufacturer of such locking devices, safes or vaults; or consulting and providing technical advice regarding selection of hardware and locking systems of mechanical or electronic locking devices and electronic security systems; except that "locksmithing services" shall not include the installation of a prefabricated lock set and door knob into a door of a residence;

(o) "Class A journeyman electrician" means a person licensed pursuant to P.L.1962, c.162 (C.45:5A-1 et seq.) or P.L.2001, c.21 (C.45:5A-11.1 et al.), as a Class A journeyman electrician by the board;

(p) "Access control system" means a system that provides access to authorized persons and may record and report which persons entered or exited a facility or areas within a facility, which doors or areas were accessed while persons are within a facility, and the time that such activity occurred. "Access control systems" may include the use of keys, access cards, locks, card readers, biometric identification devices, recorders, printers and control devices. "Access control systems" may be independent systems or may be integrated with other electronic security systems or Internet protocol and any successor protocols;

(q) "Closed circuit television" or "CCTV" means a video security system that may include video cameras, Internet protocol cameras, monitors, switches, camera enclosures, controls and other related devices. "Closed circuit television" shall include an independent system or system that is integrated with other electronic security systems or Internet protocol and any successor protocols;

(r) "Internet protocol and any successor protocol" means a protocol that integrates with any electronic security devices in any existing and future data network protocols to carry alarm signals or video transmission signals or fire alarm signals or any security system now and in the future;

(s) "Intercom system" means an audio security communication system containing control circuitry that may include a feature designed to selectively release electronically secured doors or capable of viewing an image at the same time;

(t) "Perimeter intrusion protection system" means a device, machine, computer or software used for detection, security, surveillance, or monitoring of unauthorized access, providing a warning of intrusion, which is designed to discourage crime or warn of potential threats using unmanned aerial drones, robots, machines, computers, or software with minimal human intervention, and is a type or component of a security system;

(u) "Perimeter fence intrusion protection system" means a perimeter intrusion protection system that satisfies the requirements established pursuant to section 2 of P.L.2021, c.2 (C.45:5A-54), and all attached system components or equipment, including but not limited to a fence, an energizer powered by a commercial storage battery not exceeding 12 volts dc, which produces a short electric pulsed charge upon contact with the fence, and battery charging device used exclusively to charge the battery, or utilization of microwave energy or radio frequencies for perimeter intrusion protection, and any successor technologies used for perimeter intrusion protection, and is a type or component of a security system;

(v) "Smoke aspiration system" means a smoke detection system that takes samples of the air and tests them for presence of smoke;

(w) "Smoke detection system" means an electronic system consisting of a control unit, which may be a component of a combination fire and burglar control panel, or one or more smoke aspiration systems, smoke detectors, heat detectors, gas detectors, if required, audible appliances, and battery back-up, as utilized in one or two family detached residential dwellings, or both;

(x) "Branch circuit wiring" means the circuit conductors between the final overcurrent device protecting the circuit and the outlet or outlets;

(y) "Class A electrical apprentice" means an individual licensed pursuant to P.L.2021, c.479 (C.45:5A-11.7 et al.) who enrolled in an electrical apprenticeship program accredited and approved by the United States Department of Labor and who performs electrical work under the supervision of a licensed electrical contractor or Class A journeyman electrician;

(z) "Class B wireman" means an individual licensed to pursuant to P.L.2021, c.479 (C.45:5A-11.7 et al.) who performs electrical work under the supervision of a licensed electrical contractor or Class A journeyman electrician.

3. Section 3 of P.L.1962, c.162 (C.45:5A-3) is amended to read as follows:

C.45:5A-3 Board of examiners; creation; membership; qualifications; terms; vacancies.

3. a. There is created a Board of Examiners of Electrical Contractors in the Department of Law and Public Safety consisting of nine members, hereinafter referred to as the "board." The members of such board shall be citizens of the State appointed by the Governor, with the advice and consent of the Senate. Members shall be appointed for terms of three years and until the appointment and qualification of their successors. Any vacancy in said board for the unexpired portion of a term shall be filled in the manner provided for the original appointment. No more than five members of the board shall be members of the same political party. Three members of the board shall be qualified electrical contractors with experience of not less than 10 years as an electrical contractor, one shall be a qualified electrical inspector, with experience of not less than five years as an electrical inspector, one shall be a Class A journeyman electrician employed in the electrical construction industry for not less than five years, one shall be appointed by the Governor as recommended by the President of the Senate, one shall be appointed by the Governor as recommended by the Speaker of the General Assembly, one shall be a public member not associated with the electrical industry, and one shall be a licensed professional engineer with experience of not less than five years in the electrical industry.

b. For a period of two years after the enactment of P.L.2021, c.479 (C.45:5A-11.7 et al.), the Governor may, if he determines it would be in the public interest, transfer the Board of Examiners of Electrical Contractors to another principal department in the Executive branch, which transfer shall not be subject to the requirements of the "Executive Reorganization Act," P.L.1969, c.203 (C.52:14C-1 et seq.). Any transfer under this subsection may include the transfer of the records, property, and personnel affected by the reorganization, as well as the transfer of unexpended balances of appropriations, or other funds available for use in connection with a function of the board, provided that the unexpended balances so transferred may be used only for the purposes for which the appropriation was made.

4. Section 9 of P.L.1962, c.162 (C.45:5A-9) is amended to read as follows:

C.45:5A-9 Electrical contractors, permit, license required; qualifications; examinations; fees.

9. (a) On or after July 1, 1963, no person shall advertise, enter into, engage in or work in business as an electrical contractor, unless such person has secured a business permit and such person or an officer, partner or employee who is or will be actively engaged in the business for which a business permit is sought has obtained an electrical contractor's license from the board in accordance with the provisions of this act, and such licensee shall assume full responsibility for inspection and supervision of all electrical work to be performed by the permittee in compliance with recognized safety standards. A licensed electrical contractor shall not be entitled to qualify more than one person for a business permit.

Any single act or transaction shall constitute engaging in the business of electrical contracting within the meaning of this chapter.

(b) No person shall be granted an electrical contractor's license unless he shall first establish his qualifications therefor and shall take and pass the examination for electrical contractors. An applicant for such examination shall have been employed or engaged in the business of electrical construction and installation for a period of not less than five years preceding the time of such application. During the five-year period the applicant shall spend one year as a Class A journeyman electrician and four years in an electrical apprenticeship program accredited and approved by the United States Department of Labor, with proof of passage and successful completion of this program while actively engaged or employed as a Class A electrical apprentice. For a period of four years following the effective date of P.L.2018, c.155, each year of employment in the electrical trade or enrollment in a formal electrical apprenticeship program completed prior to the effective date of P.L.2018, c.155, shall be accepted by the board in lieu of one year's enrollment in an electrical apprenticeship program accredited and approved by the United States Department of Labor, up to a maximum total credit of four years.

The examination shall be so designed as to establish the competence and qualification of the applicant to perform and supervise the various phases of electrical contracting work. Any applicant who shall fail to pass such examination shall not be eligible to retake an examination until six months from the date of such failure.

(c) An applicant for an examination for a license as an electrical contractor shall apply to the board for permission to take such examination upon forms provided by the board and shall provide the board with such information as shall be necessary to establish his qualifications to take the examination. The applicant for an initial examination shall pay a fee to the board of \$25.00. An applicant for re-examination shall pay a fee to the board of \$15.00. Such fees shall not be refundable.

5. Section 3 of P.L.2001, c.21 (C.45:5A-11.1) is amended to read as follows:

C.45:5A-11.1 Registration as qualified journeyman electrician.

3. The board shall license as a Class A journeyman electrician an applicant who:

- a. Holds a current valid license to practice electrical contracting by the board; or
- b. Has acquired sufficient practical experience working with tools in the installation, alteration or repair of wiring for electric light, heat or power, as determined by the board, and has successfully completed an appropriate number of classroom hours of related instruction, as determined by the board, which requirement of practical experience shall not include time spent in supervising, engineering, estimating and other managerial tasks; or
- c. Has demonstrated to the satisfaction of the board that he has met the requirements of subsection b. of this section through alternative means.

6. Section 4 of P.L.2001, c.21 (C.45:5A-11.2) is amended to read as follows:

C.45:5A-11.2 Application for registration as qualified journeyman, apprentice electrician; fees.

4. a. On and after the effective date of P.L.2021, c.479 (C.45:5A-11.7 et al.), any person desiring to be licensed as a Class A journeyman electrician shall make application to the board to be so licensed and shall pay all the fees required in connection therewith, which fees shall be established, prescribed or changed by the board to the extent necessary to defray all proper

expenses incurred by the board to administer the provisions of P.L.2001, c.21 (C.45:5A-11.1 et al.). Fees shall not be fixed at a level, however, that will raise amounts in excess of the amount estimated to be so required.

b. On and after the effective date of P.L.2021, c.479 (C.45:5A-11.7 et al.), any person desiring to be licensed as a Class A electrical apprentice enrolled in an electrical contractor's apprenticeship program accredited and approved by the United States Department of Labor shall make an application to the board to be so licensed and shall pay all the fees required in connection therewith, which fees shall be established, prescribed or changed by the board to the extent necessary to defray all proper expenses incurred by the board to administer the provisions of P.L.2018, c.155. Fees shall not be fixed at a level, however, that will raise amounts in excess of the amount estimated to be so required.

7. Section 5 of P.L.2001, c.25 (C.45:5A-11.3) is amended to read as follows:

C.45:5A-11.3 Register of applications.

5. The board shall keep a record of all applications by individuals seeking licensure as Class A journeymen electricians, Class A electrical apprentices enrolled in an electrical contractor's apprenticeship program accredited and approved by the United States Department of Labor, and Class B wiremen. The record shall include the following information: name, address, telephone number, the age of the applicant; the date of the application; the place of business of the applicant; whether the applicant was accepted or rejected, and in the case of a rejection, the reasons for that action; the license number, if issued; the date of action of the board; and any other information the board deems necessary.

8. Section 6 of P.L.2001, c.21 (C.45:5A-11.4) is amended to read as follows:

C.45:5A-11.4 Continuing education required for license renewal.

6. a. The board shall require each Class A journeyman electrician, other than a Class A journeyman electrician licensed to practice electrical contracting issued by the board, and each Class B wireman, as a condition for triennial license renewal pursuant to section 1 of P.L.1972, c.108 (C.45:1-7), to complete a 15-hour course of study relating to the most recent edition of the National Electrical Code.

b. The board shall approve all programs of education for the 15-hour course of study established pursuant to subsection a. of this section and the instructors for those courses.

9. Section 8 of P.L.2001, c.21 (C.45:5A-11.6) is amended to read as follows:

C.45:5A-11.6 Renewal cycle for registration.

8. Notwithstanding any other law, rule or regulation to the contrary, the license renewal cycle for Class A journeyman electricians, Class A electrical apprentices, and Class B wiremen shall be the same as that for licensed electrical contractors.

10. Section 18 of P.L.1962, c.162 (C.45:5A-18) is amended to read as follows:

C.45:5A-18 Exempt work or construction.

18. Electrical work or construction which is performed on the following facilities or which is by or for the following agencies shall not be included within the business of electrical contracting so as to require the securing of a business permit under this act:

- (a) Minor repair work such as the replacement of lamps and fuses.
- (b) The connection of portable electrical appliances to suitable permanently installed receptacles.
- (c) The testing, servicing or repairing of electrical equipment or apparatus.
- (d) Electrical work in mines, on ships, railway cars, elevators, escalators or automotive equipment.
- (e) Municipal plants or any public utility as defined in R.S.48:2-13, organized for the purpose of constructing, maintaining and operating works for the generation, supplying, transmission and distribution of electricity for electric light, heat, or power.
- (f) A public utility subject to regulation, supervision or control by a federal regulatory body, or a public utility operating under the authority granted by the State of New Jersey, and engaged in the furnishing of communication or signal service, or both, to a public utility, or to the public, as an integral part of a communication or signal system, and any agency associated or affiliated with any public utility and engaged in research and development in the communications field.
- (g) A railway utility in the exercise of its functions as a utility and located in or on buildings or premises used exclusively by such an agency.
- (h) Commercial radio and television transmission equipment.
- (i) Construction by any branch of the federal government.
- (j) Any work with a potential of less than 10 volts.
- (k) Repair, manufacturing and maintenance work on premises occupied by a firm or corporation, and installation work on premises occupied by a firm or corporation and performed by a regular employee who is a Class A journeyman electrician licensed pursuant to section 3 of P.L.2001, c.21 (C.45:5A-11.1).
- (l) Installation, repair or maintenance performed by regular employees of the State or of a municipality, county, or school district on the premises or property owned or occupied by the State, a municipality, county, or school district; provided that a regular employee of the State, municipality, county or school district performing this work is a Class A journeyman electrician licensed pursuant to section 3 of P.L.2001, c.21 (C.45:5A-11.1), or holds any civil service title with a job description which includes electrical work pursuant to the "Civil Service Act," N.J.S.11A:1-1 et seq., or regulations adopted pursuant thereto, or any 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.

