

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Licensing Board for General Contractors

RULE CITATION: 21 NCAC 12A .0202

DEADLINE FOR RECEIPT: March 5, 2026.

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

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 email the reviewing attorney to inquire concerning the staff recommendation.

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

In (a)(1)(A), lines 19-22, after “emergency,” consider rephrasing to say, “this classification also includes construction of non-publicly maintained bridges for contractors holding an unlimited license, as defined in G.S. 87-10(a1), and has been pre-qualified by the North Carolina Department of Public Safety, Emergency Management Division.”

In (a)(1)(A), lines 20-21, is there a process/procedure for a contractor to become “pre-qualified” by the NCDPS-EMD? If so, please reference where the process can be located for the regulated public.

In (a)(1)(C), line 26, add “a” before “municipality” and “county”.

Page 5, line 36, add a comma after “128(3)”.

History Note, is your agency relying on G.S. 87-4 to promulgate this Rule (i.e. “rules and regulations as it shall deem best, provided the same are not in conflict with the laws of North Carolina”)? If so, has an analysis been conducted to ensure this Rule is not in conflict with the laws of N.C.?

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

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

1 21 NCAC 12A .0202 is amended as published in 40:07 NCR 650-654 as follows:

2
3 **SUBCHAPTER 12A – GENERAL PROVISIONS**

4
5 **SECTION .0200 - LICENSING REQUIREMENTS**

6
7 **21 NCAC 12A .0202 CLASSIFICATION**

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

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

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

23 (B) For the purposes of this Rule, a "declaration of a state of an emergency" shall be defined
24 as in Chapter 166A, Article 1A, Part 4 of the N.C. General Statutes.

25 (C) For the purposes of this Rule, a "non-publicly maintained bridge" shall be defined as a
26 bridge that is not maintained by the State, Federal government, municipality, or county.

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

- 35 (3) Highway Contractor. This classification covers all highway construction activity including:
36 demolition, grading, paving of all types, installation of exterior artificial athletic surfaces, relocation
37 of public and private utility lines ancillary to a principal project, bridge construction and repair,

1 culvert construction and repair, parking decks, sidewalks, curbs, gutters and storm drainage. It also
2 includes installation and erection of guard rails, fencing, signage, and ancillary highway hardware;
3 covers paving and grading of airport and airfield runways, taxiways, and aprons, including the
4 installation of fencing, signage, runway lighting and marking; and work done under the specialty
5 classifications of S(Boring and Tunneling), S(Concrete Construction), S(Marine and Freshwater
6 Construction), S(Railroad Construction), H(Grading and Excavating), S(Metal Erection), and
7 S(Sign/Billboard).

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

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

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

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

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

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

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

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

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

5 (D) S(Concrete Construction). This classification covers the construction, demolition, and
6 installation of foundations, pre-cast silos, and other concrete tanks or receptacles,
7 prestressed components, and gunite applications, but excludes bridges, streets, sidewalks,
8 curbs, gutters, driveways, parking lots, and highways.

9 (E) PU(Electrical-Ahead of Point of Delivery). This classification covers the construction,
10 installation, alteration, maintenance, or repair of an electrical wiring system, including sub-
11 stations or components thereof, which is or is intended to be owned, operated, and
12 maintained by an electric power supplier, such as a public or private utility, a utility
13 cooperative, or any other properly franchised electric power supplier, for the purpose of
14 furnishing electrical services to one or more customers. This classification includes the
15 construction of solar arrays.

16 (F) PU(Fuel Distribution). This classification covers the construction, installation, alteration,
17 maintenance, or repair of systems for distribution of petroleum fuels, petroleum distillates,
18 natural gas, chemicals, and slurries through pipeline from one station to another. It includes
19 all excavating, trenching, and backfilling in connection therewith. It covers the installation,
20 replacement, and removal of above ground and below ground fuel storage tanks.

21 (G) PU(Water Lines and Sewer Lines). This classification covers demolition and construction
22 work on water and sewer mains, water service lines, and house and building sewer lines,
23 as defined in the North Carolina State Building Code, and covers water storage tanks, lift
24 stations, pumping stations, and appurtenances to water storage tanks, lift stations, and
25 pumping stations. It includes pavement patching, backfill, and erosion control as part of
26 construction.

