

REQUEST FOR TECHNICAL CHANGE

AGENCY: Board of Examiners of Electrical Contractors

RULE CITATION: 21 NCAC 18B

**DEADLINE FOR RECEIPT: Wednesday, August 9, 2017**

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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

*Please resubmit all forms with the complete rule citation in box 2 (include the title: 21 NCAC 18B ...).*

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

Jason Thomas  
Commission Counsel  
Date submitted to agency: July 26, 2017

REQUEST FOR TECHNICAL CHANGE

AGENCY: Board of Examiners of Electrical Contractors

RULE CITATION: 21 NCAC 18B .0110

**DEADLINE FOR RECEIPT: Wednesday, August 9, 2017**

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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

*Properly format this Rule in accord with 26 NCAC 02C .0405(b)(1): no highlighting and underscore and strikethrough only those parts of the Rule that have been changed after publication in the N.C. Register.*

*Line 1 – add “21” before “NCAC”*

*Line 5 – replace “are” with “shall be”*

*Line 6 – replace “is” with “shall be”*

*Line 9 – list statutes in numerical order*

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

Jason Thomas  
Commission Counsel  
Date submitted to agency: July 26, 2017

1 **NCAC 18B .0110 PRODUCTION OF PUBLIC RECORDS IS ADOPTED WITH CHANGES AS**  
2 **PUBLISHED IN 31:19 NCR 1869 AS FOLLOWS:**

3

4 **21 NCAC 18B .0110 PRODUCTION OF PUBLIC RECORDS**

- 5 (a) Records of current license status are available without charge on the Board website, [www.ncbeec.org](http://www.ncbeec.org).  
6 (b) Production of license history or verification of license of licensees or qualified individuals is available at a cost  
7 of \$25.00 for each report.

8

9 History Note: Authority G.S. 87-42, G.S. 87-44, G.S. 93B-3, ~~G.S. 150B-19~~, G.S. 150B-19, G.S. 132-6.2.

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11 Eff. October 1, 2017

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14 300035-731/4109803

REQUEST FOR TECHNICAL CHANGE

AGENCY: Board of Examiners of Electrical Contractors

RULE CITATION: 21 NCAC 18B .0201

**DEADLINE FOR RECEIPT: Wednesday, August 9, 2017**

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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

*Lines 7, 13, 14, 17, 20, 28, 31, 36; and page 2, lines 9, 18, 27, and 36 (and everywhere else "must" appears) – replace "must" with "shall"*

*Line 9 – add "of this Section" after ".0210"*

*Lines 10, 14, 15, 17, 18, 21, 22, 24, 28, 29, 31, 32; page 2, lines 1, 2, 10, 11, 19, 20, 28, 29; and page 3, lines 1, and 2 (and everywhere else "at least" appears except in line 8) – delete "at least"*

*Line 10 – add a comma after "persons"*

*Line 12 – replace "any other" with "the"*

*Lines 16, 19, 23, 30, 33; page 2, lines 3, 12, 21, 30; and page 3, line 3 ((and everywhere else that calls for an Oxford comma) – add a comma after "secondary"*

*Line 23 – replace the comma after "both" with a semicolon*

*Line 24 – delete the comma after "persons"*

*Line 26 – replace "done by" with "of"*

*Lines 34; page 2, lines 3, 12, 21, 30,; and page 3, line 3 (and everywhere else "may" appears) – what standards, factors or circumstances determine whether an applicant "may" receive additional creditable experience? Consider replacing "may" with "shall"*

*Page 2, lines 5, 14, 23, 31 and page 3, line 5 – replace the comma after "field" with a semicolon*

Jason Thomas  
Commission Counsel  
Date submitted to agency: July 26, 2017

*Page 2, lines 6-7, 15-16, 24-25, 33-34 and page 3, lines 6-7 – delete or define “primarily” and “regularly”*

