

Burgos, Alexander N

Subject: FW: [External] RE: 21 NCAC 12A .0202 - November RRC Meeting - Request for Changes
Attachments: 21 NCAC 12A .0202.docx

From: Anna Choi <Anna.Choi@nclbgc.org>
Sent: Tuesday, November 18, 2025 7:54 PM
To: Rules, Oah <oah.rules@oah.nc.gov>
Cc: Miller, Christopher S <christopher.miller@oah.nc.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: FW: [External] RE: 21 NCAC 12A .0202 - November RRC Meeting - Request for Changes

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Please see attached.



Anna Baird Choi

Executive Director and General Counsel

North Carolina Licensing Board for General Contractors

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21 NCAC 12A .0202 is ~~proposed for amendment~~ **amended** under temporary procedures **with changes** as follows:

21 NCAC 12A .0202 CLASSIFICATION

(a) A general contractor shall be certified in one of the following five classifications:

- (1) Building Contractor. This classification covers all building construction and demolition activity including: commercial, industrial, institutional, and all residential building construction. It includes installation of solar panels; parking decks; all site work, grading and paving of parking lots, driveways, sidewalks, and gutters; storm drainage, retaining or screen walls, and hardware and accessory structures; and indoor and outdoor recreational facilities including natural and artificial surface athletic fields, running tracks, bleachers, and seating. It also covers work done under the specialty classifications of S(Concrete Construction), S(Insulation), S(Interior Construction), S(Marine and Freshwater Construction), S(Masonry Construction), S(Roofing), S(Metal Erection), S(Swimming Pools), S(Asbestos), S(Wind Turbine), and S(Sign/Billboard).

~~a.(A)~~ For the purposes of providing disaster relief assistance pursuant to a declaration of a state of an emergency, if a contractor who holds this classification with an unlimited limitation as defined in ~~N.C.~~ Gen. Stat. §87-10(a1) and has been pre-qualified by the North Carolina Department of Public Safety, Emergency Management Division, this classification also includes construction and repair of non- publicly maintained bridges.

~~b.(B)~~ For the purposes of this ~~rule.~~Rule, a “declaration of a state of an emergency” shall be defined as in ~~chapter~~Chapter 16A, Article 1A, Part 4 of the N.C. General Statutes.

~~c.(C)~~ For the purposes of this ~~rule.~~Rule, a “non-publicly maintained bridge” shall be defined as a bridge that is not maintained by the State, Federal government, municipality, or county.

- (2) Residential Contractor. This classification covers all construction and demolition activity pertaining to the construction of residential units that are required to conform to the Residential Building Code adopted by the Building Code Council pursuant to G.S. 143-138; all site work, driveways, sidewalks, and water and wastewater systems ancillary to the aforementioned structures and improvements; and the work done as part of such residential units under the specialty classifications of S(Insulation), S(Interior Construction), S(Masonry Construction), S(Roofing), S(Swimming Pools), and S(Asbestos). This classification also covers the installation of solar panels on residential units that are required to conform to the residential building code.

- (3) Highway Contractor. This classification covers all highway construction activity including: demolition, grading, paving of all types, installation of exterior artificial athletic surfaces, relocation of public and private utility lines ancillary to a principal project, bridge construction and repair, culvert construction and repair, parking decks, sidewalks, curbs, gutters and storm drainage. It also includes installation and erection of guard rails, fencing, signage, and ancillary highway hardware; covers paving and grading of airport and airfield runways, taxiways, and aprons, including the installation of fencing, signage, runway lighting and marking; and work done under the specialty

1 classifications of S(Boring and Tunneling), S(Concrete Construction), S(Marine and Freshwater
2 Construction), S(Railroad Construction), H(Grading and Excavating), S(Metal Erection), and
3 S(Sign/Billboard).

4 (4) Public Utilities Contractor. This classification includes demolition and operations that are the
5 performance of construction work on water and wastewater systems and on the subclassifications
6 of facilities set forth in G.S. 87-10(b)(3). The Board shall issue a license to a public utilities
7 contractor that is limited to any of the subclassifications set forth in G.S. 87-10(b)(3) for which the
8 contractor qualifies. A public utilities contractor license covers work done under the specialty
9 classifications of S(Boring and Tunneling), PU(Communications), PU(Fuel Distribution),
10 PU(Electrical-Ahead of Point of Delivery), PU(Water Lines and Sewer Lines), PU(Water
11 Purification and Sewage Disposal), and S(Swimming Pools).

12 (5) Specialty Contractor. This classification covers all construction operation and performance of
13 contract work outlined as follows:

14 (A) H(Grading and Excavating). This classification covers the digging, moving, and placing of
15 materials forming the surface of the earth, excluding air and water, in such a manner that
16 the cut, fill, excavation, grade, trench, backfill, or any similar operation may be executed
17 with the use of hand and power tools and machines used for these types of digging, moving,
18 and material placing. It covers work on earthen dams and the use of explosives used in
19 connection with all or any part of the activities described in this Subparagraph. It also
20 includes clearing and grubbing, and erosion control activities.

21 (B) S(Boring and Tunneling). This classification covers the construction of underground or
22 underwater passageways by digging or boring through and under the earth's surface,
23 including the bracing and compacting of such passageways to make them safe for the
24 purpose intended. It includes preparation of the ground surfaces at points of ingress and
25 egress.

26 (C) PU (Communications). This classification covers the demolition and installation of the
27 following:

28 (i) all types of pole lines, and aerial and underground distribution cable for telephone
29 systems;

30 (ii) aerial and underground distribution cable for cable TV and master antenna TV
31 systems capable of transmitting R.F. signals;

32 (iii) underground conduit and communication cable, including fiber optic cable; and

33 (iv) microwave systems and towers, including foundations and excavations where
34 required, when the microwave systems are being used for the purpose of
35 transmitting R.F. signals; and installation of PCS or cellular telephone towers and
36 sites.

