

SENATE, No. 4247

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED DECEMBER 6, 2021

Sponsored by:

Senator FRED H. MADDEN, JR.

District 4 (Camden and Gloucester)

SYNOPSIS

Updates licenses offered by and certain licensure requirements from Board of Examiners of Electrical Contractors.

CURRENT VERSION OF TEXT

As introduced.



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

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

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

10 1. Notwithstanding any of the provisions of Title 45 of the
11 Revised Statutes or of any other law to the contrary, all professional
12 or occupational licenses or certificates of registration, except such
13 licenses or certificates issued to real estate brokers or salesmen
14 pursuant to chapter 15 of Title 45, which prior to the effective date
15 of this act were issued for periods not exceeding one year and were
16 annually renewable, shall, on and after the effective date of this act,
17 be issued for periods of two years and be biennially renewable,
18 except that licenses and business permits issued to electrical
19 contractors **[and certificates of registration]**, and licenses issued to
20 **[qualified]** Class A journeymen electricians, Class A electrical
21 apprentices, and Class B wiremen pursuant to chapter 5A of Title
22 45 shall be issued for periods of three years and be triennially
23 renewable; provided, however, the boards or commissions in charge
24 of the issuance or renewal of such licenses or certificates may, in
25 order to stagger the expiration dates thereof, provide that those first
26 issued or renewed after the effective date of this act, shall expire
27 and become void on a date fixed by the respective boards or
28 commissions, not sooner than six months nor later than 29 months,
29 after the date of issue.

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

34 (cf: P.L.2001, c.21, s.1)

35

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

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

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

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

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 (c) "Department" means the Department of **Law and Public**
2 **Safety** Labor and Workforce Development;

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

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

9 (f) "Alarm business" means the sales, installation, servicing or
10 maintenance of burglar alarm, fire alarm or electronic security
11 systems, or the monitoring or responding to alarm signals when
12 provided in conjunction therewith. "Alarm business" shall also
13 include the installation, sales, servicing or maintenance of a smoke
14 detection system or a smoke aspiration system in one or two family
15 detached residential dwellings, or both; and the type of alarm
16 business that engages in the installation, sales, servicing or
17 maintenance of (1) perimeter intrusion protection systems; (2)
18 unmanned aerial drones used to protect a premise, building, or
19 complex; and (3) any artificial intelligence and evolving technology
20 used for physical security applications consisting of a device or
21 machine, computer or software used for detection, security,
22 surveillance, monitoring of unauthorized access, or providing a
23 warning of intrusion, which is designed to discourage crime or warn
24 of potential threats using unmanned aerial drones, robots or
25 machines. "Installation," as used in this definition, includes the
26 survey of a premises, the design and preparation of the
27 specifications for the equipment or system to be installed pursuant
28 to a survey, the installation of the equipment or system, or the
29 demonstration of the equipment or system after the installation is
30 completed, but does not include any survey, design or preparation
31 of specifications for equipment or for a system that is prepared by
32 an engineer licensed pursuant to the provisions of P.L.1938, c.342
33 (C.45:8-27 et seq.), or an architect licensed pursuant to the
34 provisions of chapter 3 of Title 45 of the Revised Statutes, if the
35 survey, design, or preparation of specifications is part of a design
36 for construction of a new building or premises or a renovation of an
37 existing building or premises, which renovation includes
38 components other than the installation of a burglar alarm, fire alarm
39 or electronic security system, and further does not include the
40 design or preparation of specifications for the equipment or system
41 to be installed that are within the practice of professional
42 engineering as defined in subsection (b) of section 2 of P.L.1938,
43 c.342 (C.45:8-28);

44 (g) "Burglar alarm" means a security system comprised of an
45 interconnected series of alarm devices or components, including
46 systems interconnected with radio frequency signals, or Internet
47 protocol and any successor protocols, which emits an audible,
48 visual or electronic signal indicating an alarm condition and

1 providing a warning of intrusion, which is designed to discourage
2 crime. "Burglar alarms" include but are not limited to perimeter
3 intrusion protection systems and perimeter fence intrusion
4 protection systems;

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

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

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

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

32 (l) "Licensed locksmith" means a person who is licensed
33 pursuant to the provisions of section 7 of P.L.1997, c.305 (C.45:5A-
34 27);

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

38 (n) "Locksmithing services" means the modification,
39 recombination, repair or installation of mechanical locking devices
40 and electronic security systems for any type of compensation and
41 includes the following: repairing, rebuilding, recoding, servicing,
42 adjusting, installing, manipulating or bypassing of a mechanical or
43 electronic locking device, for controlled access or egress to
44 premises, vehicles, safes, vaults, safe doors, lock boxes, automatic
45 teller machines or other devices for safeguarding areas where access
46 is meant to be limited; operating a mechanical or electronic locking
47 device, safe or vault by means other than those intended by the
48 manufacturer of such locking devices, safes or vaults; or consulting

1 and providing technical advice regarding selection of hardware and
2 locking systems of mechanical or electronic locking devices and
3 electronic security systems; except that "locksmithing services"
4 shall not include the installation of a prefabricated lock set and door
5 knob into a door of a residence;