Any regular employee of the State, or of a municipality, county or school district who has submitted his application to the board for licensure as a Class A journeyman electrician shall be permitted to continue to perform work pursuant to this subsection until such time as the board acts upon his application. Any applicant whose licensure application is not approved by the board shall no longer be permitted to perform electrical work pursuant to this subsection.
- (m) The maintaining, installing or connecting of automatic oil, gas or coal burning equipment, gasoline or diesel oil dispensing equipment and the lighting in connection therewith to a supply of adequate size at the load side of the distribution board.
- (n) Work performed by a person on a dwelling that is occupied solely as a residence for himself or for a member or members of his immediate family.
- (o) (Deleted by amendment, P.L.1997, c.305).
- (p) Any work performed by a landscape irrigation contractor which has the potential of not more than 30 volts involving the installation, servicing, or maintenance of a landscape irrigation system as this term is defined by section 2 of this amendatory and supplementary

act. Nothing in this act shall be deemed to exempt work covered by this subsection from inspection required by the "State Uniform Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.) or regulations adopted pursuant thereto.

(q) Any work performed by a person certified pursuant to sections 1 through 10 of P.L.2001, c.289 (C.52:27D-25n through C.52:27D-25w) that is not branch circuit wiring. For the purposes of this subsection, "branch circuit wiring" means the circuit conductors between the final overcurrent device protecting the circuit and one or more outlets. A certificate holder shall be deemed to have engaged in professional misconduct for the purposes of section 8 of P.L.1978, c.73 (C.45:1-21) for violating the provisions of this subsection.

(r) Any work performed by an alarm business, as that term is defined by section 2 of P.L.1985, c.289 (C.45:5A-18.1), licensed pursuant to P.L.1997, c.305 (C.45:5A-23 et seq.) that is not branch circuit wiring. For the purposes of this subsection, "branch circuit wiring" means the circuit conductors between the final overcurrent device protecting the circuit and one or more outlets. A licensee shall be deemed to have engaged in professional misconduct for the purposes of section 8 of P.L.1978, c.73 (C.45:1-21) for violating the provisions of this subsection.

The board may also exempt from the business permit provisions of this act such other electrical activities of like character which in the board's opinion warrant exclusion from the provisions of this act.

C.45:5A-11.7 Temporary license, out-of-State individual; rules, restrictions.

11. a. Upon payment to the board and submission of an application, the board may issue without examination a temporary license to an individual from another state or jurisdiction to perform services in New Jersey as a Class A journeyman electrician, Class A electrical apprentice, or a Class B wireman. However, notwithstanding any other provisions of law to the contrary, an individual holding a temporary Class A Journeyman electrician license shall be permitted to work only under the supervision of a licensed electrical contractor and shall not be permitted to supervise electrical work.

b. An individual from another state or jurisdiction shall not be issued more than one temporary license per triennial renewal period.

c. If the amount of time in which the individual from another state or jurisdiction is to provide services exceeds 30 days, the individual shall be required to apply to the board for a full license and shall be subject to all requirements for the license for which the individual is applying.

C.45:5A-11.8 Granting licenses without examination.

12. The board may in its discretion grant licenses without examination to applicants so licensed in another state or territory of the United States or the District of Columbia; provided that equal reciprocity is provided to electrical contractors, Class A journeyman electricians, Class A electrical apprentices, and Class B wiremen licensed by the State Board of Examiners on Electrical Contractors.

C.45:5A-11.9 Deadline to exchange registration.

13. a. An individual currently registered as a qualified journeyman electrician shall have until the first day of the thirteenth month following enactment of P.L.2021, c.479 (C.45:5A-11.7 et al.) to exchange the current registration for a license as a Class A journeyman electrician. After the first day of the thirteenth month, any individual registered as a qualified journeyman electrician shall not be permitted to continue performing work in that capacity

unless the individual applies to the board and receives a license as a Class A journeyman electrician in order to continue performing work as a Class A journeyman electrician.

b. An individual currently registered as an electrical apprentice shall have until the first day of the thirteenth month following enactment of P.L.2021, c.479 (C.45:5A-11.7 et al.) to exchange their current registration for a license as a Class A electrical apprentice. After the first day of the thirteenth month, any individual registered as an electrical apprentice shall not be permitted to continue performing work in that capacity unless the individual applies to the board and receives a license as a Class A electrical apprentice in order to continue performing work as a Class A electrical apprentice.

c. An individual who currently performs electrical work as the employee of an electrical contractor business permit holder and who is not a licensed electrical contractor or registered as a qualified journeyman electrician or electrical apprentice shall have until the first day of the thirteenth month following enactment of P.L.2021, c.479 (C.45:5A-11.7 et al.) to become licensed as a Class B wireman. After the first day of the thirteenth month, no person shall perform electrical work who is not licensed as an electrical contractor, Class A journeyman electrician, Class A electrical apprentice, or Class B wireman.

d. The board shall adopt regulations concerning the supervision and scope of the work performed by Class A electrical apprentices and Class B wiremen.

14. There is appropriated from the General Fund to the Division of Consumer Affairs within the Department of Law and Public Safety the sum of \$400,000 for the purpose of hiring additional staff to support the Board of Examiners of Electrical Contractors in carrying out the purposes of P.L.2021, c.479 (C.45:5A-11.7 et al.), including supporting investigations and enforcement action for violations of the "Electrical Contractors Licensing Act of 1962," P.L.1962, c.162, as amended (C.45:5A-1 et seq.).

15. This act shall take effect immediately.

Approved January 18, 2022.

The Home Visit HCPCS [99343] 99344, and 99349 does not distinguish between specialist and non-specialist. These codes shall not apply to residential health care facility or nursing facility settings. These codes refer to a physician visit limited to the provision of medical care to an individual who would be too ill to go to a physician's office and/or is "home bound" due to his/her physical condition. When billing for a second or subsequent patient treated during the same visit, the visit should be billed as a home visit.

Home Visit—99341, 99342, 99344, 99345, 99347, 99348, and 99349 These HCPCS apply when the provider visits a beneficiary in the home and the visit does not meet the criteria specified under a House Call listed [in] at N.J.A.C. 10:62-1.13.

10:62-3.5 HCPCS Procedure Codes and maximum fee schedule for vision care appliances

Ind	HCPCS Code	Mod	Description	Maximum Fee Allowance
(a)-(b) (No change.)				
(c) SINGLE VISION LENSES, GLASS OR PLASTIC				
...				
P	V2106		Spherocylinder, single vision, plano to plus or minus 4.00D sphere, over 6.00D cylinder, per lens	[B.R.] 40.43
...				
P	V2110		Spherocylinder, single vision, plus or minus 4.25 to 7.00D sphere, over 6.00D cylinder, per lens	[B.R.] 43.67
...				
[R]	V2116		Lenticular lens, non-aspheric, per lens, single vision	35.00
R	V2117		Lenticular, aspheric, per lens, single vision	45.00]
"	V2121		Lenticular lens, per lens, single vision	40.00
...				
(d)-(k) (No change.)				

APPENDIX [A]

FISCAL AGENT BILLING SUPPLEMENT

AGENCY NOTE: The Fiscal Agent Billing Supplement is filed as an incorporated Appendix of this chapter/manual but is not reproduced in the New Jersey Administrative Code. The Fiscal Agent Billing Supplement can be downloaded free of charge at www.njmms.com. When revisions are made to the Fiscal Agent Billing Supplement, a revised version will be placed on the website and copies will be filed with the Office of Administrative Law. If you do not have access to the internet and require a copy of the Fiscal Agent Billing Supplement, write to:

[Molina Medical Solutions] Gainwell Technologies
 PO Box 4801
 Trenton, New Jersey 08650-4801
 or contact
 Office of Administrative Law
 Quakerbridge Plaza, Building 9
 PO Box 049
 Trenton, New Jersey 08625-0049

LAW AND PUBLIC SAFETY

(a)

DIVISION OF CONSUMER AFFAIRS
 BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS

Board of Examiners of Electrical Contractors Rules Proposed Repeal and New Rule: N.J.A.C. 13:31-5.6 Proposed Amendments: N.J.A.C. 13:31-1.2, 1.4, 1.5, 1.6, 1.7, 1.8, 2.3 through 2.8, 3.2 through 3.8, 4.1, 5.1 through 5.5, and 5.7

Proposed New Rules: N.J.A.C. 13:31-2.9, 5.8, 5.9, 6, and 7

Authorized By: Board of Examiners of Electrical Contractors, Philameana Tucker, Executive Director.

Authority: N.J.S.A. 45:5A-1 et seq.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2024-058.

Submit written comments by July 5, 2024, to:

Philameana Tucker, Executive Director
 Board of Examiners of Electrical Contractors
 124 Halsey Street
 PO Box 45006
 Newark, New Jersey 07101

or electronically at: www.njconsumeraffairs.gov/Proposals/Pages/default.aspx.

The agency proposal follows:

Summary

The Board of Examiners of Electrical Contractors (Board) proposes amendments to its rules at N.J.A.C. 13:31 to implement P.L. 2021, c. 479, which amended N.J.S.A. 45:5A-1 et seq., to create three new categories of licenses: Class A journeyman electrician, Class B wireman, and Class A electrical apprentice. In addition, new N.J.S.A. 45:5A-11.7 established a temporary Class A journeyman electrician, Class B wireman, and Class A electrical apprentice license for individuals from other states who will perform electrical work in New Jersey for not more than 30 days in any triennial period. New N.J.S.A. 45:5A-11.8 introduced licensure through reciprocity for electrical contractors, journeymen electricians, wiremen, and apprentices who are licensed in a jurisdiction that grants licensure through reciprocity to electrical contractors, Class A journeyman electricians, Class B wiremen, and Class A electrical apprentices who are licensed in New Jersey.

To implement these statutory changes, the Board proposes amendments at Subchapters 2 and 5 related to the licensing of electrical contractors and qualified journeymen, as well as new rules in these subchapters for temporary licenses and licensure through reciprocity. The Board proposes new Subchapter 6 regarding scope of practice, supervision, initial licensing, renewal, reactivation and reinstatement, continuing education, temporary 30-day licenses, and licensure through reciprocity for Class B wiremen. Proposed new Subchapter 7 covers the same requirements for Class A electrical apprentices with the exception of continuing education because there is no continuing education requirement for Class A electrical apprentices.

Changes in terminology are proposed throughout N.J.A.C. 13:31, to replace references to "qualified journeyman electrician" and "registration" with "Class A journeyman electrician" and "license," respectively. The Board is proposing a new definition of "licensee" to include licensed electrical contractors, Class A journeymen electricians, Class B wiremen, and Class A electrical apprentices and proposes to use "licensee" throughout N.J.A.C. 13:31 only when it refers to all four categories of licensee. The Board also proposes to amend N.J.A.C. 13:31-1.5, 1.7, 2.4, 2.5, 2.6, 3.2, 3.3, 3.4, 3.6, 3.7, 3.8, and 5.1 to change the term "licensee" to "licensed electrical contractor" as these rules apply only to

licensed electrical contractors and not to all licensees. The Board is also proposing changes to terminology to eliminate gender pronouns.