- (D) S(Concrete Construction). This classification covers the construction, demolition, and installation of foundations, pre-cast silos, and other concrete tanks or receptacles, prestressed components, and gunite applications, but excludes bridges, streets, sidewalks, curbs, gutters, driveways, parking lots, and highways.
- (E) PU(Electrical-Ahead of Point of Delivery). This classification covers the construction, installation, alteration, maintenance, or repair of an electrical wiring system, including substations or components thereof, which is or is intended to be owned, operated, and maintained by an electric power supplier, such as a public or private utility, a utility cooperative, or any other properly franchised electric power supplier, for the purpose of furnishing electrical services to one or more customers. This classification includes the construction of solar arrays.
- (F) PU(Fuel Distribution). This classification covers the construction, installation, alteration, maintenance, or repair of systems for distribution of petroleum fuels, petroleum distillates, natural gas, chemicals, and slurries through pipeline from one station to another. It includes all excavating, trenching, and backfilling in connection therewith. It covers the installation, replacement, and removal of above ground and below ground fuel storage tanks.
- (G) PU(Water Lines and Sewer Lines). This classification covers demolition and construction work on water and sewer mains, water service lines, and house and building sewer lines, as defined in the North Carolina State Building Code, and covers water storage tanks, lift stations, pumping stations, and appurtenances to water storage tanks, lift stations, and pumping stations. It includes pavement patching, backfill, and erosion control as part of construction.
- (H) PU(Water Purification and Sewage Disposal). This classification covers the demolition and performance of construction work on water and wastewater systems; water and wastewater treatment facilities; and all site work, grading, and paving of parking lots, driveways, sidewalks, curbs, and gutters that are ancillary to such construction of water and wastewater treatment facilities. It covers the work done under the specialty classifications of S(Concrete Construction), S(Insulation), S(Interior Construction), S(Masonry Construction), S(Roofing), and S(Metal Erection) as part of the work on water and wastewater treatment facilities.
- (I) S(Insulation). This classification covers the installation, alteration, or repair of materials classified as insulating media used for the non-mechanical control of temperatures in the construction of residential and commercial buildings. It does not include the insulation of mechanical equipment, and lines and piping that are ancillary to the building.
- (J) S(Interior Construction). This classification covers the installation and demolition of acoustical ceiling systems and panels, load bearing and non-load bearing partitions, lathing and plastering, flooring and finishing, interior recreational surfaces, window and door

1 installation, and installation of fixtures, cabinets, and millwork. It includes the removal of
2 asbestos and replacement with non-toxic substances.

3 (K) S(Marine and Freshwater Construction). This classification covers all marine and
4 freshwater demolition and construction and repair activities and all types of marine and
5 freshwater construction and demolition in deep-water installations and in harbors, inlets,
6 sounds, bays, channels, canals, rivers, lakes, ponds, or any navigable waterway; it covers
7 dredging, construction, and installation of pilings, piers, decks, slips, docks, and bulkheads.
8 It does not include other structures that may be constructed on docks, slips, and piers.

9 (L) S(Masonry Construction). This classification covers the demolition and installation, with
10 or without the use of mortar or adhesives, of the following:

- 11 (i) brick, concrete block, gypsum partition tile, pumice block, or other lightweight
12 and facsimile units and products common to the masonry industry;
13 (ii) installation of fire clay products and refractory construction; and
14 (iii) installation of rough cut and dressed stone, marble panels and slate units, and
15 installation of structural glazed tile or block, glass brick or block, and solar screen
16 tile or block.

17 (M) S(Railroad Construction). This classification covers the demolition, building, construction,
18 and repair of railroad lines including:

- 19 (i) the clearing and filling of rights-of-way;
20 (ii) shaping, compacting, setting, and stabilizing of road beds;
21 (iii) setting ties, tie plates, rails, rail connectors, frogs, switch plates, switches, signal
22 markers, retaining walls, dikes, fences, and gates; and
23 (iv) construction and repair of tool sheds and platforms.

24 (N) S(Roofing). This classification covers the installation, demolition, and repair of roofs and
25 decks on residential, commercial, industrial, and institutional structures requiring materials
26 that form a water-tight and weather-resistant surface. The term "materials" for purposes of
27 this Subparagraph includes cedar, cement, asbestos, clay tile and composition shingles, all
28 types of metal coverings, wood shakes, single ply and built-up roofing, protective and
29 reflective roof and deck coatings, sheet metal valleys, flashings, gravel stops, gutters and
30 downspouts, and bituminous waterproofing, including torch down roof systems. Any
31 insulation material installed as a component of a torch down roofing system shall be
32 included as work covered under this classification.

33 (O) S(Metal Erection). This classification covers:

- 34 (i) the field fabrication, demolition, erection, repair, and alteration of architectural
35 and structural shapes, plates, tubing, pipe and bars, not limited to steel or
36 aluminum, that are or may be used as structural members for buildings,
37 equipment, and structure; and

(ii) the layout, assembly and erection by welding, bolting, riveting, or fastening in any manner metal products as curtain walls, tanks of all types, hoppers, structural members for buildings, towers, stairs, conveyor frames, cranes and crane runways, canopies, carports, guard rails, signs, steel scaffolding as a permanent structure, rigging, flagpoles, fences, steel and aluminum siding, bleachers, fire escapes, and seating for stadiums, arenas, and auditoriums.

(P) S(Swimming Pools). This classification covers the construction, demolition, service, and repair of all swimming pools. It includes:

(i) excavation and grading;

(ii) construction of concrete, gunite, fiberglass, metal-walled with liner, steel-walled with liner, and plastic-type pools, pool decks, and walkways, and tiling and coping; and

(iii) installation of all equipment including pumps, filters, and chemical feeders. It does not include direct connections to a sanitary sewer system or to portable water lines, nor the grounding and bonding of any metal surfaces or the making of any electrical connections.

(Q) S(Asbestos). This classification covers renovation or demolition activities involving the repair, maintenance, removal, isolation, encapsulation, or enclosure of Regulated Asbestos Containing Materials (RACM) for any commercial, industrial, or institutional building, whether public or private. It also covers all types of residential building construction involving RACM during renovation or demolition activities. This specialty is required only when the cost of asbestos activities as described herein are equal to or exceed forty thousand dollars (\$40,000).

(R) S(Wind Turbine). This classification covers the construction, demolition, installation, and repair of wind turbines, wind generators, and wind power units. It includes assembly of blades, generator, turbine structures, and towers. It also includes ancillary foundation work, field fabrication of metal equipment, and structural support components.

(S) S(Sign/Billboard). This classification covers the construction, renovation, installation, repair, erection, or demolition of any structural signs or billboards, as used in G.S. 136-128(3) that are permanently annexed to real property and as defined in Article 11 of Chapter 136 of the N.C. General Statutes.

(b) An applicant may be licensed in more than one classification of general contracting provided the applicant meets the qualifications for the classifications, which includes passing the examinations for the classification requested by the applicant. The license granted to an applicant who meets the qualifications for all of the classifications set forth in the rules of this Section shall be designated "unclassified."

History Note: Authority G.S. 87-1; 87-4; 87-10;

1 *Eff. February 1, 1976;*
2 *Readopted Eff. September 26, 1977;*
3 *Amended Eff. June 1, 1994; June 1, 1992; May 1, 1989; January 1, 1983;*
4 *Temporary Amendment Eff. February 18, 1997;*
5 *Amended Eff. April 1, 2014; June 1, 2011; September 1, 2009; April 1, 2004; April 1, 2003; August*
6 *1, 2002; April 1, 2001; August 1, 2000; August 1, 1998;*
7 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23,*
8 *2016;*
9 *Amended Eff. September 1, 2019; April 1, 2018;*
10 *Recodified from 21 NCAC 12 .0202 Eff. January 2, 2020;*
11 ~~*Temporary Amendment*~~ *Amended Eff. _____, 2025; September 1, 2025; December 1,*
12 *2023; January 1, 2023; January 1, 2022;;*
13 ~~*Temporary Amendment Eff. _____, 2025.*~~
14
15

Burgos, Alexander N

Subject: FW: [External] RE: 21 NCAC 12A .0202 - November RRC Meeting - Request for Changes
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From: Miller, Christopher S <christopher.miller@oah.nc.gov>
Sent: Tuesday, November 18, 2025 3:51 PM
To: Anna Choi <Anna.Choi@nclbgc.org>; Dena Brown <dena.brown@nclbgc.org>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Miller, Christopher S <christopher.miller@oah.nc.gov>
Subject: RE: [External] RE: 21 NCAC 12A .0202 - November RRC Meeting - Request for Changes

Thank you – this looks good. Please send this version of the Rule to oah.rules@oah.nc.gov when you get a moment (with copy to me and Alex Burgos).