*Page 2, lines 14 and 17 – add a comma after “heating”*

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

Jason Thomas  
Commission Counsel  
Date submitted to agency: July 26, 2017

1 **21 NCAC 18B .0201 REQUIREMENTS FOR ALL EXAMINATION APPLICANTS IS AMENDED AS**  
2 **PUBLISHED IN 31:19 NCR 1869 AS FOLLOWS:**

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4 **SECTION .0200 - EXAMINATIONS**

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6 **21 NCAC 18B .0201 REQUIREMENTS FOR ALL EXAMINATION APPLICANTS**

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

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

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

- 14 (1) Limited classification. An applicant must have at least ~~four~~two years of experience, as defined in Rule  
15 .0202 of this Section, of which at least ~~two years~~one year shall be primary experience. The balance of  
16 experience may be primary, secondary or both.
- 17 (2) Intermediate classification. An applicant must have at least ~~six~~four years of experience, as defined in  
18 Rule .0202 of this Section, of which at least ~~four years~~ two and one half years shall be primary  
19 experience. The balance of experience may be primary, secondary or both.
- 20 (3) Unlimited classification. An applicant must:
- 21 (A) have at least ~~seven~~five years of experience, as defined in Rule .0202 of this Section, of which  
22 at least ~~five~~four years shall be primary experience. The balance of experience may be  
23 primary, secondary or both, and
- 24 (B) submit with the application written statements from at least two persons, who are  
25 knowledgeable of the applicant's electrical experience, attesting to the applicant's ability to  
26 supervise and direct all electrical wiring or electrical installation work done by an electrical  
27 contracting business in the unlimited classification.
- 28 (4) Single family detached residential dwelling (SP-SFD) classification. An applicant must have at least  
29 ~~four~~two years of experience, as defined in Rule .0202 of this Section, of which at least ~~two~~one  
30 ~~years~~year shall be primary experience. The balance of experience may be primary, secondary or both.
- 31 (5) Special restricted fire alarm/low voltage (SP-FA/LV) classification. An applicant must have at least  
32 ~~three~~two years of experience, as defined in Rule .0202 of this Section, of which at least ~~two years~~one  
33 year shall be primary experience. The balance of experience may be primary, secondary or both. An  
34 applicant in this classification may also receive creditable experience for service in any of the  
35 capacities listed in Rule .0202 that the applicant gained in the low voltage field.
- 36 (6) Special restricted elevator (SP-EL) classification. An applicant must:

- 1 (A) have at least four years of experience, as defined in Rule .0202 of this Section, of which at  
2 least two and one-half years shall be primary experience. The balance of experience may be  
3 primary, secondary or both. An applicant in this classification may also receive creditable  
4 experience for service in any of the capacities listed in Rule .0202 that the applicant gained in  
5 the elevator field, and
- 6 (B) include on the application information verifying that the applicant is primarily engaged in, or  
7 is regularly employed by and will be the listed qualified individual for a firm that is primarily  
8 engaged in, a lawful elevator business in this State.
- 9 (7) Special restricted plumbing and heating (SP-PH) classification. An applicant must:
- 10 (A) have at least ~~three~~two years of experience, as defined in Rule .0202 of this Section, of which  
11 at least ~~two~~one year shall be primary experience. The balance of experience may be  
12 primary, secondary or both. An applicant in this classification may also receive creditable  
13 experience for service in any of the capacities listed in Rule .0202 that the applicant gained in  
14 the plumbing, heating or air conditioning field, and
- 15 (B) include on the application information verifying that the applicant is primarily engaged in, or  
16 is regularly employed by and will be the listed qualified individual for a firm that is primarily  
17 engaged in, a lawful plumbing, heating or air conditioning business in this State.
- 18 (8) Special restricted ground water pump (SP-WP) classification. An applicant must:
- 19 (A) have at least two years of experience, as defined in Rule .0202 of this Section, of which at  
20 least one year shall be primary experience. The balance of experience may be primary,  
21 secondary or both. An applicant in this classification may also receive creditable experience  
22 for service in any of the capacities listed in Rule .0202 that the applicant gained in the ground  
23 water pump field, and
- 24 (B) include on the application information verifying that the applicant is primarily engaged in, or  
25 is regularly employed by and will be the listed qualified individual for a firm that is primarily  
26 engaged in, a lawful ground water pump business in this State.
- 27 (9) Special restricted electric sign (SP-ES) classification. An applicant must:
- 28 (A) have at least two years of experience, as defined in Rule .0202 of this Section, of which at  
29 least one year shall be primary experience. The balance of experience may be primary,  
30 secondary or both. An applicant in this classification may also receive creditable experience  
31 in any of the capacities listed in Rule .0202 that the applicant gained in the electric sign field,  
32 and
- 33 (B) include on the application information verifying that the applicant is primarily engaged in, or  
34 is regularly employed by and will be the listed qualified individual for a firm that is primarily  
35 engaged in, a lawful electric sign business in this State.
- 36 (10) Special restricted swimming pool (SP-SP) classification. An applicant must:

- 1 (A) have at least two years of experience, as defined in Rule .0202 of this Section, of which at
- 2 least one year shall be primary experience. The balance of experience may be primary,
- 3 secondary or both. An applicant in this classification may also receive creditable experience
- 4 for service in any of the capacities listed in Rule .0202 that the applicant gained in the
- 5 swimming pool field, and
- 6 (B) include on the application information verifying that the applicant is primarily engaged in, or
- 7 is regularly employed by and will be the listed qualified individual for a firm that is primarily
- 8 engaged in, a lawful swimming pool business in this State.

9  
10 *History Note: Authority G.S. 87-42; 87-43.3; 87-43.4; 87-44;*  
11 *Eff. October 1, 1988;*  
12 *Amended Eff. January 1, 2010; March 1, 1999; February 1, 1990;*  
13 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 2,*  
14 *2016.*  
15 *Amended Eff. October 1, 2017.*

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24 300035-731/4109730



## REQUEST FOR TECHNICAL CHANGE

AGENCY: Board of Examiners of Electrical Contractors

RULE CITATION: 21 NCAC 18B .0202

**DEADLINE FOR RECEIPT: Wednesday, August 9, 2017**

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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

*Lines 6, 7 – delete or define “directly”*

*Line 10 – delete “, both meaning the same”*

*Line 18 – add a comma after “engineering”*

*Line 20 – add a comma after “72”*

*Line 22 and page 2, line 19 – add a comma after “school”*

*Lines 25, 32, 33 and page 2, line 15 – delete or define “actually”*

*Line 26 and page 2, line 16 – delete or define “regularly”*

*Line 33 – replace “alarm/low” with either “alarm or low” or “alarm-low,” whichever is the more accurate term.*

*Page 2, lines 2-5 – replace with the following: “For example, an applicant who has worked in a primary capacity for a total of 7,200 hours has 3.6 years of creditable primary work experience.”*

*Page 2, lines 30-34 – replace with the following: “For example, an applicant who has 1,000 hours of work experience as a helper or regular apprentice and 2,200 hours of experience while enrolled in an approved apprentice training program has 1.5 years of creditable secondary work experience.”*

*Page 2, line 35 – replace “it finds to be” with “is”*

Jason Thomas  
Commission Counsel  
Date submitted to agency: July 26, 2017

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

Jason Thomas  
Commission Counsel  
Date submitted to agency: July 26, 2017

**21 NCAC 18B .0202 EXPERIENCE IS AMENDED WITH CHANGES AS PUBLISHED IN 31:19 NCR 1870-1871 AS FOLLOWS:**

**21 NCAC 18B .0202 EXPERIENCE**

(a) Primary. As used in this Chapter, primary experience means working experience gained by the applicant while engaged directly in the installation of electrical wiring and equipment governed by the National Electrical Code or work activities directly related thereto. Examples of the capacity in which a person may work in gaining primary experience and the percentages for creditable primary experience are as follows:

	Percentage
(1) journeyman electrician or electrician mechanic, both meaning the same;	100
(2) electrical foreman;	100
(3) electrical general foreman;	100
(4) electrical superintendent;	100
(5) electrical general superintendent;	100
(6) estimator for licensed electrical contractor;	100
(7) electrical inspector recognized as such by the State Department of Insurance;	100
(8) time spent by a professional engineer who is responsible for follow-up project supervision, beyond the point of delivery, in electrical engineering design, or consulting;	100
(9) full-time instructor teaching National Electrical Code, NFPA 72 and related electrical courses at a college, university, community college, technical institute, high school or vocational school;	<del>50</del> <u>80</u>
(10) maintenance journeyman electrician or electrician mechanic employed in a full-time electrical maintenance department;	100
(11) time actually spent in electrical maintenance by a maintenance journeyman electrician or electrician mechanic regularly employed in other than a full-time electrical maintenance department;	100
(12) military person holding an electrician rating or rank of at least E-4 who is engaged in <del>land-based</del> <u>land-based</u> electrical installations similar or equivalent to work performed by an electrical contractor;	100
<del>(13)</del> <u>electrical installations similar or equivalent to work performed by an electrical contractor;</u>	<u>100</u>
<del>(13)</del> <u>(14)</u> time actually spent in part-time or incidental work in any primary experience category;	100
<del>(14)</del> <u>(15)</u> time actually spent installing or maintaining fire alarm/low voltage systems;	100
<del>(15)</del> <u>(16)</u> time as a holder of NICET <u>(National Institute for Certification in Engineering Technologies)</u> certification on NFPA 72 Level I, <del>II or III</del> <u>II, III or IV</u> <del>III</del> ; <u>applicable to Fire Alarm-Low Voltage license only.</u>	<del>50</del> <u>100</u>
<del>(16)</del> time as a holder of NICET certification on NFPA 72 Level IV.	<del>100</del>

1 In calculating accumulative primary experience, a total of 2,000 hours shall equal one creditable year. The total number  
 2 of creditable years shall be calculated by dividing the total hours of primary experience by 2,000. Example: Applicant  
 3 has worked in primary capacity for a total of 7,200 hours of primary experience.

4  $7,200 \div 2,000 = 3.6$  years creditable primary work experience  
 5 2,000

6 (b) Secondary. As used in this Chapter, secondary experience means working experience gained while engaged in work  
 7 or training that is related to the installation of electrical wiring and equipment governed by the National Electrical Code.  
 8 Examples of the type of work or training in which a person may engage to gain creditable secondary experience and the  
 9 percentages for creditable secondary experience are as follows:

		Percentage
11	(1) apprentice electrician training in an apprentice program approved by the North	
12	Carolina Department of Labor;	100
13	(2) time spent as an apprentice electrician or helper other than as described in	
14	Subparagraph (1) and (3) of this Paragraph;	80
15	(3) time actually spent in electrical maintenance by a maintenance apprentice or	
16	electrician helper regularly employed in other than a full-time electrical maintenance	
17	department;	80
18	(4) student satisfactorily completing National Electrical Code and related electrical	
19	courses at a college, university, community college, technical institute, high school	
20	or vocational school;	50
21	(5) time spent by a professional engineer who is not responsible for follow-up project	
22	supervision, beyond the point of delivery, in electrical engineering, design, or consulting;	50
23	(6) electrical construction design under the supervision of a professional engineer;	50
24	(7) sales representative for an electrical wholesaler, distributor, or manufacturer;	20
25	(8) appliance service and repair;	20
26	(9) electric utility lineman; and	10
27	(10) electric utility serviceman.	20

28 In calculating cumulative secondary experience, a total of 2,000 hours shall equal one creditable year. The total number  
 29 of creditable years shall be calculated by applying the percentage for creditable secondary experience and dividing the  
 30 remainder hours by 2,000. Example: Applicant has 1,000 hours of work experience as a helper or regular apprentice and  
 31 2,200 hours of experience while enrolled in an approved apprentice training program: 1,000 hours at 80 percent = 800  
 32 hours secondary experience; 2,200 hours at 100 percent = 2,200 hours secondary experience;

33  $800 + 2,200 = 3,000$  hours secondary experience.  
 34  $3,000 \div 2,000 = 1.5$  years creditable secondary experience.