The Board proposes several amendments to its definitions at N.J.A.C. 13:31-1.2. The definition of "apprentice" is proposed for deletion because references to "apprentice" throughout the chapter will be replaced by "Class A electrical apprentice." The definition of "another jurisdiction" was deleted from N.J.A.C. 13:31-2.7 and 5.7 and added at N.J.A.C. 13:31-1.2 because, with the addition of provisions for reciprocity with other jurisdictions for all four categories of license, this term is used more broadly throughout N.J.A.C. 13:31. The term "non-resident military spouse" was deleted from N.J.A.C. 13:31-2.7 and 5.7 and relocated to N.J.A.C. 13:31-1.2 to avoid repetition, and amended to use gender-neutral terminology. The Board proposes to add definitions for "Class A journeyman electrician," "Class B wireman," and "Class A electrical apprentice" taken from N.J.S.A. 45:5A-2(o), (y), and (z). The Board proposes to amend the definition of "qualifying licensee" to indicate that it encompasses a "licensed electrical contractor."

The Board proposes to amend N.J.A.C. 13:31-1.4 to replace "qualified journeyman electrician" with "Class A journeyman electrician" and to include Class B wiremen, Class A electrical apprentices, and entities exempt pursuant to N.J.A.C. 13:31-4.1 (limited telecommunications wiring exemption) as entities that must comply with Federal, State, and municipal laws, ordinances, and regulations pertaining to the business of electrical contracting. Although exempt entities are not licensed by the Board, they are exempted from licensing by application to the Board, and the Board has the authority to revoke the exemption if the exempt entity engages in unlicensed practice outside the scope of the exemption or otherwise violates an applicable law, ordinance, or regulation.

Existing N.J.A.C. 13:31-1.5 has separate rules regarding information that must be included on business correspondence and stationery at N.J.A.C. 13:31-1.5(b) and information that must be included in advertising at N.J.A.C. 13:31-1.5(c), even though the information that (b) and (c) require is the same. The Board proposes to add "advertising" to (b) and delete (c) to eliminate repetition.

The Board proposes amendments to its fee schedule at N.J.A.C. 13:31-1.6 to add fees for an initial Class A journeyman electrician, Class B wireman, and Class A electrical apprentice license and for renewal of each type of license. The Board also proposes a new fee for a temporary 30-day Class A journeyman electrician, Class B wireman, or Class A electrical apprentice license. Some changes to terminology in this subsection are also proposed to clarify which fees apply to all licenses and which to a particular license.

The Board proposes amendments at N.J.A.C. 13:31-1.8(a) to add the new categories of licensees and any entity exempt pursuant to N.J.A.C. 13:31-4.1 to the categories of individuals and entities who must notify the Board within 10 days of any change to their address of record. N.J.A.C. 13:31-1.8(b) is amended to indicate that use of the address of record for service of process of an administrative complaint constitutes adequate notice for an entity exempt pursuant to N.J.A.C. 13:31-4.1, in addition to a licensee.

The Board proposes to delete N.J.A.C. 13:31-2.3(o), which sets forth the experience requirements for applicants who were employed in the electrical trade, or were enrolled in a formal electrical apprenticeship program prior to December 17, 2018. This provision was only valid until December 17, 2022, and, since that date has passed, the regulation is no longer necessary.

The Board proposes to amend N.J.A.C. 13:31-2.7 regarding credit towards licensure for education, training, and experience received while serving as a member of the Armed Forces. Throughout the rule, references to N.J.A.C. 13:31-2.1 have been changed to N.J.A.C. 13:31-2.3, which is the new cross-reference that sets forth experience requirements for electrical contractors. The Board proposes amendments at N.J.A.C. 13:31-2.7(b) to make clear that an applicant who has served in the Armed Forces can request credit for training, as well as for education obtained while in the military. The proposed amendments also identify the specific transcript that must be submitted to the Board to obtain credit for education or training received while serving in the Armed Forces. The Board also proposes to change a reference to "electrical engineering" to "electrical contracting" because the Board believes that courses and

training in electrical contracting are more directly relevant for determining substantial equivalence of an applicant's military education and training.

The Board proposes to amend N.J.A.C. 13:31-2.8 by deleting subsection (a), which includes definitions for "another jurisdiction" and "nonresident military spouse" because the Board proposes to add definitions of these terms to N.J.A.C. 13:31-2.1.

The Board proposes to add new N.J.A.C. 13:31-2.9 regarding licensure without examination for electrical contractors who are licensed in a jurisdiction that grants reciprocity to electrical contractors licensed in New Jersey pursuant to N.J.S.A. 45:5A-11.8. Pursuant to proposed new N.J.A.C. 13:31-2.9(a), the Board must establish whether the qualifications for an electrical contractor license in a jurisdiction in which the applicant is licensed are substantially equivalent to the qualifications for licensure in New Jersey. Pursuant to proposed new N.J.A.C. 13:31-2.9(b), the Board will review whether the applicant has worked as an electrical contractor for two of the last five years; has had any action taken against the electrical contractor license or any other license in any jurisdiction or has any pending proceedings against the applicant by any licensing or credentialing agency; and has completed continuing education equivalent to that required for licensed electrical contractors in New Jersey. If an applicant has not worked as an electrical contractor for two of the last five years, the Board may request that the applicant complete additional training, testing, monitoring, or education. If the applicant has not completed continuing education equivalent to that required for an electrical contractor licensed by the Board in the jurisdiction in which the applicant is licensed, the Board may require the applicant to complete additional continuing education credits. Pursuant to proposed N.J.A.C. 13:31-2.9(b)4, the Board would require that the applicant complete an eight-hour course in New Jersey business law and statutes and rules related to the practice of a licensed electrical contractor provided by a Board-approved course provider. Proposed new N.J.A.C. 13:31-2.9(c) lists what an applicant seeking licensure through reciprocity must submit, or arrange for a third party to submit, to the Board. This includes the application and application fee, verification of the applicant's license from the other jurisdiction's licensing authority, and proof that the applicant worked as an electrical contractor for at least two of the last five years.

The Board proposes to amend N.J.A.C. 13:31-3.3(d) to modify the process that a business entity must follow in the event that the person whose license qualified the entity to engage in electrical contracting is rendered incapable of fulfilling professional duties. While the current rule allows the licensee or another person who may lawfully act on behalf of the business entity to delay returning the official pressure seal if certain conditions are met, the proposed amended rule would require that the official pressure seal be returned without delay. This is more consistent with N.J.A.C. 13:31-3.3(a), which establishes that only the licensed electrical contractor to whom the pressure seal is issued can use it. Proposed amended N.J.A.C. 13:31-3.3(d) would require that if the business wants to continue engaging in electrical contracting work, the electrical contractor whose license qualified the business, or another person who may lawfully act on behalf of the business entity, must submit a request to the Board. Upon receipt of the Board's written approval, the entity would be allowed to continue business for a period of six months. The amended rule would allow a Class A journeyman electrician to qualify the business to engage in electrical contracting during the interim period. The Board proposes to delete N.J.A.C. 13:31-3.3(g), which refers to return of the pressure seal after the interim period, because it is no longer applicable if the pressure seal has to be returned immediately.

The Board proposes to delete language at N.J.A.C. 13:31-3.5(d) that refers to an electrical contractor who holds a business permit assigning electrical work to the contractor's unlicensed employees because, pursuant to N.J.S.A. 45:5A-1 et seq., any person performing electrical work in the State must be licensed.

The Board proposes to amend N.J.A.C. 13:31-4.1(h) to add that an exempt entity must return the identification card issued by the Board within 30 days of any change of address, owners, or form of ownership. In addition, the Board proposes to amend N.J.A.C. 13:31-4.1(i) to clarify that the telecommunications exemption does not permit the exempt entity to engage in work within the scope of practice of licensees of the Fire Alarm, Burglar Alarm, and Locksmith Advisory Committee.

The Board proposes to amend N.J.A.C. 13:31-5.5 to recognize that Class A journeymen electricians are required to complete 15 credit hours of continuing education in order to renew licensure. The section is further amended to allow the Board to direct that 15, rather than 10 hours of continuing education as part of a disciplinary or remedial measure.

The Board proposes to repeal existing N.J.A.C. 13:31-5.6, regarding the Board register of applicants for registration as qualified journeymen electricians because Class A journeymen electricians must be licensed and the Board maintains a record of all licensees. The Board proposes new N.J.A.C. 13:31-5.6 to permit credit towards licensure as a Class A journeyman electrician for education, training, and experience obtained while serving as a member of the Armed Forces. The Board proposes to recognize credit for training, education, and experience gained during service in the Armed Forces for a Class A journeyman electrician license pursuant to N.J.S.A. 45:1-15.3, just as it does for an electrical contractor license. Pursuant to proposed N.J.A.C. 13:31-5.6(a), an applicant for a Class A journeyman electrician license who does not meet all of the requirements at N.J.A.C. 13:31-5.1 for a Class A journeyman electrician license may apply to the Board for recognition of the applicant's training, education, and experience gained while in the Armed Forces, as well as any training, education, and experience obtained outside of the Armed Forces, to determine whether the applicant's qualifications are substantially equivalent to those required at N.J.A.C. 13:31-5.1. Pursuant to proposed new N.J.A.C. 13:31-5.6(b), for the Board to determine substantial equivalence of the applicant's training and experience, the applicant is required to submit a Verification of Military Experience and Training or a successor form. An applicant seeking credit for education must submit a Joint Services Transcript.

The Board proposes to delete N.J.A.C. 13:31-5.7(a), as the definitions set forth in this subsection are relocated to N.J.A.C. 13:31-1.2. The Board proposes to amend recodified N.J.A.C. 13:31-5.7(a)3 and 5 for clarity and to amend recodified N.J.A.C. 13:31-5.7(a) to correct punctuation and to recognize that the discipline that would disqualify an applicant for a temporary courtesy license is discipline by a professional or occupational licensing or credentialing entity in another jurisdiction. The Board proposes to amend recodified N.J.A.C. 13:31-5.7(a)6 to change the number of hours of continuing education for a Class A journeyman electrician from 10 to 15 pursuant to N.J.S.A. 45:5A-11.4. A proposed amendment at recodified N.J.A.C. 13:31-5.7(b) recognizes that a third-party may submit documentation to the Board on an applicant's behalf.

Proposed new N.J.A.C. 13:31-5.8, 6.6, and 7.5 pertains to licensure through reciprocity for Class A journeymen electricians, Class B wiremen, and Class A electrical apprentices, respectively. Pursuant to N.J.S.A. 45:5B-11.8, the Board will only grant licensure through reciprocity for applicants who are licensed in a jurisdiction that grants reciprocity to licensed Class A journeymen electricians, Class B wiremen, and Class A electrical apprentices. Applicants for licensure through reciprocity must demonstrate that the qualifications for licensure in the jurisdiction in which they are licensed are substantially equivalent to those of the license for which they are applying. In addition, applicants for licensure through reciprocity must be in good standing in the jurisdiction for which they are seeking reciprocity and not have been subject to any disciplinary actions or have pending investigations by the licensing authority in the jurisdiction in which they are licensed. In the case of an applicant for licensure through reciprocity for a Class A journeyman electrician license, the applicant must have been employed as a journeyman electrician in the jurisdiction in which the applicant is licensed for at least five years immediately prior to the date of the application, have completed all continuing education required for the license in the other jurisdiction, and complete a 15-hour course in the most recent edition of the National Electric Code. If the applicant has not worked as a journeyman electrician for two of the last five years or has not completed continuing education equivalent to that required by the Board for a Class A journeyman electrician, the Board may require that the applicant complete additional training or education. As there are no experience requirements for either the Class B wireman or Class A electrical apprentice licenses, applicants for licensure through reciprocity for these licenses must demonstrate substantial equivalency to the requirements for licensure, but not experience subsequent to licensure.