6 (o) "**Qualified** Class A journeyman electrician" means a
7 person **registered** licensed pursuant to P.L.1962, c.162 (C.45:5A-
8 1 et seq.) or P.L.2001, c.21 (C.45:5A-11.1 et al.), as a **qualified**
9 Class A journeyman electrician by the board who works under a
10 licensed electrical contractor;

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

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

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

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

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

44 (u) "Perimeter fence intrusion protection system" means a
45 perimeter intrusion protection system that satisfies the requirements
46 established pursuant to section 2 of P.L.2021, c.2 (C.45:5A-54), and
47 all attached system components or equipment, including but not
48 limited to a fence, an energizer powered by a commercial storage

1 battery not exceeding 12 volts dc, which produces a short electric
2 pulsed charge upon contact with the fence, and battery charging
3 device used exclusively to charge the battery, or utilization of micro
4 wave energy or radio frequencies for perimeter intrusion protection,
5 and any successor technologies used for perimeter intrusion
6 protection, and is a type or component of a security system;

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

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

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

18 (y) "Class A electrical apprentice" means an individual licensed
19 pursuant to P.L. , c. (C.) (pending before the Legislature as
20 this bill) who enrolled in an electrical apprenticeship program
21 accredited and approved by the United States Department of Labor
22 and who works under the direct supervision of a Class A
23 journeyman electrician;

24 (z) "Direct supervision" means the presence of a Class A
25 journeyman electrician on site, available to respond to or assist with
26 services performed by a Class A electrical apprentice or Class B
27 wireman;

28 (aa) "Class B wireman" means an individual licensed to
29 pursuant to P.L. , c. (C.) (pending before the Legislature as
30 this bill) who works under the direct supervision of a Class A
31 journeyman electrician in a structure not greater than 10,000 square
32 feet.

33 (cf: P.L.2021, c.2, s.1)

34
35 3. Section 3 of P.L.1962, c.162 (C.45:5A-3) is amended to read
36 as follows:

37 3. There is created a Board of Examiners of Electrical
38 Contractors in the Department of **Law and Public Safety** Labor
39 and Workforce Development consisting of **7** 9 members,
40 hereinafter referred to as the "board." The members of such board
41 shall be citizens of the State appointed by the Governor, with the
42 advice and consent of the Senate. **They shall be appointed initially**
43 **for the following terms: Three members for terms of 1 year from**
44 **July 1, 1962, 2 members for terms of 2 years from July 1, 1962, and**
45 **2 members for terms of 3 years from July 1, 1962. Thereafter**
46 **members** Members shall be appointed for terms of 3 years and
47 until the appointment and qualification of their successors. **The**

1 Governor shall fill any] Any vacancy in said board for the
2 unexpired portion of [the] a term shall be filled in the manner
3 provided for the original appointment. No more than [4] 5
4 members of the board shall be members of the same political party.
5 Three members of the board shall be qualified electrical contractors
6 with experience of not less than 10 years as an electrical contractor,
7 one shall be a qualified electrical inspector, with experience of not
8 less than 5 years as an electrical inspector, one shall be a
9 [qualified] Class A journeyman electrician employed in the
10 electrical construction industry for not less than 5 years[. One],
11 one shall be appointed by the Governor as recommended by the
12 President of the Senate, one shall be appointed by the Governor as
13 recommended by the Speaker of the General Assembly, one shall be
14 a public member not associated with the electrical industry, and one
15 shall be a licensed professional engineer with experience of not less
16 than 5 years in the electrical industry.

17 (cf: P.L.1962, c.185, s. 2)

18

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

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

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

34 (b) No person shall be granted an electrical contractor's license
35 unless he shall first establish his qualifications therefor and shall
36 take and pass the examination for electrical contractors. An
37 applicant for such examination shall have been employed or
38 engaged in the business of electrical construction and installation
39 for a period of not less than five years preceding the time of such
40 application. During the five-year period the applicant shall spend
41 one year as a Class A journeyman electrician and four years in an
42 electrical apprenticeship program accredited and approved by the
43 United States Department of Labor, with proof of passage and
44 successful completion of this program while actively engaged or
45 employed as [an] a Class A electrical apprentice. For a period of
46 four years following the effective date of P.L.2018, c.155, each year
47 of employment in the electrical trade or enrollment in a formal

1 electrical apprenticeship program completed prior to the effective
2 date of P.L.2018, c.155, shall be accepted by the board in lieu of
3 one year's enrollment in an electrical apprenticeship program
4 accredited and approved by the United States Department of Labor,
5 up to a maximum total credit of four years.

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

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

20 (cf: P.L.2018, c.155, s.1)

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

24 3. The board shall register as a **【qualified】** Class A journeyman
25 electrician an applicant who:

26 a. Holds a current valid license to practice electrical
27 contracting by the board; or

28 b. Has acquired sufficient practical experience working with
29 tools in the installation, alteration or repair of wiring for electric
30 light, heat or power, as determined by the board, and has
31 successfully completed an appropriate number of classroom hours
32 of related instruction, as determined by the board, which
33 requirement of practical experience shall not include time spent in
34 supervising, engineering, estimating and other managerial tasks; or

35 c. Has demonstrated to the satisfaction of the board that he has
36 met the requirements of subsection b. of this section through
37 alternative means.