Best,
Chris

Burgos, Alexander N

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From: Anna Choi <Anna.Choi@nclbgc.org>
Sent: Tuesday, November 18, 2025 3:09 PM
To: Miller, Christopher S <christopher.miller@oah.nc.gov>; Dena Brown <dena.brown@nclbgc.org>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
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Chris,
Thank you for your patience. Attached please find the revised version.



Anna Baird Choi

Executive Director and General Counsel

North Carolina Licensing Board for General Contractors

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1 classifications of S(Boring and Tunneling), S(Concrete Construction), S(Marine and Freshwater
2 Construction), S(Railroad Construction), H(Grading and Excavating), S(Metal Erection), and
3 S(Sign/Billboard).

4 (4) Public Utilities Contractor. This classification includes demolition and operations that are the
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6 of facilities set forth in G.S. 87-10(b)(3). The Board shall issue a license to a public utilities
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13 contract work outlined as follows:

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17 with the use of hand and power tools and machines used for these types of digging, moving,
18 and material placing. It covers work on earthen dams and the use of explosives used in
19 connection with all or any part of the activities described in this Subparagraph. It also
20 includes clearing and grubbing, and erosion control activities.

21 (B) S(Boring and Tunneling). This classification covers the construction of underground or
22 underwater passageways by digging or boring through and under the earth's surface,
23 including the bracing and compacting of such passageways to make them safe for the
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30 (ii) aerial and underground distribution cable for cable TV and master antenna TV
31 systems capable of transmitting R.F. signals;

32 (iii) underground conduit and communication cable, including fiber optic cable; and

33 (iv) microwave systems and towers, including foundations and excavations where
34 required, when the microwave systems are being used for the purpose of
35 transmitting R.F. signals; and installation of PCS or cellular telephone towers and
36 sites.

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- (H) PU(Water Purification and Sewage Disposal). This classification covers the demolition and performance of construction work on water and wastewater systems; water and wastewater treatment facilities; and all site work, grading, and paving of parking lots, driveways, sidewalks, curbs, and gutters that are ancillary to such construction of water and wastewater treatment facilities. It covers the work done under the specialty classifications of S(Concrete Construction), S(Insulation), S(Interior Construction), S(Masonry Construction), S(Roofing), and S(Metal Erection) as part of the work on water and wastewater treatment facilities.
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- (J) S(Interior Construction). This classification covers the installation and demolition of acoustical ceiling systems and panels, load bearing and non-load bearing partitions, lathing and plastering, flooring and finishing, interior recreational surfaces, window and door

1 installation, and installation of fixtures, cabinets, and millwork. It includes the removal of
2 asbestos and replacement with non-toxic substances.

3 (K) S(Marine and Freshwater Construction). This classification covers all marine and
4 freshwater demolition and construction and repair activities and all types of marine and
5 freshwater construction and demolition in deep-water installations and in harbors, inlets,
6 sounds, bays, channels, canals, rivers, lakes, ponds, or any navigable waterway; it covers
7 dredging, construction, and installation of pilings, piers, decks, slips, docks, and bulkheads.
8 It does not include other structures that may be constructed on docks, slips, and piers.

9 (L) S(Masonry Construction). This classification covers the demolition and installation, with
10 or without the use of mortar or adhesives, of the following:

- 11 (i) brick, concrete block, gypsum partition tile, pumice block, or other lightweight
12 and facsimile units and products common to the masonry industry;
13 (ii) installation of fire clay products and refractory construction; and
14 (iii) installation of rough cut and dressed stone, marble panels and slate units, and
15 installation of structural glazed tile or block, glass brick or block, and solar screen
16 tile or block.

17 (M) S(Railroad Construction). This classification covers the demolition, building, construction,
18 and repair of railroad lines including:

- 19 (i) the clearing and filling of rights-of-way;
20 (ii) shaping, compacting, setting, and stabilizing of road beds;
21 (iii) setting ties, tie plates, rails, rail connectors, frogs, switch plates, switches, signal
22 markers, retaining walls, dikes, fences, and gates; and
23 (iv) construction and repair of tool sheds and platforms.

24 (N) S(Roofing). This classification covers the installation, demolition, and repair of roofs and
25 decks on residential, commercial, industrial, and institutional structures requiring materials
26 that form a water-tight and weather-resistant surface. The term "materials" for purposes of
27 this Subparagraph includes cedar, cement, asbestos, clay tile and composition shingles, all
28 types of metal coverings, wood shakes, single ply and built-up roofing, protective and
29 reflective roof and deck coatings, sheet metal valleys, flashings, gravel stops, gutters and
30 downspouts, and bituminous waterproofing, including torch down roof systems. Any
31 insulation material installed as a component of a torch down roofing system shall be
32 included as work covered under this classification.

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35 and structural shapes, plates, tubing, pipe and bars, not limited to steel or
36 aluminum, that are or may be used as structural members for buildings,
37 equipment, and structure; and

(ii) the layout, assembly and erection by welding, bolting, riveting, or fastening in any manner metal products as curtain walls, tanks of all types, hoppers, structural members for buildings, towers, stairs, conveyor frames, cranes and crane runways, canopies, carports, guard rails, signs, steel scaffolding as a permanent structure, rigging, flagpoles, fences, steel and aluminum siding, bleachers, fire escapes, and seating for stadiums, arenas, and auditoriums.

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(i) excavation and grading;

(ii) construction of concrete, gunite, fiberglass, metal-walled with liner, steel-walled with liner, and plastic-type pools, pool decks, and walkways, and tiling and coping; and

(iii) installation of all equipment including pumps, filters, and chemical feeders. It does not include direct connections to a sanitary sewer system or to portable water lines, nor the grounding and bonding of any metal surfaces or the making of any electrical connections.

(Q) S(Asbestos). This classification covers renovation or demolition activities involving the repair, maintenance, removal, isolation, encapsulation, or enclosure of Regulated Asbestos Containing Materials (RACM) for any commercial, industrial, or institutional building, whether public or private. It also covers all types of residential building construction involving RACM during renovation or demolition activities. This specialty is required only when the cost of asbestos activities as described herein are equal to or exceed forty thousand dollars (\$40,000).