Proposed new N.J.A.C. 13:31-5.9, 6.7, and 7.6 pertain to temporary Class A journeyman electrician, Class B wireman, and Class A electrical apprentice licenses, respectively, for individuals who wish to perform electrical work in New Jersey for not more than 30 days pursuant to N.J.S.A. 45:5B-1.7. The Board will issue an individual only one temporary license per triennial period. A Class A journeyman electrician performing electrical work subject to a temporary license cannot supervise other employees. To continue performing electrical work in the State for more than 30 days, the individual would have to apply for a full Class A journeyman electrician, Class B wireman, or Class A electrical apprentice license. The Board proposes new Subchapter 6 regarding the Class B wireman license and Subchapter 7 regarding the Class A electrical apprentice license. Proposed new N.J.A.C. 13:31-6.1 and 7.1 cover initial licensing of applicants for a Class B wireman license and Class A electrical apprentice license, respectively. Proposed new N.J.A.C. 13:31-6.1(a) states that anyone who is employed to perform electrical work who is not licensed as an electrical contractor, Class A journeyman electrician, or Class A electrical apprentice must be licensed as a Class B wireman. Proposed N.J.A.C. 13:31-6.1(b) requires an applicant for a Class B wireman license to submit an application, application fee, proof of current employment by an electrical contractor business permit holder, and certification from the electrical contractor business permit holder that the applicant will perform electrical work corresponding to the applicant's training and experience under the supervision of a licensed electrical contractor or Class A journeyman electrician. Proposed N.J.A.C. 13:31-6.1(c) establishes the scope of practice of a Class B wireman, which is to perform electrical work corresponding to the wireman's training and experience under the supervision of a licensed electrical contractor or Class A journeyman electrician, and does not include supervising any employee.

Proposed new N.J.A.C. 13:31-7.1 addresses requirements for an initial Class A electrical apprentice license. Proposed new N.J.A.C. 13:31-7.1(a) states that any person who is enrolled and in good standing in a four-year electrical apprentice program accredited and approved by the United States Department of Labor and who seeks to perform electrical work within the scope of the apprenticeship under the supervision of a licensed electrical contractor or Class A journeyman electrician must be licensed as a Class A electrical apprentice. Pursuant to proposed new N.J.A.C. 13:31-7.1(b), an applicant for a Class A electrical apprentice license shall submit an application; the application fee; proof that the applicant is enrolled and in good standing in a four-year electrical apprentice program accredited and approved by the United States Department of Labor; and the name and business address of the licensed electrical contractor or Class A journeyman electrician who will supervise the Class A electrical apprentice.

Proposed new N.J.A.C. 13:31-6.2 and 7.2 address renewal of a Class B wireman and Class A electrical apprentice license, respectively. Both licenses must be renewed on a triennial basis. An application for renewal of a Class B wireman license must include proof that the applicant has completed 15 hours of continuing education in the most recent edition of the National Electric Code pursuant to N.J.S.A. 45:5A-11.4. There is no continuing education requirement for renewal of a Class A electrical apprentice license. The Board is required to send a renewal notice at least 60 days prior to expiration of the license, which must inform the Class B wireman or Class A electrical apprentice of the option to renew as inactive. If a Class B wireman or Class A electrical apprentice fails to renew the license within 60 days of the date of the renewal notice or 30 days of expiration of the license, the license will be suspended. A Class B wireman or Class A electrical apprentice who continues to perform electrical work with a suspended license will be considered to be engaging in unlicensed practice and may be subject to disciplinary action by the Board.

Proposed new N.J.A.C. 13:31-6.3 and 6.4 and 7.3 and 7.4 address reactivation and reinstatement of a Class B wireman license and a Class A electrical apprentice license, respectively. A Class B wireman or Class A electrical apprentice who chooses to renew as inactive cannot perform electrical work, as long as the license is inactive. A Class B wireman or Class A electrical apprentice whose license is inactive may apply for reactivation of the license by submitting a renewal application, the renewal fee, and employment history during the inactive period. A Class

B wireman must also have a certification from the electrical contractor business that will employ the Class B wireman that the wireman will perform work within the scope of a Class B wireman license and submit proof of having completed continuing education for the triennial period for which renewal is sought. A Class A electrical apprentice applying for reactivation must submit a renewal application, the renewal fee, and proof of enrollment in a four-year electrical apprenticeship accredited and approved by the United States Department of Labor. For both Class B wiremen and Class A electrical apprentices, the Board may review such factors as the amount of time the license has been inactive; the applicant's employment and professional history; any disciplinary action taken against the applicant's license or action affecting the applicant's privileges; and any pending board proceedings or civil litigation or administrative actions against the applicant to determine whether an applicant for reactivation of a license has any practice deficiencies requiring additional training or education.

A Class B wireman or Class A electrical apprentice who seeks to have a license reinstated must submit a renewal application, renewal fee, and reinstatement fee. A Class B wireman applying for reinstatement must also submit a certification from the electrical contractor business who will employ the Class B wireman. A Class A electrical apprentice applying for reinstatement must submit proof of enrollment in a four-year electrical apprenticeship program accredited and approved by the United States Department of Labor. If the Board determines that a Class B wireman or Class A electrical apprentice seeking reinstatement has practice deficiencies, the Board may require that the Class B wireman or Class A electrical apprentice complete additional education or training.

Proposed new N.J.A.C. 13:31-6.5 addresses the requirements for continuing education for a Class B wireman. As noted above, a Class B wireman must complete 15 hours of continuing education in the most recent edition of the National Electric Code for each triennial cycle.

The Board has determined that the comment period for this notice of proposal will be 60 days; therefore, pursuant to N.J.A.C. 1:30-3.3(a)5, this notice is excepted from the rulemaking calendar requirement.

Social Impact

The Board believes the proposed amendments, repeal, and new rules will have a positive social impact for consumers by ensuring that any person performing electrical work in the State is licensed by the Board, which will allow the Board to take disciplinary action if the individual does not comply with applicable laws or regulations.

Economic Impact

The Board's proposed amendments, repeal, and new rules will have an economic impact on current qualified journeymen electricians who will, for the next renewal cycle, need to pay the proposed renewal fee of \$150.00 for a Class A journeyman electrician license, which is higher than the current registration renewal fee of \$90.00 for a qualified journeyman. In addition, because the number of credit hours to renew a Class A journeyman electrician license is 15 hours compared to 10 hours required for a registered qualified journeyman electrician, licensed Class A journeymen electricians may incur additional costs for continuing education. The proposed amendments will also affect individuals who have to pay the proposed triennial fee of \$75.00 to become licensed as Class B wiremen, and Class B wiremen may also incur costs to complete 15 hours of continuing education to renew the license. Individuals who are performing electrical work as apprentice electricians in a four-year apprenticeship program accredited and approved by the United States Department of Labor will be required to pay the proposed triennial license fee of \$150.00 to become licensed as Class A electrical apprentices.

Federal Standards Statement

A Federal standards analysis is not required because the proposed amendments, repeal, and new rules are governed by N.J.S.A. 45:5A-1 et seq., and are not subject to any Federal laws or standards.

Jobs Impact

The Board does not anticipate that the proposed amendments, repeal, or new rules will significantly increase or decrease jobs in the State.

Agriculture Industry Impact

The Board does not believe that the proposed amendments, repeal, or new rules will have any impact on the agriculture industry of the State.

Regulatory Flexibility Analysis

Any electrical contracting business or exempt entity that is a "business which is resident in this State, independently owned and operated and not dominant in its field, and which employs fewer than 100 full-time employees" constitutes a "small business" within the meaning of the Regulatory Flexibility Act (RFA), N.J.S.A. 52:14B-16 et seq. To the extent an electrical contractor, Class A journeyman electrician, Class B wireman, Class A electrical apprentice, or exempt entity qualifies as a "small business" pursuant to the RFA, the following analysis applies pursuant to N.J.S.A. 52:14B-19.

The economic impact on small businesses is the same as for all businesses. Business permit holders and licensees will not need to employ any professional services to comply with the requirements of the rulemaking. The proposed amendments, repeal, and new rules do not impose any recordkeeping requirements; however, they do impose compliance and reporting requirements as discussed in the Summary above.

As the compliance and reporting requirements in the rulemaking are necessary to ensure that licensees and exempt entities adhere to licensure standards that will ensure the safe and competent practice of electrical contracting in the State, the Board believes that the rules must be uniformly applied and that no exemptions should be provided based on the size of a business.

Housing Affordability Impact Analysis

The proposed amendments, repeal, and new rules will have no impact on the affordability of housing in New Jersey and there is an extreme unlikelihood that the proposed amendments, repeal, or new rules would evoke a change in the average costs associated with housing because the proposed amendments, repeal, and new rules concern licensure of individuals who perform electrical work in the State.

Smart Growth Development Impact Analysis

The proposed amendments, repeal, and new rules will have an insignificant impact on smart growth and there is an extreme unlikelihood that the proposed amendments, repeal, or new rules would evoke a change in housing production in Planning Areas 1 or 2, or within designated centers, pursuant to the State Development and Redevelopment Plan because the proposed amendments, repeal, and new rules concern licensure of individuals who perform electrical work in the State.

Racial and Ethnic Community Criminal Justice and Public Safety Impact

The Board has evaluated this rulemaking and determined that it will not have an impact on pretrial detention, sentencing, probation, or parole policies concerning adults and juveniles in the State. Accordingly, no further analysis is required.

Full text of the proposal follows (additions indicated in boldface thus; deletions indicated in brackets [thus]):

SUBCHAPTER 1. GENERAL RULES AND REGULATIONS

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:

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

["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.]

... "Class A electrical apprentice" means an individual licensed pursuant to N.J.S.A. 45:5A-1 et seq., and N.J.A.C. 13:31-7 who is enrolled in a four-year electrical apprenticeship program accredited and approved by the United States Department of Labor and who performs electrical work under the supervision of a licensed contractor or Class A journeyman electrician.

"Class A Journeyman electrician" means a person licensed pursuant to N.J.S.A. 45:5A-1 et seq., and N.J.A.C. 13:31-5 as a Class A Journeyman electrician.

"Class B wireman" means an individual licensed pursuant to N.J.S.A. 45:5A-1 et seq., and N.J.A.C. 13:31-6 who is employed to perform electrical work under the supervision of a licensed electrical contractor or Class A journeyman electrician.

"Licensed electrical contractor" means a person who has satisfied the requirements at N.J.A.C. 13:31-2.1 and 2.3 and has been issued a license as a licensed electrical contractor by the Board pursuant to N.J.S.A. 45:5A-9.

"Licensee" means a person who has satisfied the requirements of N.J.A.C. 13:31-2.1 and 2.2 and has been issued a license as an electrical contractor by the Board pursuant to N.J.S.A. 45:5A-9.]

"Licensee" means a person licensed by the Board as an electrical contractor, Class A journeyman electrician, Class B wireman, or Class A electrical apprentice.

"Nonresident military spouse" means a person who is not domiciled in the State and 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.

"Qualifying licensee" means a [licensee] licensed electrical contractor who has satisfied the requirements [of] at 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.

13:31-1.4 Compliance with laws

[Electrical] Licensed electrical contractors, [qualified] Class A journeyman electricians, [and] Class B wiremen, Class A electrical apprentices, [and] business permit holders, and entities exempt pursuant to N.J.A.C. 13:31-4.1 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] at 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) (No change.)

(b) All business correspondence, [and] stationery, and advertising shall display the following information:

1.-3. (No change.)

[(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)] (c) (No change in text.)

[(e)] (d) [No licensee] Licensed electrical contractors shall not perform electrical contracting work without having in [his or her] their possession a business permit identification as provided [in] at 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 for all licenses (non-refundable)..... \$100.00
2. Initial electrical contractor license fee:
i.-iii. (No change)
3. Triennial electrical contractor license renewal..... \$225.00
4. Late renewal fee for all licenses (within 30 days)..... \$ 50.00
5. Reinstatement fee for all licenses..... \$100.00

6.-12. (No change.)

13. [Qualified] Class A journeyman electrician initial [registration] license fee:

i. If paid during the first year of a triennial.....[\$90.00] \$150.00

ii. If paid during the second year of a triennial[\$60.00] \$100.00

iii. If paid during the third year of a triennial ...[\$30.00] \$50.00

14. [Qualified] Triennial Class A journeyman electrician [registration] license renewal fee.....[\$90.00] \$150.00

15.-16. (No change.)