35 (c) Other Experience. The Board shall approve other experience that it finds to be equivalent or similar to the primary or  
 36 secondary experience defined in this Rule.

37

1 *History Note: Authority G.S. 87-42; 87-43.3; 87-43.4;*  
2 *Eff. October 1, 1988;*  
3 *Amended Eff. January 1, 2010; March 1, 1999;*  
4 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 2,*  
5 *2016.*  
6 *Amended Eff. October 1, 2017.*

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300035-731/4109731

REQUEST FOR TECHNICAL CHANGE

AGENCY: Board of Examiners of Electrical Contractors

RULE CITATION: 21 NCAC 18B .0204

**DEADLINE FOR RECEIPT: Wednesday, August 9, 2017**

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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

*Line 6 – replace “must” with “shall” and “requirement” with “requirements”*

*Line 10 – replace “shall” with “may”*

*Line 12 – delete the comma after “examination” and add a comma after “by the Board”*

*Line 12 – replace “will” with “shall”*

*Line 12 – add a comma after “time”*

*Line 13 – replace “is” with “shall be”*

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

Jason Thomas  
Commission Counsel  
Date submitted to agency: July 26, 2017

1 **21 NCAC 18B .0204 EXAMINATIONS IS AMENDED AS PUBLISHED IN 31:19 NCR 1871 AS**  
2 **FOLLOWS:**

3  
4 **21 NCAC 18B .0204 EXAMINATIONS**

5 (a) All qualifying examinations administered by the Board for each license classification shall be written or computer-  
6 based examinations and must be taken personally by the applicant after the applicant has met the requirement for  
7 examination contained in the rules in this Subchapter.

8 (b) Upon approval of an application pursuant to these Rules, the Board shall provide the applicant a notice of  
9 examination eligibility that is valid for a period of three months and for a single administration of the qualifying  
10 examination. Upon receipt of a notice of examination eligibility from the Board, the applicant shall schedule the  
11 examination by contacting the Board or the authorized testing service. The applicant shall be scheduled for the  
12 examination, by the Board and the Board or authorized testing service will confirm the date, time and place.

13 (c) A minimum grade of ~~75~~70 out of a possible score of 100 is required in order to pass any qualifying examination  
14 administered by the Board.

15  
16 *History Note: Authority GS 87-42; 87-43.3; 87-43.4; 93B-8;*  
17 *Eff. October 31, 1988;*  
18 *Temporary Amendment Eff. August 31, 2001;*  
19 *Amended Eff. July 1, 2011; January 1, 2006; July 18, 2002;*  
20 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 2,*  
21 *2016.*  
22 *Amended Eff. October 1, 2017.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Board of Examiners of Electrical Contractors

RULE CITATION: 21 NCAC 18B .0404

**DEADLINE FOR RECEIPT: Wednesday, August 9, 2017**

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In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

*Line 5 – add a comma after “reissuance of license”*

*Line 6 – replace “is” with “shall be”*

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

Jason Thomas  
Commission Counsel  
Date submitted to agency: July 26, 2017



1 **21 NCAC 18B .0404 ANNUAL LICENSE FEES IS AMENDED WITH CHANGES AS PUBLISHED IN**  
 2 **31:19 NCR: 1872 AS FOLLOWS:**

3  
 4 **21 NCAC 18B .0404 ANNUAL LICENSE FEES**

5 (a) The ~~annual license fees and license renewal fees~~ fee for issuance of license, reissuance of license or license renewal in  
 6 the various license classifications ~~are~~ as follows:

7 LICENSE FEE SCHEDULE

8 CLASSIFICATION	LICENSE FEE
9 Limited	\$ 85.00
10 Intermediate	\$130.00
11 Unlimited	\$180.00
12 SP-SFD	\$ 85.00
13 Special Restricted	\$ 85.00

14 (b) License fees shall be made payable to the Board. Payment shall accompany any license or license renewal  
 15 application filed with the Board.