(R) S(Wind Turbine). This classification covers the construction, demolition, installation, and repair of wind turbines, wind generators, and wind power units. It includes assembly of blades, generator, turbine structures, and towers. It also includes ancillary foundation work, field fabrication of metal equipment, and structural support components.

(S) S(Sign/Billboard). This classification covers the construction, renovation, installation, repair, erection, or demolition of any structural signs or billboards, as used in G.S. 136-128(3) that are permanently annexed to real property and as defined in Article 11 of Chapter 136 of the N.C. General Statutes.

(b) An applicant may be licensed in more than one classification of general contracting provided the applicant meets the qualifications for the classifications, which includes passing the examinations for the classification requested by the applicant. The license granted to an applicant who meets the qualifications for all of the classifications set forth in the rules of this Section shall be designated "unclassified."

History Note: Authority G.S. 87-1; 87-4; 87-10;

1 *Eff. February 1, 1976;*
2 *Readopted Eff. September 26, 1977;*
3 *Amended Eff. June 1, 1994; June 1, 1992; May 1, 1989; January 1, 1983;*
4 *Temporary Amendment Eff. February 18, 1997;*
5 *Amended Eff. April 1, 2014; June 1, 2011; September 1, 2009; April 1, 2004; April 1, 2003; August*
6 *1, 2002; April 1, 2001; August 1, 2000; August 1, 1998;*
7 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23,*
8 *2016;*
9 *Amended Eff. September 1, 2019; April 1, 2018;*
10 *Recodified from 21 NCAC 12 .0202 Eff. January 2, 2020;*
11 ~~*Temporary Amendment*~~ *Amended Eff. _____, 2025; September 1, 2025; December 1,*
12 *2023; January 1, 2023; January 1, 2022;;*
13 ~~*Temporary Amendment Eff. _____, 2025.*~~
14
15

Burgos, Alexander N

Subject: FW: [External] RE: 21 NCAC 12A .0202 - November RRC Meeting - Request for Changes
Attachments: 21 NCAC 12A .0202.docx

From: Miller, Christopher S <christopher.miller@oah.nc.gov>
Sent: Tuesday, November 18, 2025 10:42 AM
To: Anna Choi <Anna.Choi@ncibgc.org>; Dena Brown <dena.brown@ncibgc.org>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Miller, Christopher S <christopher.miller@oah.nc.gov>
Subject: RE: [External] RE: 21 NCAC 12A .0202 - November RRC Meeting - Request for Changes

Hello,

I have a few follow-up requests. Please see below.

- **General Formatting:** Changes from the publication (and made in response to my requests) need to be indicated in the document, such as by highlighting where appropriate. Please see additional information on this at <https://www.oah.nc.gov/rule-format-examples#RuleFormatExamplesforPublicationintheNCAdministrativeCode-6054>. Specifically, look at the examples under Temporary Rules > Examples for Publication in the Code > Temporary Amendment with changes from publication.
- **Introductory Statement:** This needs to include “with changes”. Please see examples at the same link mentioned above.
- **History Note: Page 6, line 12:** Please replace the period after “January 1, 2022” with a semi-colon.

Thank you!

Chris

Burgos, Alexander N

Subject: FW: [External] 21 NCAC 12A .0202 Classification

From: Miller, Christopher S <christopher.miller@oah.nc.gov>
Sent: Tuesday, November 18, 2025 10:02 AM
To: Anna Choi <Anna.Choi@nclbgc.org>; Dena Brown <dena.brown@nclbgc.org>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] 21 NCAC 12A .0202 Classification

Got it – thanks.

From: Anna Choi <Anna.Choi@nclbgc.org>
Sent: Tuesday, November 18, 2025 10:01 AM
To: Miller, Christopher S <christopher.miller@oah.nc.gov>; Dena Brown <dena.brown@nclbgc.org>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] 21 NCAC 12A .0202 Classification

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They both should be the same. Dena resent it to the OAH email and Alex as a precaution; we wanted to confirm everyone who needed it had it.



Anna Baird Choi
Executive Director and General Counsel
North Carolina Licensing Board for General Contractors

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From: Miller, Christopher S <christopher.miller@oah.nc.gov>
Sent: Tuesday, November 18, 2025 9:59 AM
To: Dena Brown <dena.brown@nclbgc.org>; Anna Choi <Anna.Choi@nclbgc.org>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] 21 NCAC 12A .0202 Classification

Thank you – I will review now. To clarify, should I be looking at this version? Or the one that Anna sent to me at 2:56 yesterday?

Thanks,
Chris

Burgos, Alexander N

From: Dena Brown <dena.brown@nclbgc.org>
Sent: Monday, November 17, 2025 3:38 PM
To: Rules, Oah
Cc: Miller, Christopher S; Burgos, Alexander N; Anna Choi
Subject: [External] 21 NCAC 12A .0202 Classification
Attachments: 21 NCAC 12A .0202.docx

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

All,

Attached rule referenced above with suggested technical changes.



Dena Brown

Paralegal

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nclbgc.org

21 NCAC 12A .0202 is ~~proposed for amendment~~amended under temporary procedures as follows:

21 NCAC 12A .0202 CLASSIFICATION

(a) A general contractor shall be certified in one of the following five classifications:

- (1) Building Contractor. This classification covers all building construction and demolition activity including: commercial, industrial, institutional, and all residential building construction. It includes installation of solar panels; parking decks; all site work, grading and paving of parking lots, driveways, sidewalks, and gutters; storm drainage, retaining or screen walls, and hardware and accessory structures; and indoor and outdoor recreational facilities including natural and artificial surface athletic fields, running tracks, bleachers, and seating. It also covers work done under the specialty classifications of S(Concrete Construction), S(Insulation), S(Interior Construction), S(Marine and Freshwater Construction), S(Masonry Construction), S(Roofing), S(Metal Erection), S(Swimming Pools), S(Asbestos), S(Wind Turbine), and S(Sign/Billboard).

~~a.(A)~~ For the purposes of providing disaster relief assistance pursuant to a declaration of a state of an emergency, if a contractor who holds this classification with an unlimited limitation as defined in N.C. Gen. Stat. §87-10(a1) and has been pre-qualified by the North Carolina Department of Public Safety, Emergency Management Division, this classification also includes construction and repair of non- publicly maintained bridges.

~~b.(B)~~ For the purposes of this ~~rule~~, Rule, a “declaration of a state of an emergency” shall be defined as in ~~chapter~~Chapter 16A, Article 1A, Part 4 of the N.C. General Statutes.

~~c.(C)~~ For the purposes of this ~~rule~~, Rule, a “non-publicly maintained bridge” shall be defined as a bridge that is not maintained by the State, Federal government, municipality, or county.