17. Initial Class B wiremen license fee:

i. If paid during the first year of a triennial period \$75.00

ii. If paid during the second year of a triennial period \$50.00

iii. If paid during the third year of a triennial period \$25.00

18. Triennial Class B wireman license renewal \$75.00

19. Initial Class A electrical apprentice license fee:

i. If paid during the first year of a triennial period \$150.00

ii. If paid during the second year of a triennial period \$100.00

iii. If paid during the third year of a triennial period \$50.00

20. Triennial Class A electrical apprentice license renewal \$150.00

[17.] 21. (No change in text.)

[18. Qualified journeyman electrician temporary courtesy registration fee \$30.00

19. Renewal of temporary courtesy license fee \$75.00

20. Renewal of qualified journeyman electrician temporary courtesy registration fee..... \$30.00]

22. 30-day temporary license fee \$75.00

13:31-1.7 Continuing education requirements for licensed electrical contractors

(a) Upon triennial license renewal, a [licensee] licensed electrical contractor shall attest [that he or she has] to having completed courses of continuing education of the types and number of credits specified [in] at (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] licensed electrical contractor to disciplinary action as set forth at N.J.S.A. 45:1-21 et seq.

(b) Each applicant for triennial [license] renewal of an electrical contractor license shall be required to complete, during the preceding triennial period, except as provided at (b)1 below, a minimum of 34 credit hours of continuing education.

1. [Licensees] Licensed electrical contractors shall not be required to complete the continuing education requirements for the triennial registration period in which they initially received licensure.

2. A [licensee] licensed electrical contractor who completes more than the minimum continuing education credits set forth [above] in this section 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] licensed electrical contractor in compliance with an order or directive from the Board as set forth [in] at (j) below shall not be used to satisfy the minimum continuing education requirements as set forth in this section.

(c) A [licensee,] licensed electrical contractor who is not exempt pursuant to (b)1 above, shall complete a minimum of a 10 hour in-person 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; webinars and

electronic media distance learning courses shall not satisfy this requirement. A [licensee] licensed electrical contractor shall obtain the balance of continuing education credits in the following areas:

- 1.-3. (No change.)
- 4. Supervisory responsibilities as set forth [in] at N.J.A.C. 13:31-3.4; and

5. (No change.)
 (d) A [licensee] licensed electrical contractor 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] licensed electrical contractors 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] licensed electrical contractors upon request;

2. Participation in instructional activities, such as developing a 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] licensed electrical contractor has never taught or developed a curriculum for that course or program in any educational setting;

3.-5. (No change.)

6. Successful completion of an education program in electrical engineering approved pursuant to N.J.A.C. 13:40-13 by the State Board of Professional Engineers and Land Surveyors, provided the [licensee] licensed electrical contractor obtains a certificate of completion from the course sponsor and the program subject matter is consistent with (e)1 through 5 above, and provided that a [licensee] licensed electrical contractor may earn a maximum of 24 credits per triennial [registration] period pursuant to (e)6 below; and

7. Successful completion of a program in the installation of natural or manufactured gas piping relevant to installing or repairing electric generators approved by the Board pursuant to (h) below, provided that a [licensee] licensed electrical contractor may earn a maximum of two credits per triennial [registration] period pursuant to (e) below.

(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] 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 of a segment of a program or course [instruction] shall be required in order to receive any continuing education credit.

i. A [licensee] licensed electrical contractor may earn a maximum of eight credits per triennial [registration] period in correspondence, self-study, televised, videotaped, teleconferences, webinars, and electronic media distance learning courses that have been approved by the Board pursuant to (h) below, consistent with the following:

- (1)-(2) (No change.)
- ii. Webinars and electronic distance learning courses that are live and synchronous, permitting the instructor and [licensee] licensed electrical contractor to interact with each other in real time, shall not be subject to the credit amount limitations set forth at (e)11 and 11(1) above;

(1)-(4) (No change.)
 (5) A [licensee] licensed electrical contractor may earn a maximum of eight credits per triennial [registration] period for successful completion of a program consistent with (d)5 above;

(6) A [licensee] licensed electrical contractor may earn a maximum of 24 credits per triennial registration period for successful completion of a program consistent with (d)6 above; and

(7) A [licensee] licensed electrical contractor may earn a maximum of two credits per triennial [registration] period for a successful completion of a program that has been approved by the Board in subject matter consistent with (d)7 above.

(f) The Board may perform audits on randomly selected [licensees] licensed electrical contractors or upon any [licensee] licensed electrical contractor 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] licensed electrical contractor 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.-3. (No change.)
- (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 [licensee] licensed electrical contractor.

1. A [licensee] licensed electrical contractor 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] licensed electrical contractor shall provide the Board with such supplemental materials as will support the request for a waiver.

(h)-(j) (No change.)
 (k) The Board may direct or order a [licensee] licensed electrical contractor to complete continuing education credits:

- 1. (No change.)
- 2. To correct a deficiency in the [licensee's] licensed electrical contractor'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] their 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, licensee's 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 address of record of a licensee, entity exempt pursuant to N.J.A.C. 13:31-4.1, or business permit [holder's address of record] holder shall be deemed adequate notice for the commencement of any inquiry or disciplinary proceeding against the licensee, exempt entity, or business permit holder.

(c)-(d) (No change.)

SUBCHAPTER 2. ELECTRICAL CONTRACTOR LICENSURE AND BUSINESS PERMIT REQUIREMENTS

13:31-[2-3]2.3 Experience requirements

(a)-(b) (No change.)
 [(c) Between December 17, 2018 and December 17, 2022, for an applicant who was employed in the electrical trade prior to December 17, 2018, or enrolled in a formal electrical apprenticeship program completed prior to December 17, 2018, the Board shall accept one year of employment, in lieu of one year's enrollment in an electrical apprenticeship program, accredited and approved by the United States Department of Labor, up to a maximum total credit of four years.

1. As proof of each year of employment, the applicant shall submit, on a form provided by the Board, an affidavit from each employer acknowledging the number of hours that the applicant has had practical hands-on experience. In lieu of an affidavit, the Board shall accept as proof of employment copies of filed income tax returns or W-2 forms.]

13:31-2.4 [License] Licensed electrical contractor license renewal

(a) (No change.)

(b) A [licensee] licensed electrical contractor shall renew [his or her] a license for a period of three years from the last expiration date. The licensee shall submit [by submitting] a renewal application to the Board, along with the renewal fee set forth [in] at N.J.A.C. 13:31-1.6, prior to the date of license expiration.

(c) A [licensee] licensed electrical contractor may, upon application to the Board, renew [his or her] the license by choosing inactive status. [A licensee electing to] Licensed electrical contractors who renew [his or her license] as inactive shall not engage in the practice of electrical contracting, or hold [himself or herself] themselves 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) (No change.)

(e) A [licensee] A licensed electrical contractor who fails to submit a renewal application within 30 days of license expiration shall have [his or her] the license suspended without a hearing.

(f) (No change.)

13:31-2.5 [License] Licensed electrical contractor license reactivation

(a) A [licensee] licensed electrical contractor who holds an inactive license pursuant to N.J.A.C. 13:31-2.4(c) may apply to the Board for reactivation of the inactive license. A [licensee] licensed electrical contractor seeking reactivation of an inactive license shall submit:

1.-4. (No change.)

(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] ensure 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.-5. (No change.)

6. Pending proceedings against a professional or occupational license issued to the [licensee] licensed electrical contractor by a professional board in New Jersey, any other state, the District of Columbia, or in any other jurisdiction; and

7. (No change.)

13:31-2.6 [License] Licensed electrical contractor license reinstatement

(a) Pursuant to N.J.S.A. 45:1.7.1.c, a [licensee who has had his or her] licensed electrical contractor whose license has been suspended pursuant to N.J.A.C. 13:31-2.4(e) may apply to the Board for reinstatement. A licensee applying for reinstatement shall submit:

1.-4. (No change.)

5. The reinstatement fee set forth [in] at 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] at 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] at (a)6 above. If the other state does not have any

continuing education requirements, the requirements [of] at (a)6 above apply.

ii. (No change.)

(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 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] ensure 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.-5. (No change.)

6. Pending proceedings against a professional or occupational license issued to the [licensee] licensed electrical contractor by a professional board in New Jersey, any other state, the District of Columbia, or in any other jurisdiction; and

7. (No change.)

13:31-2.7 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 pursuant to N.J.A.C. 13:31-[2.1 and] 2.3 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] licensure.

(b) The Board shall issue a license to the applicant, if the applicant presents evidence to the Board that:

1. (No change.)

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 pursuant to N.J.A.C. 13:31-[2.1 and] 2.3.

i. (No change.)

3. (No change.)

(c) (No change.)

(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] at N.J.A.C. 13:31-[2.1]2.3 for the issuance of the license.

(e) (No change.)

13:31-2.8 Temporary courtesy licensed electrical contractor license for nonresident military spouse

[(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 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 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)] (a) An individual who is licensed, registered, or certified as an electrical contractor 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] the individual:

1. Meets the definition of nonresident military spouse set forth [in] at (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] at N.J.A.C. 13:31-2.1;

3. (No change.)

4. Has not committed an act in another jurisdiction that would have constituted grounds for the denial, suspension, or revocation of [his or her] a licensed electrical contractor 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] at (a)2 above, where [he or she] the individual 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. (No change.)

6. (No change)

Recodify existing (e)-(f) as (b)-(e) (No change in text.)

13:31-2.9 Reciprocity with other jurisdictions

(a) The Board may grant a licensed electrical contractor license without examination to an applicant who holds an electrical contractor license in good standing from another jurisdiction, provided that:

1. A jurisdiction in which the applicant is licensed provides equal reciprocity for an electrical contractor licensed in New Jersey;

2. The Board determines that the qualifications and examination for an electrical contractor license in the jurisdiction are substantially equivalent to those required for an electrical contractor license in New Jersey. In determining whether the qualifications for an electrical contractor license in the jurisdiction are substantially equivalent to those required for an electrical contractor license in New Jersey, the Board shall consider 2,000 hours of experience performing electrical work under the direct supervision of a licensed electrical contractor as equivalent to one year of an electrical apprenticeship program accredited and approved by the United States Department of Labor; and

3. The applicant satisfies the criteria at (b) below.

(b) An individual who is licensed in another jurisdiction may apply to obtain a licensed electrical contractor license without examination through reciprocity, if the individual:

1. Has been engaged in the active practice of an electrical contractor for at least two of the five years immediately preceding the date of application for the license. The Board may require an applicant for a license through reciprocity who has not been engaged in the active practice of an electrical contractor 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 ensure that the applicant practices with reasonable skill and safety. In making its determination whether the applicant must undergo additional training, testing, mentoring, or education, the Board shall consider the following factors, including, but not limited to:

i. Employment history;

ii. Professional history;

iii. Actions affecting the applicant's privileges taken by any institution, organization, or employer related to the practice of a licensed electrical contractor or other professional or occupational practice in New Jersey or in another jurisdiction; and

iv. Civil litigation or administrative actions related to the practice of a licensed electrical contractor or other professional or occupational practice in New Jersey or in another jurisdiction;

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

3. Has satisfied any continuing education credits that meet the requirements at N.J.A.C. 13:31-1.7 in the jurisdiction where the applicant holds a current license to practice as an electrical contractor and has completed such continuing education hours or credits as may be required by the Board within the time frame the Board may establish. 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:

i. Employment history;

ii. Professional history;

iii. Actions affecting the applicant's privileges taken by any institution, organization, or employer related to the practice of a licensed electrical contractor or other professional or occupational practice in New Jersey or in another jurisdiction; and

iv. Civil litigation or administrative actions related to the practice of an electrical contractor or other professional or occupational practice in New Jersey or in another jurisdiction; and

4. Has completed an eight-hour course in New Jersey business law and statutes and rules related to the practice of a licensed electrical contractor provided by a Board-approved course provider.

(c) An applicant for a license through reciprocity shall submit, or arrange for a third-party to submit, to the Board:

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

2. A non-refundable application fee and license fee as set forth at N.J.A.C. 13:31-1.6;

3. Written or electronic verification of status of licensure from a jurisdiction in which the applicant is currently licensed. 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; and

4. Proof that the applicant was engaged in the practice of an electrical contractor in another jurisdiction for at least two of the last five years immediately preceding the date of application.