16  
 17 *History Note: Authority G.S. 87-42; 87-44;*  
 18 *Eff. October 1, 1988;*  
 19 *Amended Eff. May 1, 1998; July 1, 1989;*  
 20 *Temporary Amendment Eff. June 30, 2000;*  
 21 *Temporary Amendment Eff. August 31, 2001;*  
 22 *Amended Eff. July 1, 2015; January 1, 2008; December 4, 2002;*  
 23 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 2,*  
 24 *2016.*  
 25 *Effective October 1, 2017*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Board of Examiners of Electrical Contractors

RULE CITATION: 21 NCAC 18B .0501

**DEADLINE FOR RECEIPT: Wednesday, August 9, 2017**

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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

*Line 21 requires the use of a "form." The APA requires that the substantive contents of forms be set forth in either rules or statute. Wherever you refer to forms, you should either state the substantive contents of the form in the rule or know of rules or statutes where the substantive content is stated. In addition, the rule should also state, with specificity, where the form may be obtained.*

*Line 23 – replace "made" with "submitted"*

*Line 30 – replace "are not" with "shall not be" and replace "can" with "may"*

*Line 31 – replace "of the normal" with "applicable"*

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

Jason Thomas  
Commission Counsel  
Date submitted to agency: July 26, 2017

1 **21 NCAC 18B .0501 RECLASSIFICATION OF CURRENT LICENSE IS AMENDED AS PUBLISHED IN**  
2 **31:19 NCR 1872 AS FOLLOWS:**

3  
4 **SECTION .0500 - LICENSING OPTIONS**

5  
6 **21 NCAC 18B .0501 RECLASSIFICATION OF CURRENT LICENSE**

7 (a) A licensee may have the license classification lowered from unlimited to intermediate or limited, or from  
8 intermediate to limited, by:

- 9 (1) filing with the Board, in writing, a request for the lowering of the license classification; and  
10 (2) surrendering the current license certificate to the Board for replacement as requested.

11 (b) A licensee may have a license that was lowered pursuant to Paragraph (a) of this Rule raised to a classification up to  
12 and including that classification from which it was lowered by:

- 13 (1) filing with the Board, in writing, a request for the raising of the license classification;  
14 (2) surrendering the current license certificate to the Board for replacement as requested; and  
15 (3) paying the applicable license fee. ~~If a change is made prior to the expiration of a current license, the~~  
16 ~~fee shall be the difference between the annual license fee for the existing license and the annual~~  
17 ~~license fee for the new class license requested. If the change is made at the expiration date, the fee~~  
18 ~~shall be the annual license fee for the class license requested.~~

19 (c) A limited or intermediate licensee whose license has not been lowered pursuant to Paragraph (a) of this Rule may  
20 have the license classification raised to intermediate or unlimited by:

- 21 (1) submitting an application on a form furnished by the Board indicating the classification of the license  
22 desired;  
23 (2) meeting all the requirements for the classification in effect when the application is made, including  
24 taking and passing the examination; and  
25 (3) paying the applicable license fee. ~~If a change is made prior to the expiration of a current license, the~~  
26 ~~fee shall be the difference between the annual license fee for the existing license and the annual~~  
27 ~~license fee for the new class license requested. If the change is made at the expiration date, the fee~~  
28 ~~shall be the annual license fee for the class license requested.~~

29 (d) Licenses in the single family detached residential dwelling classification and in any special restricted classification  
30 are not subject to reclassification. A change in these classifications can be effected only on the basis of a new application  
31 subject to all of the normal processing and examination requirements.