- (2) Residential Contractor. This classification covers all construction and demolition activity pertaining to the construction of residential units that are required to conform to the Residential Building Code adopted by the Building Code Council pursuant to G.S. 143-138; all site work, driveways, sidewalks, and water and wastewater systems ancillary to the aforementioned structures and improvements; and the work done as part of such residential units under the specialty classifications of S(Insulation), S(Interior Construction), S(Masonry Construction), S(Roofing), S(Swimming Pools), and S(Asbestos). This classification also covers the installation of solar panels on residential units that are required to conform to the residential building code.

- (3) Highway Contractor. This classification covers all highway construction activity including: demolition, grading, paving of all types, installation of exterior artificial athletic surfaces, relocation of public and private utility lines ancillary to a principal project, bridge construction and repair, culvert construction and repair, parking decks, sidewalks, curbs, gutters and storm drainage. It also includes installation and erection of guard rails, fencing, signage, and ancillary highway hardware; covers paving and grading of airport and airfield runways, taxiways, and aprons, including the installation of fencing, signage, runway lighting and marking; and work done under the specialty

1 classifications of S(Boring and Tunneling), S(Concrete Construction), S(Marine and Freshwater
2 Construction), S(Railroad Construction), H(Grading and Excavating), S(Metal Erection), and
3 S(Sign/Billboard).

4 (4) Public Utilities Contractor. This classification includes demolition and operations that are the
5 performance of construction work on water and wastewater systems and on the subclassifications
6 of facilities set forth in G.S. 87-10(b)(3). The Board shall issue a license to a public utilities
7 contractor that is limited to any of the subclassifications set forth in G.S. 87-10(b)(3) for which the
8 contractor qualifies. A public utilities contractor license covers work done under the specialty
9 classifications of S(Boring and Tunneling), PU(Communications), PU(Fuel Distribution),
10 PU(Electrical-Ahead of Point of Delivery), PU(Water Lines and Sewer Lines), PU(Water
11 Purification and Sewage Disposal), and S(Swimming Pools).

12 (5) Specialty Contractor. This classification covers all construction operation and performance of
13 contract work outlined as follows:

14 (A) H(Grading and Excavating). This classification covers the digging, moving, and placing of
15 materials forming the surface of the earth, excluding air and water, in such a manner that
16 the cut, fill, excavation, grade, trench, backfill, or any similar operation may be executed
17 with the use of hand and power tools and machines used for these types of digging, moving,
18 and material placing. It covers work on earthen dams and the use of explosives used in
19 connection with all or any part of the activities described in this Subparagraph. It also
20 includes clearing and grubbing, and erosion control activities.

21 (B) S(Boring and Tunneling). This classification covers the construction of underground or
22 underwater passageways by digging or boring through and under the earth's surface,
23 including the bracing and compacting of such passageways to make them safe for the
24 purpose intended. It includes preparation of the ground surfaces at points of ingress and
25 egress.

26 (C) PU (Communications). This classification covers the demolition and installation of the
27 following:

28 (i) all types of pole lines, and aerial and underground distribution cable for telephone
29 systems;

30 (ii) aerial and underground distribution cable for cable TV and master antenna TV
31 systems capable of transmitting R.F. signals;

32 (iii) underground conduit and communication cable, including fiber optic cable; and

33 (iv) microwave systems and towers, including foundations and excavations where
34 required, when the microwave systems are being used for the purpose of
35 transmitting R.F. signals; and installation of PCS or cellular telephone towers and
36 sites.

- (D) S(Concrete Construction). This classification covers the construction, demolition, and installation of foundations, pre-cast silos, and other concrete tanks or receptacles, prestressed components, and gunite applications, but excludes bridges, streets, sidewalks, curbs, gutters, driveways, parking lots, and highways.
- (E) PU(Electrical-Ahead of Point of Delivery). This classification covers the construction, installation, alteration, maintenance, or repair of an electrical wiring system, including substations or components thereof, which is or is intended to be owned, operated, and maintained by an electric power supplier, such as a public or private utility, a utility cooperative, or any other properly franchised electric power supplier, for the purpose of furnishing electrical services to one or more customers. This classification includes the construction of solar arrays.
- (F) PU(Fuel Distribution). This classification covers the construction, installation, alteration, maintenance, or repair of systems for distribution of petroleum fuels, petroleum distillates, natural gas, chemicals, and slurries through pipeline from one station to another. It includes all excavating, trenching, and backfilling in connection therewith. It covers the installation, replacement, and removal of above ground and below ground fuel storage tanks.
- (G) PU(Water Lines and Sewer Lines). This classification covers demolition and construction work on water and sewer mains, water service lines, and house and building sewer lines, as defined in the North Carolina State Building Code, and covers water storage tanks, lift stations, pumping stations, and appurtenances to water storage tanks, lift stations, and pumping stations. It includes pavement patching, backfill, and erosion control as part of construction.
- (H) PU(Water Purification and Sewage Disposal). This classification covers the demolition and performance of construction work on water and wastewater systems; water and wastewater treatment facilities; and all site work, grading, and paving of parking lots, driveways, sidewalks, curbs, and gutters that are ancillary to such construction of water and wastewater treatment facilities. It covers the work done under the specialty classifications of S(Concrete Construction), S(Insulation), S(Interior Construction), S(Masonry Construction), S(Roofing), and S(Metal Erection) as part of the work on water and wastewater treatment facilities.
- (I) S(Insulation). This classification covers the installation, alteration, or repair of materials classified as insulating media used for the non-mechanical control of temperatures in the construction of residential and commercial buildings. It does not include the insulation of mechanical equipment, and lines and piping that are ancillary to the building.
- (J) S(Interior Construction). This classification covers the installation and demolition of acoustical ceiling systems and panels, load bearing and non-load bearing partitions, lathing and plastering, flooring and finishing, interior recreational surfaces, window and door

1 installation, and installation of fixtures, cabinets, and millwork. It includes the removal of
2 asbestos and replacement with non-toxic substances.

3 (K) S(Marine and Freshwater Construction). This classification covers all marine and
4 freshwater demolition and construction and repair activities and all types of marine and
5 freshwater construction and demolition in deep-water installations and in harbors, inlets,
6 sounds, bays, channels, canals, rivers, lakes, ponds, or any navigable waterway; it covers
7 dredging, construction, and installation of pilings, piers, decks, slips, docks, and bulkheads.
8 It does not include other structures that may be constructed on docks, slips, and piers.

9 (L) S(Masonry Construction). This classification covers the demolition and installation, with
10 or without the use of mortar or adhesives, of the following:

- 11 (i) brick, concrete block, gypsum partition tile, pumice block, or other lightweight
12 and facsimile units and products common to the masonry industry;
13 (ii) installation of fire clay products and refractory construction; and
14 (iii) installation of rough cut and dressed stone, marble panels and slate units, and
15 installation of structural glazed tile or block, glass brick or block, and solar screen
16 tile or block.