SUBCHAPTER 3. STANDARDS OF PRACTICE

13:31-3.2 Work standards and inspections

(a) Every [licensee] licensed electrical contractor 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] 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] licensed electrical contractor who performs or supervises work described [in] at (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] licensed electrical contractor 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] licensed electrical contractor.

(d) Failure to comply with (a), (b), or (c) above may be deemed occupational misconduct within the meaning [of] at N.J.S.A. 45:1-21(e) and may subject the licensee to disciplinary action as set forth [in] at N.J.S.A. 45:1-21 et seq.

13:31-3.3 Pressure seal and signature requirements

(a)-(b) (No change.)

(c) A [licensee] licensed electrical contractor shall immediately return to the Board the previously issued official pressure seal when:

1. The [licensee] has had his or her license has been suspended or revoked as a result of either a disciplinary order or a failure to pay licensing fees or business permit fees, or the licensed electrical contractor has registered with the Board as inactive pursuant to N.J.A.C. 13:31-2.5;

2.-4. (No change.)

(d) If the person whose license qualified a business entity to engage in electrical contracting is rendered incapable of fulfilling [his or her] the professional duties of a qualifying licensee pursuant to N.J.A.C. 13:31-3.4 due to death, illness, or other condition, the qualifying licensee or such other individual who may lawfully act for the business entity [may delay returning] shall return the official pressure seal [for at least]. A licensed electrical contractor or such other individual who may lawfully act for the business entity that seeks to continue engaging in electrical contracting work shall submit a request to the Board, on a Board-approved form, and upon the Board's written approval, shall be permitted to continue business for a period of six months provided that:

1. The Board is immediately notified, in writing, of the name of a new licensed electrical contractor or Class A journeyman electrician licensed by the Board, or [a qualified journeyman electrician registered with the Board pursuant to N.J.A.C. 13:31-5.1, or] other person with substantially equivalent experience who shall qualify the business entity during the interim period provided by this subsection; and

2. (No change.)

(e)-(f) (No change.)

(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)] (g) (No change in text.)

13:31-3.4 Supervision of electrical work

(n)-(c) (No change.)

(d) A qualifying licensee, [licensee] licensed electrical contractor, or [qualified] Class A 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] pursuant to 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] licensed electrical contractor, or [qualified] Class A 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] pursuant to 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] licensed electrical contractor, or [qualified] Class A 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) (No change.)

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

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

(d) [An] A licensed 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] licensed electrical contractor. [The] Identification cards shall be used exclusively by [the licensee] licensed electrical contractors in the conduct of [his or her] their practice. A [licensee] licensed electrical contractor who willfully or negligently allows [an unlicensed or an unauthorized] any person to use [his or her] the 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] pursuant to N.J.S.A. 45:5A-1 et seq., 45:1-14 et seq., and 45:1-21 et seq. The [licensee] licensed electrical contractor 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] licensed electrical contractor 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] an unauthorized user [if he or she] who 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] at 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] licensed electrical contractor shall not charge an excessive fee for services. A fee is excessive when, after a review of the facts, a [licensee] licensed electrical contractor of ordinary prudence and familiarity with the local market rates would recognize that the [price] fee 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.-4. (No change.)

5. The experience, reputation, and ability of the [licensee] licensed electrical contractor to perform the services;

6.-7. (No change.)

(b) (No change.)

13:31-3.8 Activities requiring [licensee] a licensed electrical contractor license and business permit

(a) (No change.)

(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] licensed electrical contractor holding a business permit or an employee, except as provided [in] at N.J.S.A. 45:5A-18 and (c) below.

(c)-(d) (No change.)

SUBCHAPTER 4. LICENSURE EXEMPTIONS

13:31-4.1 Limited telecommunications wiring exemption

(a)-(g) (No change.)

(h) The exempt entity shall notify the Board, in writing, of any change in name, ownership, or form of ownership and return the identification card issued pursuant to (f) above 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 work within the scope of practice for licensees of the Fire Alarm, Burglar Alarm, and Locksmith Advisory Committee pursuant to N.J.S.A. 45:5A-23 et seq.; or that the exempt

entity has a history of failure to pass local inspections or to obtain required permits; or for any reason [which] that may serve as a basis to suspend, revoke, or deny a license to engage in electrical contracting as more particularly set forth [in] at N.J.S.A. 45:1-21 et seq.

(j) (No change.)

SUBCHAPTER 5. [QUALIFIED] CLASS A JOURNEYMAN ELECTRICIAN[S] LICENSE

13:31-5.1 [Registration as qualified] Initial Class A journeyman electrician license

(a) A person shall [register] be licensed as a [qualified] Class A journeyman electrician in order to engage in the activities set forth at N.J.S.A. 45:5A-18(k), and, if the person is not a [licensee] licensed electrical contractor, 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] An applicant for a Class A journeyman electrician, an applicant] license shall submit the [registration] license application fee set forth at N.J.A.C. 13:31-1.6 and [shall submit] a completed application that establishes that the applicant:

1.-3. (No change.)

(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] license, if [he or she] the individual satisfies the criteria set forth [in] at N.J.A.C. 13:31-5.7[(b) through (f)].

13:31-5.2 [Registration] Class A journeyman electrician license renewal

(a) The Board shall send a notice of renewal to each [qualified] Class A journeyman electrician, at least 60 days prior to the expiration of the [registration] license. The notice of renewal shall explain inactive renewal and advise the [registrant] licensed Class A journeyman electrician 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] license is renewed within 60 days from the date the notice is sent or within 30 days following the date of [registration] license expiration, whichever is later.

(b) A [qualified] Class A journeyman electrician shall renew [his or her registration] the license for a period of three years from the last expiration date. The [registrant] Class A journeyman electrician shall submit a renewal application to the Board, along with the renewal fee set forth [in] at N.J.A.C. 13:31-1.6, prior to the date of [registration] license expiration.

(c) A [qualified] Class A journeyman electrician may, upon application to the Board, renew [his or her certificate of registration] the license by choosing inactive status. A [qualified] Class A journeyman electrician electing to renew [his or her certificate of registration] the license as inactive shall not perform or supervise electrical work as provided [in] at N.J.S.A. 45:5A-18(k) and N.J.A.C. 13:31-3.4, or [hold himself or herself out as] claim to be eligible to perform or supervise electrical work as provided [in] at 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] license is returned to active status. [An] A Class A journeyman electrician whose license is inactive [registrant] shall also not perform work as provided [in] at N.J.S.A. 45:5A-18(l) unless, as set forth [in] at N.J.S.A. 45:5A-18(l), the [registrant] Class A journeyman electrician 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] A Class A journeyman electrician who does not renew the [registration] license prior to its expiration date, [the registrant] may renew the [registration] license within 30 days of its expiration by submitting a renewal application, a renewal fee, and a late fee as set forth [in] at N.J.A.C. 13:31-1.6. During this 30-day period, the [certificate of registration] license shall be valid and the [registrant] Class A journeyman electrician shall not be deemed to be practicing without a [registration] license.

(e) A [qualified] Class A journeyman electrician who fails to submit a renewal application within 30 days of [registration] license expiration shall have [his or her certificate of registration] the license suspended without a hearing.

(f) A [qualified] Class A journeyman electrician who continues to perform or supervise electrical work as provided [in] at N.J.S.A. 45:5A-18(k) and N.J.A.C. 13:31-3.4 with a suspended [registration] license shall be deemed to be engaging in the unauthorized practice of a [qualified] Class A 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] Class A journeyman electrician who continues to perform work as provided [in] at N.J.S.A. 45:5A-18(l) with a suspended [registration] license, unless, as set forth [in] at N.J.S.A. 45:5A-18(l), the [registrant] Class A journeyman electrician 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] Class A 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] Class A journeyman electrician license reactivation

(a) A [qualified] Class A journeyman electrician who holds an inactive [certificate of registration] license pursuant to N.J.A.C. 13:31-5.2(e) may apply to the Board for reactivation of the inactive [certificate of registration] license. A [registrant] Class A journeyman electrician seeking reactivation of an inactive [certificate of registration] license shall submit:

1.-4. (No change.)

(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] license. If that examination or assessment identifies deficiencies or educational needs, the Board may require the applicant, as a condition of reactivation of [registration] the license, 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] ensure that the applicant practices with reasonable skill and safety. The Board, in its discretion, may restore the [certificate of registration] license 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] license. [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] the license was inactive;

2.-6. (No change.)

7. Civil litigation or administrative actions related to the practice of a [qualified] Class A 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] Reinstatement of a Class A journeyman electrician license

(a) Pursuant to N.J.S.A. 45:1-7.1.c, a [qualified] Class A journeyman electrician [who has had his or her certification of registration] whose license has been suspended pursuant to N.J.A.C. 13:31-5.2(e) may apply to the Board for reinstatement. A [registrant] Class A journeyman electrician applying for reinstatement shall submit:

1. (No change.)

2. A certification of employment listing each job held during the period of suspended [registration] license, which includes the name, address, and telephone number of each employer;

3.-6. (No change.)

(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] license. 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] license, 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] ensure that the applicant practices with reasonable skill and safety. The Board, in its discretion, may restore the [certificate of registration] license 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] 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 [certificate of registration] the license was suspended;

2.-6. (No change.)

7. Civil litigation or administrative actions related to the practice of a [qualified] Class A 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] license renewal, a [qualified] Class A journeyman electrician shall attest [that he or she has] to having completed 15 credit hours of continuing education on the most recent edition of the National Electrical Code. Falsification of any information submitted on the [registration] license renewal application may require an appearance before the Board and may subject the [registrant] Class A journeyman electrician to disciplinary action as set forth at N.J.S.A. 45:1-21 et seq. Falsification of any information submitted on the [registration] license renewal application by a [qualified] Class A journeyman electrician who is also a licensed electrical contractor may also result in the suspension or revocation of [his or her] the electrical contracting license. A licensed electrical contractor who satisfies the requirements at N.J.A.C. 13:31-1.7 shall be deemed to have satisfied the requirements of this section.

1. (No change.)

(b) Any continuing education credits completed by the [qualified] Class A journeyman electrician in compliance with an order or directive from the Board as set forth [in] at (g) below shall not be used to satisfy the minimum continuing education requirements of this section.

(c) (No change.)

(d) The Board shall perform audits on randomly selected [qualified] Class A journeyman electricians or upon any [qualified] Class A 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] Class A 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) (No change.)

(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] licensee as provided [in] at N.J.A.C. 13:31-5.3.

1. A [qualified] Class A journeyman electrician seeking a waiver of the continuing education requirements shall apply to the Board, in writing, at least 90 days prior to [registration] license renewal and set forth in specific detail the reasons for requesting the waiver. The [qualified] Class

A 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] that necessitated the waiver persist(s) into the next triennial period, a [qualified] Class A 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] Class A journeyman electrician to complete continuing education credits:

1. As part of a disciplinary or remedial measure in addition to the required [10] 15 hours of continuing education credit; or

2. To correct a deficiency in the [qualified] Class A journeyman electrician's continuing education requirements.

13:31-5.6 [Board register of applications] Credit towards licensure for education, training, and experience received while serving as a member of the Armed Forces

[(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.]

(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 as a Class A journeyman electrician at N.J.A.C. 13:31-5.1 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 licensure.

(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 at N.J.A.C. 13:31-5.1.

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; and

ii. An applicant seeking credit for education courses and training completed while in the military and outside of the military that are not part of an earned bachelor's degree shall submit to the Board, a Joint Services Transcript of the applicant's education and training for a determination that the education courses or training completed are substantially equivalent in level, scope, and intent to the program required for licensure pursuant to N.J.A.C. 13:31-5.1; and

3. The applicant complies with all other requirements for licensure.

(c) It is the applicant's responsibility to provide timely and complete evidence of the education, training, and 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 at N.J.A.C. 13:31-5.1 for the issuance of the license.