32  
33 *History Note: Authority G.S. 87-42; 87-43.3; 87-43.4;*  
34 *Eff. October 1, 1988;*  
35 *Amended Eff. March 1, 1999;*  
36 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 2,*  
37 *2016.*

1                    Amended Eff. October 1, 2017  
2    300035-731/4109779

REQUEST FOR TECHNICAL CHANGE

AGENCY: Board of Examiners of Electrical Contractors

RULE CITATION: 21 NCAC 18B .0504

**DEADLINE FOR RECEIPT: Wednesday, August 9, 2017**

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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

*Line 4 requires the use of a "form." The APA requires that the substantive contents of forms be set forth in either rules or statute. Wherever you refer to forms, you should either state the substantive contents of the form in the rule or know of rules or statutes where the substantive content is stated. In addition, the rule should also state, with specificity, where the form may be obtained.*

*Lines 15-16 – delete "applicant's listed"*

*Lines 17 and 29 – replace "is current on" with "has met"*

*Line 21 – add "that he or she has" before "passed"*

*Line 24 – consider adding "a copy of" before "the licensee's" if that is what is meant*

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

Jason Thomas  
Commission Counsel  
Date submitted to agency: July 26, 2017

1 **21 NCAC 18B .0504 QUALIFIED INDIVIDUAL – LISTING OPTIONS AFTER EXPIRATION IS**  
 2 **AMENDED WITH CHANGES AS PUBLISHED 31:19 NCR 1872 AS FOLLOWS:**

3  
 4 **21 NCAC 18B .0504 QUALIFIED INDIVIDUAL – LISTING OPTIONS AFTER EXPIRATION**

5 (a) A qualified individual who was formerly but is not now listed on any license may apply for and obtain a license upon  
 6 meeting all current licensing requirements not previously met and by submitting to the Board:

- 7 (1) a license application on a form furnished by the Board;
- 8 (2) payment of the appropriate license fee; and
- 9 (3) if more than 12 months has elapsed since the qualified individual was listed on an active license,  
 10 information ~~verifying to establish~~ that, during the 12 month period immediately preceding the date the  
 11 application is filed with the Board, the ~~qualified individual has obtained engaged for at least 5001,000~~  
 12 ~~hours in an occupation of primary experience as defined in Rule .0202 of this Subchapter or completed~~  
 13 ~~16 contact hours of approved continuing education. within the most recent twelve months, is current~~  
 14 ~~on the fee requirements set forth in 21 NCAC 18B .0404, pays the late fee set forth in 21 NCAC 18B~~  
 15 ~~.0404 and meets the continuing education requirements set forth in 21 NCAC 18B .1101, applicant's~~  
 16 ~~listed qualified individual has obtained at least 500 hours of primary experience as defined in Rule~~  
 17 ~~.0202 of this Subchapter within the most recent 12 months, is current on the fee requirements set forth~~  
 18 ~~in Rule .0404 of this Section, pays the late fee set forth in Rule .0405 of this Section, and meets the~~  
 19 ~~continuing education requirements set forth in Rule .1101 of this Subchapter.~~

20 (b) A qualified individual who was formerly but is not now listed on any license may be listed on a current active license  
 21 in the same or a lower classification as the classification of examination passed by submitting to the Board:

- 22 (1) a written request from the licensee, co-signed by the qualified individual, requesting the Board to list  
 23 the qualified individual on the license;
- 24 (2) the licensee's current license certificate; and
- 25 (3) if more than 12 months has elapsed since the qualified individual was listed on an active license,  
 26 information ~~verifying to establish~~ that, during the 12 month period immediately preceding the date the  
 27 application is filed with the Board, the qualified individual has obtained ~~engaged for at least 5001,000~~  
 28 ~~hours in an occupation~~ of primary experience as defined in Rule .0202 of this Subchapter ~~or completed~~  
 29 ~~16 contact hours of approved continuing education. within the most recent twelve months, is current~~  
 30 ~~on the fee requirements set forth in 21 NCAC 18B .0404Rule .0404 of this Section, pays the late fee~~  
 31 ~~set forth in 21 NCAC 18B .0404 Rule .0405 of this Section, and meets the continuing education~~  
 32 ~~requirements set forth in 21 NCAC 18B .1101 Rule .1101 of this Subchapter.~~

33  
 34 *History Note:* Authority G.S. 87-42; 87-43;  
 35 Eff. October 1, 1988;  
 36 Amended Eff. March 1, 1999; February 1, 1990;