17 (M) S(Railroad Construction). This classification covers the demolition, building, construction,
18 and repair of railroad lines including:

- 19 (i) the clearing and filling of rights-of-way;
20 (ii) shaping, compacting, setting, and stabilizing of road beds;
21 (iii) setting ties, tie plates, rails, rail connectors, frogs, switch plates, switches, signal
22 markers, retaining walls, dikes, fences, and gates; and
23 (iv) construction and repair of tool sheds and platforms.

24 (N) S(Roofing). This classification covers the installation, demolition, and repair of roofs and
25 decks on residential, commercial, industrial, and institutional structures requiring materials
26 that form a water-tight and weather-resistant surface. The term "materials" for purposes of
27 this Subparagraph includes cedar, cement, asbestos, clay tile and composition shingles, all
28 types of metal coverings, wood shakes, single ply and built-up roofing, protective and
29 reflective roof and deck coatings, sheet metal valleys, flashings, gravel stops, gutters and
30 downspouts, and bituminous waterproofing, including torch down roof systems. Any
31 insulation material installed as a component of a torch down roofing system shall be
32 included as work covered under this classification.

33 (O) S(Metal Erection). This classification covers:

- 34 (i) the field fabrication, demolition, erection, repair, and alteration of architectural
35 and structural shapes, plates, tubing, pipe and bars, not limited to steel or
36 aluminum, that are or may be used as structural members for buildings,
37 equipment, and structure; and

(ii) the layout, assembly and erection by welding, bolting, riveting, or fastening in any manner metal products as curtain walls, tanks of all types, hoppers, structural members for buildings, towers, stairs, conveyor frames, cranes and crane runways, canopies, carports, guard rails, signs, steel scaffolding as a permanent structure, rigging, flagpoles, fences, steel and aluminum siding, bleachers, fire escapes, and seating for stadiums, arenas, and auditoriums.

(P) S(Swimming Pools). This classification covers the construction, demolition, service, and repair of all swimming pools. It includes:

(i) excavation and grading;

(ii) construction of concrete, gunite, fiberglass, metal-walled with liner, steel-walled with liner, and plastic-type pools, pool decks, and walkways, and tiling and coping; and

(iii) installation of all equipment including pumps, filters, and chemical feeders. It does not include direct connections to a sanitary sewer system or to portable water lines, nor the grounding and bonding of any metal surfaces or the making of any electrical connections.

(Q) S(Asbestos). This classification covers renovation or demolition activities involving the repair, maintenance, removal, isolation, encapsulation, or enclosure of Regulated Asbestos Containing Materials (RACM) for any commercial, industrial, or institutional building, whether public or private. It also covers all types of residential building construction involving RACM during renovation or demolition activities. This specialty is required only when the cost of asbestos activities as described herein are equal to or exceed forty thousand dollars (\$40,000).

(R) S(Wind Turbine). This classification covers the construction, demolition, installation, and repair of wind turbines, wind generators, and wind power units. It includes assembly of blades, generator, turbine structures, and towers. It also includes ancillary foundation work, field fabrication of metal equipment, and structural support components.

(S) S(Sign/Billboard). This classification covers the construction, renovation, installation, repair, erection, or demolition of any structural signs or billboards, as used in G.S. 136-128(3) that are permanently annexed to real property and as defined in Article 11 of Chapter 136 of the N.C. General Statutes.

(b) An applicant may be licensed in more than one classification of general contracting provided the applicant meets the qualifications for the classifications, which includes passing the examinations for the classification requested by the applicant. The license granted to an applicant who meets the qualifications for all of the classifications set forth in the rules of this Section shall be designated "unclassified."

History Note: Authority G.S. 87-1; 87-4; 87-10;

1 *Eff. February 1, 1976;*
2 *Readopted Eff. September 26, 1977;*
3 *Amended Eff. June 1, 1994; June 1, 1992; May 1, 1989; January 1, 1983;*
4 *Temporary Amendment Eff. February 18, 1997;*
5 *Amended Eff. April 1, 2014; June 1, 2011; September 1, 2009; April 1, 2004; April 1, 2003; August*
6 *1, 2002; April 1, 2001; August 1, 2000; August 1, 1998;*
7 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23,*
8 *2016;*
9 *Amended Eff. September 1, 2019; April 1, 2018;*
10 *Recodified from 21 NCAC 12 .0202 Eff. January 2, 2020;*
11 ~~*Temporary Amendment*~~ *Amended Eff. _____, 2025; September 1, 2025; December 1,*
12 *2023; January 1, 2023; January 1, 2022.*
13 *Temporary Amendment Eff. _____, 2025.*
14
15

Burgos, Alexander N

Subject: FW: [External] RE: 21 NCAC 12A .0202 - November RRC Meeting - Request for Changes
Attachments: 21 NCAC 12A .0202.docx

From: Anna Choi <Anna.Choi@nclbgc.org>
Sent: Monday, November 17, 2025 2:55 PM
To: Miller, Christopher S <christopher.miller@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Dena Brown <dena.brown@nclbgc.org>
Subject: [External] RE: 21 NCAC 12A .0202 - November RRC Meeting - Request for Changes

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Chris,
Thank you for your patience. Attached is 21 NCAC 12A .0202 with the edits you requested.



Anna Baird Choi

Executive Director and General Counsel

North Carolina Licensing Board for General Contractors

919-571-4183 x210, office

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21 NCAC 12A .0202 is ~~proposed for amendment~~ amended under temporary procedures as follows:

21 NCAC 12A .0202 CLASSIFICATION

(a) A general contractor shall be certified in one of the following five classifications:

- (1) Building Contractor. This classification covers all building construction and demolition activity including: commercial, industrial, institutional, and all residential building construction. It includes installation of solar panels; parking decks; all site work, grading and paving of parking lots, driveways, sidewalks, and gutters; storm drainage, retaining or screen walls, and hardware and accessory structures; and indoor and outdoor recreational facilities including natural and artificial surface athletic fields, running tracks, bleachers, and seating. It also covers work done under the specialty classifications of S(Concrete Construction), S(Insulation), S(Interior Construction), S(Marine and Freshwater Construction), S(Masonry Construction), S(Roofing), S(Metal Erection), S(Swimming Pools), S(Asbestos), S(Wind Turbine), and S(Sign/Billboard).

~~a.~~(A) For the purposes of providing disaster relief assistance pursuant to a declaration of a state of an emergency, if a contractor who holds this classification with an unlimited limitation as defined in N.C. Gen. Stat. §87-10(a1) and has been pre-qualified by the North Carolina Department of Public Safety, Emergency Management Division, this classification also includes construction and repair of non- publicly maintained bridges.

~~b.~~(B) For the purposes of this rule, Rule, a “declaration of a state of an emergency” shall be defined as in chapterChapter 16A, Article 1A, Part 4 of the N.C. General Statutes.

~~c.~~(C) For the purposes of this rule, Rule, a “non-publicly maintained bridge” shall be defined as a bridge that is not maintained by the State, Federal government, municipality, or county.