13:31-5.7 Temporary courtesy [registration as qualified] Class A journeyman electrician license for a nonresident military spouse

[(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)] [(a)] An individual who is licensed, registered, or certified in another jurisdiction may apply to obtain a temporary courtesy [certificate of registration as a qualified] Class A journeyman license pursuant to N.J.S.A. 45:1-15.5, if [he or she] the individual:

- 1.-2. (No change.)
3. Has been engaged in the active practice of a [qualified] Class A journeyman electrician for at least two of the five years immediately preceding the date of application for the temporary courtesy [certificate of registration] 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 engaged in the active practice of a [qualified] Class A 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] ensure that the applicant practices with reasonable skill and safety. In making its determination whether the applicant must undergo additional training, testing, mentoring, or education, the Board shall consider the following factors including, but not limited to:

Recodify existing (1)-(2) as 1.-11. (No change in text.)

[(3)] iii. Actions affecting the applicant’s privileges taken by any institution, organization, or employer related to the practice of a [qualified] Class A 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)] iv. Civil litigation or administrative actions related to the practice of a [qualified] Class A 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] a Class A journeyman electrician license in New Jersey, has not been disciplined by a professional or occupational licensing or credentialing entity in another jurisdiction, [or] and 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] at (a)2 above, where [he or she] the Class A journeyman electrician holds a current license, registration, or certificate to practice as a [qualified] Class A 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:

Recodify existing (1)-(2) as 1.-11. (No change in text.)

[(3)] iii. Actions affecting the applicant’s privileges taken by any institution, organization, or employer related to the practice of a [qualified] Class A 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)] iv. Civil litigation or administrative actions related to the practice of a [qualified] Class A 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] 15-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.

[(e)] [(b)] An applicant for a temporary courtesy [certificate of registration] license shall submit, or arrange for a third party to submit, to the Board:

1. (No change.)
2. A non-refundable application fee and a temporary courtesy [registration] license fee as set forth [in] at N.J.A.C. 13:31-1.6;
3. (No change.)
4. Proof that the applicant was engaged in the practice of a [qualified] Class A 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)] [(e)] A temporary courtesy [certificate of registration] Class A journeyman electrician license shall be valid for one year.

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

[(f)] [(e)] A nonresident military spouse who holds a temporary courtesy [certificate of registration] Class A journeyman electrician 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 [certificate of registration] 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.

13:31-5.8 Reciprocity with other jurisdictions

(a) The Board may grant a Class A journeyman electrician license to an applicant who holds a journeyman electrician license in good standing from another jurisdiction provided that a jurisdiction in which the applicant is licensed provides equal reciprocity to Class A journeymen electricians licensed in New Jersey and the Board determines that the qualifications for licensure as a journeyman electrician in the jurisdiction are substantially equivalent to the qualifications for a Class A journeyman electrician license.

(b) An individual who is licensed in another jurisdiction may apply to obtain a Class A journeyman license through reciprocity if the individual:

1. Has been engaged in the active practice of a journeyman electrician equivalent to that of a Class A journeyman electrician for at least two of the last five years immediately preceding the date of application for the license;

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

3. Has satisfied any continuing education requirements in the jurisdiction where the applicant holds a current license to practice as a journeyman electrician; and

4. Has completed a 15-hour course of study relating to the most recent edition of the National Electric Code (Code). The course of study shall be provided by a Board-approved continuing education provider.

(c) An applicant for a license through reciprocity shall submit, or arrange for a third party to submit, to the Board:

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

2. A non-refundable application fee and license fee as set forth at N.J.A.C. 13:31-1.6;

3. Written or electronic verification of status of licensure from a jurisdiction in which the applicant is currently licensed. 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 journeyman electrician equivalent to the practice of a Class A journeyman electrician in another jurisdiction for at least two of the last five years immediately preceding the date of application;

5. Proof that the applicant has completed any continuing education required to have been completed in the jurisdiction in which the applicant is licensed; and

6. Proof that the applicant has completed 15 hours of training in the most recent version of the National Electric Code.

13:31-5.9 Temporary 30-day Class A journeyman electrician license

(a) The Board may issue a temporary 30-day Class A journeyman electrician license to an individual from another state or jurisdiction who meets the qualifications of a Class A journeyman to perform the services of a Class A journeyman in the State for not more than 30 days.

(b) If the applicant intends to work as a Class A journeyman electrician in the State for more than 30 days, the applicant must apply for a full Class A journeyman electrician license.

(c) The Board shall issue an applicant only one temporary 30-day Class A journeyman electrician license in any triennial period.

(d) A Class A journeyman electrician performing services pursuant to a temporary 30-day Class A journeyman electrician license shall work under the supervision of a licensed electrical contractor and shall not supervise any electrical work.

(e) A Class A journeyman electrician performing electrical work pursuant to a temporary 30-day Class A journeyman electrician license shall comply with all statutes and rules related to the practice of a Class A journeyman electrician.

(f) An applicant for a temporary 30-day Class A journeyman electrician license shall submit:

1. An application form provided by the Board;

2. An application fee and license fee; and

3. An affidavit stating that the applicant will not work for more than 30 days and the dates the applicant intends to perform electrical work pursuant to the temporary 30-day Class A journeyman electrician license.

SUBCHAPTER 6. CLASS B WIREMAN LICENSE

13:31-6.1 Initial Class B wireman license

(a) Any person employed to engage in electrical work in the State who is not licensed as an electrical contractor, Class A journeyman electrician, or Class A electrical apprentice must be licensed as a Class B wireman.

(b) A person seeking licensure as a Class B wireman shall submit:

1. An application on a form approved by the Board;

2. The application fee pursuant to N.J.A.C. 13:31-1.6;

3. Proof of current employment by an electrical contractor business permit holder; and

4. Certification from the electrical contractor business permit holder that the applicant will perform electrical work corresponding

to the wireman's training and experience under the supervision of a licensed electrical contractor or Class A journeyman electrician.

(c) A licensed Class B wireman shall perform electrical work corresponding to the wireman's training and experience under the supervision of a licensed electrical contractor or Class A journeyman electrician and shall not supervise any other employees.

(d) A licensed Class B wireman shall renew the license subject to the triennial cycle established by the Board. At the time of renewal, the Class B wireman must present proof of having completed a 15-hour course of study relating to the most recent edition of the National Electric Code, 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.

13:31-6.2 Class B wireman license renewal

(a) The Board shall send a notice of renewal to each Class B wireman at least 60 days prior to the expiration of the license. The notice of renewal shall explain inactive renewal and advise the Class B wireman 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 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 expiration, whichever is later.

(b) A Class B wireman shall renew the license for a period of three years from the last expiration date by submitting a renewal application to the Board, along with the renewal fee set forth at N.J.A.C. 13:31-1.6, prior to the date of license expiration.

(c) A Class B wireman may, upon application to the Board, renew the license by choosing inactive status. A Class B wireman electing to renew a license as inactive shall not perform or claim to be eligible to perform electrical work until such time as the license is returned to active status.

(d) A Class B wireman who does not renew the license prior to its expiration date 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 at N.J.A.C. 13:31-1.6. During the 30-day period, the license shall be valid and the Class B wireman shall not be deemed to be practicing without a license.

(e) A Class B wireman who fails to submit a renewal application within 30 days of license expiration shall have the license suspended without a hearing.

(f) A Class B wireman who continues to perform electrical work with a suspended license shall be deemed to be engaging in the unauthorized practice of a Class B wireman 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 Class B wireman who continues to perform electrical work with a suspended license shall be deemed to be engaging in the unauthorized practice of a Class B wireman 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.

13:31-6.3 Class B wireman license reactivation

(a) A Class B wireman who holds an inactive license pursuant to N.J.A.C. 13:31-6.2(c) may apply to the Board for reactivation of the inactive license. A Class B wireman seeking reactivation of an inactive license shall submit:

1. A renewal application;

2. The renewal fee for the triennial period for which reactivation is sought;

3. Certification from the electrical contractor business permit holder that the applicant will perform electrical work corresponding to the wireman's training and experience under the supervision of a licensed electrical contractor or Class A journeyman electrician upon reactivation of the license.

4. Employment history during inactive period; and

5. Evidence of having completed the continuing education requirement for the triennial period immediately preceding the period for which the applicant is seeking reactivation.

(b) If 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 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 the license, to take and successfully complete any education or training or to submit to any supervision, monitoring, or limitations the Board determines are necessary to ensure 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 the license was inactive;
2. Employment history;
3. Professional history;
4. Disciplinary action taken against the applicant's license by any licensing board;
5. Any actions affecting the applicant's privileges taken by any institution, organization, or employer related to the performance of electrical work or other professional or occupational practice in New Jersey or in another jurisdiction;
6. Pending proceedings against a professional or occupational license, registration, or certificate issued to the applicant by a professional board in New Jersey or in any other jurisdiction; and
7. Civil litigation or administrative actions related to the practice of a Class B wireman or other professional or occupational practice in New Jersey or in any other jurisdiction.

13:31-6.4 Reinstatement of a Class B wireman license

(a) Pursuant to N.J.S.A. 45:1-7.1.e, a Class B wireman whose license has been suspended pursuant to N.J.A.C. 13:31-6.2(e) may apply to the Board for reinstatement. A Class B wireman 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 at N.J.A.C. 13:31-1.6;
6. Certification from the electrical contractor business permit holder that the applicant will perform electrical work corresponding to the wireman's training and experience under the supervision of a licensed electrical contractor or Class A journeyman electrician upon reinstatement of the license; and
7. 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 at N.J.A.C. 13:31-6.5.

i. An applicant who holds a valid, current license or certificate of registration in good standing issued by another state to perform electrical work equivalent to the work of a Class B wireman and submits proof of having satisfied that state's continuing education requirements for that license, certification, or registration, shall be deemed to have satisfied the requirements at (a)6 above. If the other state does not have any continuing education requirements, the requirements at (a)6 above shall apply; and

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 license. If that examination or assessment identifies deficiencies or educational needs, the Board may require the applicant, as a condition of reinstatement of the license, 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 ensure 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 the license 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 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 or administrative actions related to the practice of a Class B wireman or other professional or occupational practice in New Jersey or in any other jurisdiction.

13:31-6.5 Continuing education requirements

(a) Upon triennial license renewal, a Class B wireman shall attest to having completed 15 credit hours of continuing education on the most recent edition of the National Electrical Code.

(b) Any continuing education credits completed by the Class B wireman in compliance with an order or directive from the Board as set forth at (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 Class B wiremen or upon any Class B wireman 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 Class B wireman 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) 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.

1. A Class B wireman 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 Class B wireman shall provide the Board with such supplemental materials as will support the request for waiver; and

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 Class B wireman shall apply to the Board for the renewal of such waiver for the next triennial period.

(f) The Board may direct a Class B wireman to complete continuing education credits:

1. As part of a disciplinary or remedial measure in addition to the required 15 hours of continuing education credits; or

2. To correct a deficiency in the Class B wireman's continuing education requirements.

13:31-6.6 Reciprocity with other jurisdictions

(a) The Board may grant a Class B wireman license to an applicant who holds a license that is substantially equivalent to a Class B wireman license in good standing from another jurisdiction provided that a jurisdiction in which the applicant is licensed provides equal reciprocity to Class B wiremen.

(b) An individual who is licensed to perform electrical work equivalent to that of a Class B wireman in another jurisdiction may apply to obtain a Class B wireman license through reciprocity, if the individual:

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

2. Has satisfied any continuing education requirements in the jurisdiction where the applicant holds a current license to practice as a Class B wireman.

(c) An applicant for a license through reciprocity shall submit, or arrange for a third party to submit, to the Board:

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

2. A non-refundable application fee and license fee as set forth at 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; and

4. Certification from a New Jersey employer that the applicant will be employed as a W-2 employee to perform electrical work and will be supervised by a licensed electrical contractor or Class A journeyman electrician.

13:31-6.7 Temporary 30-day Class B wireman license

(a) The Board may issue a temporary 30-day Class B wireman license to an individual from another state or jurisdiction to perform electrical work corresponding to the wireman's level of training and experience as a W-2 employee under the supervision of a licensed electrical contractor or Class A journeyman electrician in the State for not more than 30 days.

(b) An individual who performs electrical work as a Class B wireman in the State for more than 30 days must apply for a full Class B wireman license and shall be subject to all requirements for a Class B wireman license pursuant to N.J.A.C. 13:31-6.1.