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

3                    *Amended Eff October 1, 2017*

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6    300035-731/4109727

REQUEST FOR TECHNICAL CHANGE

AGENCY: Board of Examiners of Electrical Contractors

RULE CITATION: 21 NCAC 18B .0505

**DEADLINE FOR RECEIPT: Wednesday, August 9, 2017**

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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

*Lines 8 and 23 – add “that he or she has” before “passed”*

*Line 10 requires the use of a “form.” The APA requires that the substantive contents of forms be set forth in either rules or statute. Wherever you refer to forms, you should either state the substantive contents of the form in the rule or know of rules or statutes where the substantive content is stated. In addition, the rule should also state, with specificity, where the form may be obtained.*

*Line 15 – delete “applicant’s listed”*

*Lines 18 and 32 – replace “is current on” with “has met”*

*Line 26 – consider adding “a copy of” before “the licensee’s” if that is what is meant*

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

Jason Thomas  
Commission Counsel  
Date submitted to agency: July 26, 2017



**21 NCAC 18B .0505 QUALIFIED INDIVIDUAL – INITIAL LISTING OPTIONS IS AMENDED WITH CHANGES AS PUBLISHED IN 31:19 NCR 1873 AS FOLLOWS:**

**21 NCAC 18B .0505 QUALIFIED INDIVIDUAL – INITIAL LISTING OPTIONS**

A qualified individual who has passed the qualifying examination for a license but has never obtained a license nor been a listed qualified individual on any license shall:

- (1) be eligible to obtain a license in the same or lower classification as the classification of examination passed upon meeting all current licensing requirements not previously met and by submitting to the Board:
  - (a) a license application on a form furnished by the Board;
  - (b) payment of the appropriate license fee; and
  - (c) if more than 12 months has elapsed since the qualified individual passed the qualifying examination for a license, information ~~verifying to establish~~ that, during the 12 month period immediately preceding the date the application is filed with the Board, the ~~qualified individual has obtained~~ engaged for applicant's listed qualified individual has obtained at least ~~5004,000~~ 5004,000 hours ~~in an occupation of~~ of primary experience as defined in Rule .0202 of this ~~Subchapter~~ Chapter or completed ~~16 contact hours of approved continuing education.~~ within the most recent twelve months, is current on the fee requirements set forth in 21 NCAC 18B .0404, Rule .0404 of this Section, pays the late fee set forth in 21 NCAC 18B .0404 Rule .0405 of this Section, and meets the continuing education requirements set forth in 21 NCAC 18B .1101, Rule .1101 of this Subchapter.
- (2) be eligible to be included as a listed qualified individual on a current active license in the same or a lower classification as the classification of examination passed upon submitting to the Board:
  - (a) a written request from the licensee, co-signed by the qualified individual, requesting the Board to list the qualified individual on the license;
  - (b) the licensee's current license certificate; and
  - (c) if more than 12 months has elapsed since the individual passed the qualifying examination for a license, information ~~verifying to establish~~ that, during the 12 month period immediately preceding the date the application is filed with the Board, the qualified individual has ~~obtained~~ engaged for at least ~~5004,000~~ 5004,000 hours ~~in an occupation of~~ of primary experience as defined in Rule .0202 of this ~~Chapter~~ Subchapter or completed ~~16 contact hours of approved continuing education.~~ within the most recent twelve months, is current on the fee requirements set forth in 21 NCAC 18B .0404 Rule .0404 of this Section, pays the late fee set forth in 21 NCAC 18B .0404 Rule .0405 of this Section, and meets the continuing education requirements set forth in 21 NCAC 18B .1101, Rule .1101 of this Subchapter.

*History Note:* Authority G.S. 87-42; 87-43;

38                   *Eff. October 1, 1988;*  
39                   *Amended Eff. March 1, 1999; February 1, 1990;*  
40                   *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 2,*  
41                   *2016.*  
42                   *Amended Eff October 1, 2017.*  
43    300035-731/4109728