- (2) Residential Contractor. This classification covers all construction and demolition activity pertaining to the construction of residential units that are required to conform to the Residential Building Code adopted by the Building Code Council pursuant to G.S. 143-138; all site work, driveways, sidewalks, and water and wastewater systems ancillary to the aforementioned structures and improvements; and the work done as part of such residential units under the specialty classifications of S(Insulation), S(Interior Construction), S(Masonry Construction), S(Roofing), S(Swimming Pools), and S(Asbestos). This classification also covers the installation of solar panels on residential units that are required to conform to the residential building code.

- (3) Highway Contractor. This classification covers all highway construction activity including: demolition, grading, paving of all types, installation of exterior artificial athletic surfaces, relocation of public and private utility lines ancillary to a principal project, bridge construction and repair, culvert construction and repair, parking decks, sidewalks, curbs, gutters and storm drainage. It also includes installation and erection of guard rails, fencing, signage, and ancillary highway hardware; covers paving and grading of airport and airfield runways, taxiways, and aprons, including the installation of fencing, signage, runway lighting and marking; and work done under the specialty

1 classifications of S(Boring and Tunneling), S(Concrete Construction), S(Marine and Freshwater
2 Construction), S(Railroad Construction), H(Grading and Excavating), S(Metal Erection), and
3 S(Sign/Billboard).

4 (4) Public Utilities Contractor. This classification includes demolition and operations that are the
5 performance of construction work on water and wastewater systems and on the subclassifications
6 of facilities set forth in G.S. 87-10(b)(3). The Board shall issue a license to a public utilities
7 contractor that is limited to any of the subclassifications set forth in G.S. 87-10(b)(3) for which the
8 contractor qualifies. A public utilities contractor license covers work done under the specialty
9 classifications of S(Boring and Tunneling), PU(Communications), PU(Fuel Distribution),
10 PU(Electrical-Ahead of Point of Delivery), PU(Water Lines and Sewer Lines), PU(Water
11 Purification and Sewage Disposal), and S(Swimming Pools).

12 (5) Specialty Contractor. This classification covers all construction operation and performance of
13 contract work outlined as follows:

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15 materials forming the surface of the earth, excluding air and water, in such a manner that
16 the cut, fill, excavation, grade, trench, backfill, or any similar operation may be executed
17 with the use of hand and power tools and machines used for these types of digging, moving,
18 and material placing. It covers work on earthen dams and the use of explosives used in
19 connection with all or any part of the activities described in this Subparagraph. It also
20 includes clearing and grubbing, and erosion control activities.

21 (B) S(Boring and Tunneling). This classification covers the construction of underground or
22 underwater passageways by digging or boring through and under the earth's surface,
23 including the bracing and compacting of such passageways to make them safe for the
24 purpose intended. It includes preparation of the ground surfaces at points of ingress and
25 egress.

26 (C) PU (Communications). This classification covers the demolition and installation of the
27 following:

28 (i) all types of pole lines, and aerial and underground distribution cable for telephone
29 systems;

30 (ii) aerial and underground distribution cable for cable TV and master antenna TV
31 systems capable of transmitting R.F. signals;

32 (iii) underground conduit and communication cable, including fiber optic cable; and

33 (iv) microwave systems and towers, including foundations and excavations where
34 required, when the microwave systems are being used for the purpose of
35 transmitting R.F. signals; and installation of PCS or cellular telephone towers and
36 sites.

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- (F) PU(Fuel Distribution). This classification covers the construction, installation, alteration, maintenance, or repair of systems for distribution of petroleum fuels, petroleum distillates, natural gas, chemicals, and slurries through pipeline from one station to another. It includes all excavating, trenching, and backfilling in connection therewith. It covers the installation, replacement, and removal of above ground and below ground fuel storage tanks.
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- (I) S(Insulation). This classification covers the installation, alteration, or repair of materials classified as insulating media used for the non-mechanical control of temperatures in the construction of residential and commercial buildings. It does not include the insulation of mechanical equipment, and lines and piping that are ancillary to the building.
- (J) S(Interior Construction). This classification covers the installation and demolition of acoustical ceiling systems and panels, load bearing and non-load bearing partitions, lathing and plastering, flooring and finishing, interior recreational surfaces, window and door

1 installation, and installation of fixtures, cabinets, and millwork. It includes the removal of
2 asbestos and replacement with non-toxic substances.

3 (K) S(Marine and Freshwater Construction). This classification covers all marine and
4 freshwater demolition and construction and repair activities and all types of marine and
5 freshwater construction and demolition in deep-water installations and in harbors, inlets,
6 sounds, bays, channels, canals, rivers, lakes, ponds, or any navigable waterway; it covers
7 dredging, construction, and installation of pilings, piers, decks, slips, docks, and bulkheads.
8 It does not include other structures that may be constructed on docks, slips, and piers.

9 (L) S(Masonry Construction). This classification covers the demolition and installation, with
10 or without the use of mortar or adhesives, of the following:

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12 and facsimile units and products common to the masonry industry;
13 (ii) installation of fire clay products and refractory construction; and
14 (iii) installation of rough cut and dressed stone, marble panels and slate units, and
15 installation of structural glazed tile or block, glass brick or block, and solar screen
16 tile or block.

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18 and repair of railroad lines including:

- 19 (i) the clearing and filling of rights-of-way;
20 (ii) shaping, compacting, setting, and stabilizing of road beds;
21 (iii) setting ties, tie plates, rails, rail connectors, frogs, switch plates, switches, signal
22 markers, retaining walls, dikes, fences, and gates; and
23 (iv) construction and repair of tool sheds and platforms.

24 (N) S(Roofing). This classification covers the installation, demolition, and repair of roofs and
25 decks on residential, commercial, industrial, and institutional structures requiring materials
26 that form a water-tight and weather-resistant surface. The term "materials" for purposes of
27 this Subparagraph includes cedar, cement, asbestos, clay tile and composition shingles, all
28 types of metal coverings, wood shakes, single ply and built-up roofing, protective and
29 reflective roof and deck coatings, sheet metal valleys, flashings, gravel stops, gutters and
30 downspouts, and bituminous waterproofing, including torch down roof systems. Any
31 insulation material installed as a component of a torch down roofing system shall be
32 included as work covered under this classification.

33 (O) S(Metal Erection). This classification covers:

- 34 (i) the field fabrication, demolition, erection, repair, and alteration of architectural
35 and structural shapes, plates, tubing, pipe and bars, not limited to steel or
36 aluminum, that are or may be used as structural members for buildings,
37 equipment, and structure; and

(ii) the layout, assembly and erection by welding, bolting, riveting, or fastening in any manner metal products as curtain walls, tanks of all types, hoppers, structural members for buildings, towers, stairs, conveyor frames, cranes and crane runways, canopies, carports, guard rails, signs, steel scaffolding as a permanent structure, rigging, flagpoles, fences, steel and aluminum siding, bleachers, fire escapes, and seating for stadiums, arenas, and auditoriums.