(c) A Class B wireman may not be issued more than one temporary 30-day Class B wireman license in any triennial licensing period.

(d) A Class B wireman performing electrical work under a temporary 30-day Class B wireman license must comply with all statutes and rules related to the practice of a Class B wireman.

(e) An applicant for a temporary 30-day Class B wireman license shall submit:

1. An application form provided by the Board;

2. An application fee and license fee;

3. A certification from the electrical contractor business permit holder that the applicant will perform electrical work corresponding to the wireman's training and experience under the supervision of a licensed electrical contractor or Class A journeyman electrician as a W-2 employee and the dates the applicant will be employed.

SUBCHAPTER 7. CLASS A ELECTRICAL APPRENTICE

13:31-7.1 Initial Class A electrical apprentice license

(a) Any person enrolled and in good standing in a four-year electrical apprenticeship program accredited and approved by the United States Department of Labor who seeks to perform electrical work within the scope of the apprenticeship under the supervision of a licensed electrical contractor or Class A journeyman electrician shall be licensed as a Class A electrical apprentice.

(b) A person seeking licensure as a Class A electrical apprentice shall submit:

1. An application;

2. The application fee pursuant to N.J.A.C. 13:31-1.6;

3. Proof that the applicant is enrolled and in good standing in a four-year electrical apprenticeship program accredited and approved by the United States Department of Labor; and

4. The name and business address of the licensed electrical contractor or Class A journeyman electrician under whose supervision the applicant will perform electrical work within the scope of the applicant's apprenticeship.

(c) Any person engaging in electrical work as an electrical apprentice without a Class A electrical apprentice license shall be deemed to be practicing without a license and may be subject to disciplinary action as determined by the Board, including, but not limited, being prohibited from obtaining any license issued by the Board.

13:31-7.2 Class A electrical apprentice license renewal

(a) The Board shall send a notice of renewal to each Class A electrical apprentice at least 60 days prior to the expiration of the license. The notice of renewal shall explain inactive renewal and advise the Class A electrical apprentice 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 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 expiration, whichever is later.

(b) A Class A electrical apprentice shall renew the license for a period of three years from the last expiration date. The Class A electrical apprentice shall submit a renewal application to the Board, along with the renewal fee set forth at N.J.A.C. 13:31-1.6, prior to the date of license expiration.

(c) A Class A electrical apprentice may, upon application to the Board, renew the license by choosing inactive status. A Class A electrical apprentice electing to renew the license as inactive shall not perform electrical work or claim to be eligible to perform electrical work until such time as the license is returned to active status. A Class A electrical apprentice whose license is inactive shall also not perform work as provided at N.J.S.A. 45:5A-18(i) unless, as set forth at N.J.S.A. 45:5A-18(i), the Class A electrical apprentice 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) A Class A electrical apprentice who does not renew the license prior to its expiration date 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 at N.J.A.C. 13:31-1.6. During the 30-day period,

the license shall be valid and the Class A electrical apprentice shall not be deemed to be practicing without a license.

(c) A Class A electrical apprentice who fails to submit a renewal application within 30 days of license expiration shall have the license suspended without a hearing.

(f) A Class A electrical apprentice who continues to perform electrical work with a suspended license shall be deemed to be engaging in the unauthorized practice of a Class A electrical apprentice 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 Class A electrical apprentice whose license is suspended shall not perform work as provided at N.J.S.A. 45:5A-18(l) unless, as set forth at N.J.S.A. 45:5A-18(l), the Class A electrical apprentice 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.

13:31-7.3 Class A electrical apprentice license reactivation

(a) A Class A electrical apprentice who holds an inactive license pursuant to N.J.A.C. 13:31-7.2(e) may apply to the Board for reactivation of the inactive license. A Class A electrical apprentice seeking reactivation of an inactive license shall submit:

1. A renewal application;
2. The renewal fee for the triennial period for which reactivation is sought; and
3. Proof of enrollment in a four-year electrical apprenticeship program accredited and approved by the United States Department of Labor.

(b) If 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 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 the license, to take and successfully complete any education or training or to submit to any supervision, monitoring, or limitations the Board determines are necessary to ensure 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 the license was inactive;
2. Employment history;
3. Professional history;
4. Disciplinary action taken against the applicant's license by any licensing board;
5. Any actions affecting the applicant's privileges taken by any institution, organization, or employer related to the performance of electrical work or other professional or occupational practice in New Jersey, any other state, or 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 or administrative actions related to the practice of a Class A electrical apprentice or other professional or occupational practice in New Jersey, any other state, the District of Columbia, or in any other jurisdiction.

13:31-7.4 Reinstatement of a Class A electrical apprentice license

(a) Pursuant to N.J.S.A. 45:1-7.1.c, a Class A electrical apprentice whose license has been suspended pursuant to N.J.A.C. 13:31-6.2(e) may apply to the Board for reinstatement. A Class A electrical apprentice 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; and
5. The reinstatement fee set forth at N.J.A.C. 13:31-1.6.

(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 license. If that examination or assessment identifies deficiencies or educational needs, the Board may require the applicant, as a condition of reinstatement of the license, 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 ensure 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 the license 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 or administrative actions related to the practice of a Class A electrical apprentice or other professional or occupational practice in New Jersey, any other state, the District of Columbia, or in any other jurisdiction.

13:31-7.5 Reciprocity with other jurisdictions

(a) The Board may grant a Class A electrical apprentice license to an applicant holding an electrical apprentice license in good standing from another state or territory of the United States or the District of Columbia provided that a jurisdiction in which the applicant is licensed provides equal reciprocity to Class A electrical apprentices licensed in New Jersey.

(b) An individual who is licensed in another jurisdiction may apply to obtain a Class A electrical apprentice license through reciprocity if the individual:

1. Is enrolled and in good standing in an electrical apprenticeship program accredited and approved by the United States Department of Labor and compliant with all requirements for electrical apprentices; and
2. Has not committed an act in another jurisdiction that would have constituted grounds for the denial, suspension, or revocation of a Class A electrical apprentice 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 pending before, a professional or occupational licensing or credentialing entity in another jurisdiction.

(c) An applicant for a license through reciprocity shall submit, or arrange for a third party to submit, to the Board:

1. A completed application form, provided by the Board;
2. A non-refundable application fee and license fee as set forth at 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; and

4. Proof that the applicant is enrolled and in good standing in a four-year electrical apprenticeship program accredited and approved by the United States Department of Labor in New Jersey.

13:31-7.6 Temporary 30-day Class A electrical apprentice license

(a) The Board may issue a temporary 30-day Class A electrical apprentice license to an individual from another state or jurisdiction who is enrolled in a four-year electrical apprenticeship program accredited and approved by the United States Department of Labor (USDOL) and is compliant with all USDOL requirements for an electrical apprentice to perform electrical work in the State for not more than 30 days.

(b) An individual who performs electrical work as a Class A electrical apprentice in the State for more than 30 days must apply for a full Class A electrical apprentice license and shall be subject to all requirements for a Class A electrical apprentice license pursuant to N.J.A.C. 13:31-7.1.

(c) A Class A electrical apprentice may not be issued more than one temporary 30-day Class A electrical apprentice license in any triennial licensing period.

(d) A Class A electrical apprentice performing electrical work under a temporary 30-day Class A electrical apprentice license must comply with all statutes and rules related to the practice of a Class A electrical apprentice.

(e) An applicant for a temporary 30-day Class A electrical apprentice license shall submit:

1. An application form provided by the Board;
2. An application fee and license fee;
3. Documentation from the United States Department of Labor that the applicant is authorized to perform work as an electrical apprentice in New Jersey under the terms of the applicant's apprenticeship; and
4. Certification from the sponsor who will employ and supervise the applicant in the performance of electrical work specifying the dates the applicant will be performing electrical work in New Jersey.

(a)

STATE ATHLETIC CONTROL BOARD

Rules Governing Boxing, Extreme Wrestling, and Sparring Exhibitions and Performances

Proposed Readoption with Amendments: N.J.A.C. 13:46

Proposed Repeals: N.J.A.C. 13:46-13.3 and 13.6

Authorized By: State Athletic Control Board, Larry Hazzard Sr., Commissioner, and Chairman Anthony Orlando, with the approval of Matthew J. Platkin, Attorney General.

Authority: N.J.S.A. 5:2A-4.a and 7.c.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2024-049.

Submit written comments by July 5, 2024, to:

Commissioner Larry Hazzard, Sr.
State Athletic Control Board
PO Box 180
Trenton, NJ 08625-0180
or electronically at SACBWebInfo@lps.state.nj.us

The agency proposal follows:

Summary

Pursuant to N.J.S.A. 52:14B-5.1, N.J.A.C. 13:46 expires on August 9, 2024. The State Athletic Control Board ("SACB" or the "Board") has reviewed these rules and has determined them to be necessary, reasonable, and proper for the purposes for which they were originally promulgated. SACB is proposing the readoption with amendments, as well as repeal of certain rules within Subchapter 13 at N.J.A.C. 13:46, Rules Governing Boxing, Extreme Wrestling, and Sparring Exhibitions and Performances, including to reflect taxation of SACB regulated events based on newer media consumption technologies, including internet streaming. N.J.A.C. 13:46 is scheduled to expire on August 9, 2024, pursuant to N.J.S.A. 52:14B-5.1.c. As the Board has filed this notice of readoption prior to that date, the expiration date is extended 180 days to February 5, 2025, pursuant to N.J.S.A. 52:14B-5.1.c(2).

Existing rules at N.J.A.C. 13:46 impose obligations on the promoter relating to the broadcast of SACB-regulated events by traditional methods of television, moving picture, or radio rights, pursuant to N.J.S.A. 5:2A-1 through 31. The obligations placed on the promoter include remitting taxes based on gross receipts derived from the lease or sale of television, moving picture, or radio rights; obtaining approval from the Commissioner prior to entering a television agreement; submitting to the Commissioner, a copy of any television agreement; and submitting announcements to the Commissioner in advance, before the broadcast of regulated events, as defined in the rules proposed for readoption with amendments. SACB is proposing the amendments and repeals of these rules for clarity and consistency; ease of understanding; conformity with current practice; and to reflect newer media consumption technologies.

An amendment is specifically proposed to update the chapter heading of Chapter 46. SACB proposes to amend the chapter heading to clarify the scope of SACB's authority pursuant to N.J.S.A. 5:2A-1 to 31. The chapter name would be changed to specifically include kickboxing and combative sports to replace sparring events.

N.J.A.C. 13:46-1.1 is proposed for amendment to provide consistency throughout Chapter 46 by adding definitions of "broadcast" and "regulated event." "Broadcast" specifically would be defined as "teletext, televised, or broadcast in any manner, including, but not limited to, television, radio, or any transmission through a cable television system, as defined at N.J.S.A. 48:5A-3, or any transmission through microwave, closed circuit, satellite, fiber optic link, any other method of limited distribution, or transmitted by any means." "Regulated event" would be defined as "boxing, wrestling, extreme wrestling, kick boxing, and combative sports exhibitions, events, performances and contests."

Pursuant to the enabling statute, promoters of SACB-regulated events are required to remit a tax on gross receipts derived from the sale or lease of television, moving picture, or radio rights. See N.J.S.A. 5:2A-20.c(2). The proposed amendments at Chapter 46 clarify terminology used within the chapter to reflect newer media consumption technologies. The name of Subchapter 13 would be changed from "Television" to "Broadcasts." Amendments are proposed at N.J.A.C. 13:46-13.1 to clarify that the tax on the gross receipts derived from the lease or sale of television, moving picture, or radio rights, includes broadcast rights more generally. The amendments would clarify that the tax applies to all events that are "broadcast" in accordance with the proposed new definition. Changes would be made to other sections at Subchapter 13 to change "television" to "broadcast."

N.J.A.C. 13:46-13.3 and 13.6, which currently require the Commissioner's prior approval of television agreements, would be repealed, as they are no longer necessary, and are inconsistent with current practice. With the rules proposed for repeal, promoters or other persons would no longer be required to submit written application to the Commissioner for approval prior to entering into any broadcast agreement. Existing N.J.A.C. 13:46-13.7, which currently requires that