27 (H) PU(Water Purification and Sewage Disposal). This classification covers the demolition and
28 performance of construction work on water and wastewater systems; water and wastewater
29 treatment facilities; and all site work, grading, and paving of parking lots, driveways,
30 sidewalks, curbs, and gutters that are ancillary to such construction of water and wastewater
31 treatment facilities. It covers the work done under the specialty classifications of
32 S(Concrete Construction), S(Insulation), S(Interior Construction), S(Masonry
33 Construction), S(Roofing), and S(Metal Erection) as part of the work on water and
34 wastewater treatment facilities.

35 (I) S(Insulation). This classification covers the installation, alteration, or repair of materials
36 classified as insulating media used for the non-mechanical control of temperatures in the

1 construction of residential and commercial buildings. It does not include the insulation of
2 mechanical equipment, and lines and piping that are ancillary to the building.

3 (J) S(Interior Construction). This classification covers the installation and demolition of
4 acoustical ceiling systems and panels, load bearing and non-load bearing partitions, lathing
5 and plastering, flooring and finishing, interior recreational surfaces, window and door
6 installation, and installation of fixtures, cabinets, and millwork. It includes the removal of
7 asbestos and replacement with non-toxic substances.

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

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

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

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

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

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

- 1 (O) S(Metal Erection). This classification covers:
- 2 (i) the field fabrication, demolition, erection, repair, and alteration of architectural
- 3 and structural shapes, plates, tubing, pipe and bars, not limited to steel or
- 4 aluminum, that are or may be used as structural members for buildings,
- 5 equipment, and structure; and
- 6 (ii) the layout, assembly and erection by welding, bolting, riveting, or fastening in any
- 7 manner metal products as curtain walls, tanks of all types, hoppers, structural
- 8 members for buildings, towers, stairs, conveyor frames, cranes and crane
- 9 runways, canopies, carports, guard rails, signs, steel scaffolding as a permanent
- 10 structure, rigging, flagpoles, fences, steel and aluminum siding, bleachers, fire
- 11 escapes, and seating for stadiums, arenas, and auditoriums.
- 12 (P) S(Swimming Pools). This classification covers the construction, demolition, service, and
- 13 repair of all swimming pools. It includes:
- 14 (i) excavation and grading;
- 15 (ii) construction of concrete, gunite, fiberglass, metal-walled with liner, steel-walled
- 16 with liner, and plastic-type pools, pool decks, and walkways, and tiling and
- 17 coping; and
- 18 (iii) installation of all equipment including pumps, filters, and chemical feeders. It
- 19 does not include direct connections to a sanitary sewer system or to portable water
- 20 lines, nor the grounding and bonding of any metal surfaces or the making of any
- 21 electrical connections.
- 22 (Q) S(Asbestos). This classification covers renovation or demolition activities involving the
- 23 repair, maintenance, removal, isolation, encapsulation, or enclosure of Regulated Asbestos
- 24 Containing Materials (RACM) for any commercial, industrial, or institutional building,
- 25 whether public or private. It also covers all types of residential building construction
- 26 involving RACM during renovation or demolition activities. This specialty is required only
- 27 when the cost of asbestos activities as described herein are equal to or exceed forty
- 28 thousand dollars (\$40,000).
- 29 (R) S(Wind Turbine). This classification covers the construction, demolition, installation, and
- 30 repair of wind turbines, wind generators, and wind power units. It includes assembly of
- 31 blades, generator, turbine structures, and towers. It also includes ancillary foundation work,
- 32 field fabrication of metal equipment, and structural support components.
- 33 (S) S(Sign/Billboard). This classification covers the construction, renovation, installation,
- 34 repair, erection, or demolition of any structural signs or billboards, as used in G.S. 136-
- 35 128(3) that are permanently annexed to real property and as defined in Article 11 of
- 36 Chapter 136 of the N.C. General Statutes.

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

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6 *History Note: Authority G.S. 87-1; 87-4; 87-10;*
7 *Eff. February 1, 1976;*
8 *Readopted Eff. September 26, 1977;*
9 *Amended Eff. June 1, 1994; June 1, 1992; May 1, 1989; January 1, 1983;*
10 *Temporary Amendment Eff. February 18, 1997;*
11 *Amended Eff. April 1, 2014; June 1, 2011; September 1, 2009; April 1, 2004; April 1, 2003; August*
12 *1, 2002; April 1, 2001; August 1, 2000; August 1, 1998;*
13 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23,*
14 *2016;*
15 *Amended Eff. September 1, 2019; April 1, 2018;*
16 *Recodified from 21 NCAC 12 .0202 Eff. January 2, 2020;*
17 *Amended Eff. April 1, 2026; September 1, 2025; December 1, 2023; January 1, 2023; January 1,*
18 *2022.*
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