(P) S(Swimming Pools). This classification covers the construction, demolition, service, and repair of all swimming pools. It includes:

(i) excavation and grading;

(ii) construction of concrete, gunite, fiberglass, metal-walled with liner, steel-walled with liner, and plastic-type pools, pool decks, and walkways, and tiling and coping; and

(iii) installation of all equipment including pumps, filters, and chemical feeders. It does not include direct connections to a sanitary sewer system or to portable water lines, nor the grounding and bonding of any metal surfaces or the making of any electrical connections.

(Q) S(Asbestos). This classification covers renovation or demolition activities involving the repair, maintenance, removal, isolation, encapsulation, or enclosure of Regulated Asbestos Containing Materials (RACM) for any commercial, industrial, or institutional building, whether public or private. It also covers all types of residential building construction involving RACM during renovation or demolition activities. This specialty is required only when the cost of asbestos activities as described herein are equal to or exceed forty thousand dollars (\$40,000).

(R) S(Wind Turbine). This classification covers the construction, demolition, installation, and repair of wind turbines, wind generators, and wind power units. It includes assembly of blades, generator, turbine structures, and towers. It also includes ancillary foundation work, field fabrication of metal equipment, and structural support components.

(S) S(Sign/Billboard). This classification covers the construction, renovation, installation, repair, erection, or demolition of any structural signs or billboards, as used in G.S. 136-128(3) that are permanently annexed to real property and as defined in Article 11 of Chapter 136 of the N.C. General Statutes.

(b) An applicant may be licensed in more than one classification of general contracting provided the applicant meets the qualifications for the classifications, which includes passing the examinations for the classification requested by the applicant. The license granted to an applicant who meets the qualifications for all of the classifications set forth in the rules of this Section shall be designated "unclassified."

History Note: Authority G.S. 87-1; 87-4; 87-10;

1 *Eff. February 1, 1976;*
2 *Readopted Eff. September 26, 1977;*
3 *Amended Eff. June 1, 1994; June 1, 1992; May 1, 1989; January 1, 1983;*
4 *Temporary Amendment Eff. February 18, 1997;*
5 *Amended Eff. April 1, 2014; June 1, 2011; September 1, 2009; April 1, 2004; April 1, 2003; August*
6 *1, 2002; April 1, 2001; August 1, 2000; August 1, 1998;*
7 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23,*
8 *2016;*
9 *Amended Eff. September 1, 2019; April 1, 2018;*
10 *Recodified from 21 NCAC 12 .0202 Eff. January 2, 2020;*
11 ~~*Temporary Amendment*~~ *Amended Eff. _____, 2025; September 1, 2025; December 1,*
12 *2023; January 1, 2023; January 1, 2022.*
13 *Temporary Amendment Eff. _____, 2025.*
14
15

Burgos, Alexander N

Subject: FW: [External] Thursday's RRC meeting - temporary rule

From: Anna Choi <Anna.Choi@nclbgc.org>

Sent: Monday, November 17, 2025 12:02 PM

To: Miller, Christopher S <christopher.miller@oah.nc.gov>

Subject: [External] Thursday's RRC meeting - temporary rule

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Chris,

I will be attending the RRC meeting on Thursday in case there are questions re: 21 NCAC 12A .0202. Also attending and available for questions:

- Sarah Boyce – General Counsel, Office of Governor Stein
- Chris Werner, PE - Private Road and Bridge Program Manager. NC Department of Public Safety

Question for you... they have asked how long it should take until the Commission addresses our pending temporary rule. I've reviewed the agenda and unless there is any significant controversy re: the follow up matters and log filings (permanent), I would anticipate the RRC will get to our rule no later than 10:15-10:30. I know you don't have a crystal ball but do you think this is a reasonable assumption?

I will get the revised rule to you by the end of the day.

Thanks,
Anna



Anna Baird Choi

Executive Director and General Counsel

North Carolina Licensing Board for General Contractors

919-571-4183 x210, office

919-788-5341, fax • anna.choi@nclbgc.org

5400 Creedmoor Road, Raleigh, NC 27612

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Burgos, Alexander N

From: Anna Choi <Anna.Choi@nclbgc.org>
Sent: Thursday, November 13, 2025 12:38 PM
To: Miller, Christopher S
Cc: Burgos, Alexander N
Subject: RE: [External] RE: 21 NCAC 12A .0202 - November RRC Meeting - Request for Changes

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Thank you.



Anna Baird Choi

Executive Director and General Counsel

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From: Miller, Christopher S <christopher.miller@oah.nc.gov>
Sent: Thursday, November 13, 2025 10:37 AM
To: Anna Choi <Anna.Choi@nclbgc.org>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Miller, Christopher S <christopher.miller@oah.nc.gov>
Subject: RE: [External] RE: 21 NCAC 12A .0202 - November RRC Meeting - Request for Changes

Yes, that is fine. Please submit your response and the revised rule on the 17th.

Best,
Chris

Chris Miller

Rules Review Commission Counsel

North Carolina Office of Administrative Hearings | Rules Division

1711 New Hope Church Road

Raleigh, NC 27609

(984) 236-1935

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From: Anna Choi <Anna.Choi@nclbgc.org>
Sent: Wednesday, November 12, 2025 6:32 PM
To: Miller, Christopher S <christopher.miller@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: [External] RE: 21 NCAC 12A .0202 - November RRC Meeting - Request for Changes

You don't often get email from anna.choi@nclbgc.org. [Learn why this is important](#)

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Chris,
Thank you for your email. My paralegal is the formatting guru and she is out of the office the remainder of this week. Will you give us until 5pm on Monday November 17th to respond?

Thank you.

Anna



Anna Baird Choi
Executive Director and General Counsel
North Carolina Licensing Board for General Contractors

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From: Miller, Christopher S <christopher.miller@oah.nc.gov>
Sent: Monday, November 10, 2025 10:30 AM
To: Anna Choi <Anna.Choi@nclbgc.org>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Miller, Christopher S <christopher.miller@oah.nc.gov>
Subject: 21 NCAC 12A .0202 - November RRC Meeting - Request for Changes

You don't often get email from christopher.miller@oah.nc.gov. [Learn why this is important](#)

Good morning,

I'm the attorney who reviewed the temporary rule submitted by the Licensing Board for General Contractors for the November 2025 RRC meeting. The RRC will formally review these rules at its meeting on Thursday, November 20, 2025, at 10:00 a.m. The meeting will be a hybrid of in-person and WebEx attendance, and an evite should be sent to you as we get close to the meeting. If there are any other

representatives from your agency who want to attend virtually, please let me know prior to the meeting, and we will get evites out to them as well.

Attached is the Request for Changes Pursuant to G.S. 150B-21.10. Please submit the revised rule to me via email, no later than 5 p.m. on November 14, 2025. Let me know if you have any questions.

Thanks,

Chris Miller

Rules Review Commission Counsel

North Carolina Office of Administrative Hearings | Rules Division

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Raleigh, NC 27609

(984) 236-1935

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