

REQUEST FOR TECHNICAL CHANGE

AGENCY: Board of Examiners of Electrical Contractors

RULE CITATION: 21 NCAC 18B .0201

DEADLINE FOR RECEIPT: Thursday, January 10, 2019

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

If you do not make any changes to the text of the Rule after it was published in the Register (this excludes the effective date in the History Note), you will not say "with changes" in the Introductory Statement. So, if no changes are made in response to this Request for Technical Changes (excluding the History Note change), please remove that phrase.

Throughout this Rule, I take it where you say "regularly on active duty" you are using the definition in Rule 21 NCAC 18B .0301?

What does "primarily" mean where used in "primarily engaged in"? Does your regulated public know?

Throughout this Rule, you refer to an "application" G.S. 150B-2(8a)(d) states that the substantive contents of a form must be contained in rule or law. Are the contents of these forms in your Rules or law?

In the History Note, the earliest effective date you can have is February 1, 2019.

In the History Note, Page 4, line 4, you will insert the Amended Effective date like this:

*History Note: Authority G.S. 87-42; 87-43.3; 87-43.4; 87-44;
Eff. October 1, 1988;
Amended Eff. January 1, 2010; March 1, 1999; February 1, 1990;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 2, 2016;
Amended Eff. February 1, 2019; October 1, 2017.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder
Commission Counsel
Date submitted to agency: December 21, 2018

21 NCAC 18B .0201 REQUIREMENTS FOR ALL EXAMINATION APPLICANTS is amended with changes as published in 33:03 NCR 159-160 as follows:

SECTION .0200 - EXAMINATIONS

21 NCAC 18B .0201 REQUIREMENTS FOR ALL EXAMINATION APPLICANTS

(a) To take an examination in any electrical contracting license classification, the applicant shall:

- (1) be 18 years of age;
- (2) submit the required duly filed application as defined in Rule .0210 of this Section;
- (3) submit with the application written statements from two persons, attesting to the applicant's good character; and
- (4) meet the requirements set out in Paragraph (b) of this Rule.

(b) Examination applicants shall meet the following requirements for the specified license classifications:

- (1) Limited classification. An applicant shall have two years of experience, as defined in Rule .0202 of this Section, of which one year shall be primary experience. The balance of experience may be primary, secondary, or both.
- (2) Intermediate classification. An applicant shall have four years of experience, as defined in Rule .0202 of this Section, of which two and one half years shall be primary experience. The balance of experience may be primary, secondary, or both.
- (3) Unlimited classification. An applicant shall:
 - (A) have five years of experience, as defined in Rule .0202 of this Section, of which four years shall be primary experience. The balance of experience may be primary, secondary, or both; and
 - (B) submit with the application written statements from two persons who are knowledgeable of the applicant's electrical experience, attesting to the applicant's ability to supervise and direct all electrical wiring or electrical installation work of an electrical contracting business in the unlimited classification.
- (4) Single family detached residential dwelling (SP-SFD) classification. An applicant shall have two years of experience, as defined in Rule .0202 of this Section, of which one year shall be primary experience. The balance of experience may be primary, secondary, or both.

- 1 (5) Special restricted fire alarm/low voltage (SP-FA/LV) classification. An applicant shall have two
2 years of experience, as defined in Rule .0202 of this Section, of which one year shall be primary
3 experience. The balance of experience may be primary, secondary, or both. An applicant in this
4 classification may also receive creditable experience for service in any of the capacities listed in
5 Rule .0202 that the applicant gained in the low voltage field.
- 6 (6) Special restricted elevator (SP-EL) classification. An applicant shall:
7 (A) have ~~four~~two years of experience, as defined in Rule .0202 of this Section, of which ~~two~~
8 ~~and one half years~~one year shall be primary experience. The balance of experience may
9 be primary, secondary, or both. An applicant in this classification shall also receive
10 creditable experience for service in any of the capacities listed in Rule .0202 that the
11 applicant gained in the elevator field; and
12 (B) include on the application information to establish that the applicant is regularly on active
13 duty in, and will be the listed qualified individual for a firm that is primarily engaged in,
14 a lawful elevator business in this State, consistent with G.S. 87-43 and 21 NCAC 18B
15 .0301.
- 16 (7) Special restricted plumbing and heating (SP-PH) classification. An applicant shall:
17 (A) have two years of experience, as defined in Rule .0202 of this Section, of which one year
18 shall be primary experience. The balance of experience may be primary, secondary, or
19 both. An applicant in this classification shall also receive creditable experience for
20 service in any of the capacities listed in Rule .0202 that the applicant gained in the
21 plumbing, heating, or air conditioning field; and
22 (B) include on the application information verifying that the applicant is regularly on active
23 duty in, and will be the listed qualified individual for a firm that is primarily engaged in,
24 a lawful plumbing, heating, or air conditioning business in this State consistent with G.S.
25 87-43 and 21 NCAC 18B .0301.
- 26 (8) Special restricted ground water pump (SP-WP) classification. An applicant shall:
27 (A) have two years of experience, as defined in Rule .0202 of this Section, of which one year
28 shall be primary experience. The balance of experience may be primary, secondary, or

both. An applicant in this classification shall also receive creditable experience for service in any of the capacities listed in Rule .0202 that the applicant gained in the ground water pump field; and

(B) include on the application information to establish that the applicant is regularly on active duty in, and will be the listed qualified individual for a firm that is primarily engaged in, a lawful ground water pump business in this State, consistent with G.S. 87-43 and 21 NCAC 18B .0301.

(9) Special restricted electric sign (SP-ES) classification. An applicant shall:

(A) have two years of experience, as defined in Rule .0202 of this Section, of which one year shall be primary experience. The balance of experience be primary, secondary, or both. An applicant in this classification shall also receive creditable experience in any of the capacities listed in Rule .0202 that the applicant gained in the electric sign field; and

(B) include on the application information to establish that the applicant is regularly on active duty in, and will be the listed qualified individual for a firm that is primarily engaged in, a lawful electric sign business in this State.

(10) Special restricted swimming pool (SP-SP) classification. An applicant shall:

(A) have two years of experience, as defined in Rule .0202 of this Section, of which one year shall be primary experience. The balance of experience may be primary, secondary, or both. An applicant in this classification shall also receive creditable experience for service in any of the capacities listed in Rule .0202 that the applicant gained in the swimming pool field; and

(B) include on the application information verifying that the applicant is regularly on active duty in, and will be the listed qualified individual for a firm that is primarily engaged in, a lawful swimming pool business in this State, consistent with G.S. 87-43 and 21 NCAC 18B .0301.

*History Note: Authority G.S. 87-42; 87-43.3; 87-43.4; 87-44;
Eff. October 1, 1988;*

Amended Eff. January 1, 2010; March 1, 1999; February 1, 1990;

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February
2, 2016;*

Amended Eff. October 1, ~~2017-2017~~;

Amended Eff. January 1, 2019

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