38 (cf: P.L.2001, c.21, s.3)

39
40 6. Section 4 of P.L.2001, c.21 (C.45:5A-11.2) is amended to
41 read as follows:

42 4. a. On and after the effective date of **【P.L.2001, c.21**
43 **(C.45:5A-11.1 et al.)】** P.L. , c. (C.) (pending before the
44 Legislature as this bill), any person desiring to **【register】** be
45 licensed as a **【qualified】** Class A journeyman electrician shall make
46 application to the board to be so **【registered】** licensed and shall pay
47 all the fees required in connection therewith, which fees shall be

1 established, prescribed or changed by the board to the extent
2 necessary to defray all proper expenses incurred by the board to
3 administer the provisions of P.L.2001, c.21 (C.45:5A-11.1 et al.).
4 Fees shall not be fixed at a level, however, that will raise amounts
5 in excess of the amount estimated to be so required.

6 b. On and after the effective date of **【P.L.2018, c.155】** P.L. __,
7 c. ____ (C. ____) (pending before the Legislature as this bill), any
8 person desiring to **【register as an apprentice electrician】** be
9 licensed as a Class A electrical apprentice enrolled in an electrical
10 contractor's apprenticeship program accredited and approved by the
11 United States Department of Labor shall make an application to the
12 board to be so **【registered】** licensed and shall pay all the fees
13 required in connection therewith, which fees shall be established,
14 prescribed or changed by the board to the extent necessary to defray
15 all proper expenses incurred by the board to administer the
16 provisions of P.L.2018, c.155. Fees shall not be fixed at a level,
17 however, that will raise amounts in excess of the amount estimated
18 to be so required.

19 (cf: P.L.2018, c.155, s.2)

20
21 7. Section 5 of P.L.2001, c.25 (C.45:5A-11.3) is amended to
22 read as follows:

23 5. The board shall keep a **【register】** record of all applications
24 by individuals **【registering】** seeking licensure as **【qualified】** Class
25 A journeymen electricians **【and apprentice electricians】**, Class A
26 electrical apprentices enrolled in an electrical contractor's
27 apprenticeship program accredited and approved by the United
28 States Department of Labor, **【which register】** and Class B wiremen,
29 whose record shall include the following information: name,
30 address, telephone number, the age of the applicant; the date of the
31 application; the place of business of the applicant; whether the
32 applicant was accepted or rejected, and in the case of a rejection,
33 the reasons for that action; the **【registration】** license number, if
34 issued; the date of action of the board; and any other information
35 the board deems necessary.

36 (cf: P.L.2018, c.155, s.3)

37
38 8. Section 6 of P.L.2001, c.21 (C.45:5A-11.4) is amended to
39 read as follows:

40 6. a. The board shall require each **【qualified】** Class A
41 journeyman electrician, other than a **【qualified】** Class A
42 journeyman electrician licensed to practice electrical contracting
43 issued by the board, and each Class B wireman, as a condition for
44 triennial license renewal pursuant to section 1 of P.L.1972, c.108
45 (C.45:1-7), to complete a **【10-hour】** 15-hour course of study
46 relating to the most recent edition of the National Electrical Code.

1 b. The board shall approve all programs of education for the
2 **【10-hour】** 15-hour course of study established pursuant to
3 subsection a. of this section and the instructors for those courses.
4 (cf: P.L.2001, c.21, s.6)

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

8 8. Notwithstanding any other law, rule or regulation to the
9 contrary, the renewal cycle for registration as a **【qualified】** Class A
10 journeyman electrician, Class A electrical apprentice, and Class B
11 wireman shall be the same as that for licensed electrical contractors.
12 (cf: P.L.2001, c.21, s.8)

13
14 10. Section 18 of P.L.1962, c.162 (C.45:5A-18) is amended to
15 read as follows:

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

20 (a) Minor repair work such as the replacement of lamps and
21 fuses.

22 (b) The connection of portable electrical appliances to suitable
23 permanently installed receptacles.

24 (c) The testing, servicing or repairing of electrical equipment or
25 apparatus.

26 (d) Electrical work in mines, on ships, railway cars, elevators,
27 escalators or automotive equipment.

28 (e) Municipal plants or any public utility as defined in R.S.48:2-
29 13, organized for the purpose of constructing, maintaining and
30 operating works for the generation, supplying, transmission and
31 distribution of electricity for electric light, heat, or power.

32 (f) A public utility subject to regulation, supervision or control
33 by a federal regulatory body, or a public utility operating under the
34 authority granted by the State of New Jersey, and engaged in the
35 furnishing of communication or signal service, or both, to a public
36 utility, or to the public, as an integral part of a communication or
37 signal system, and any agency associated or affiliated with any
38 public utility and engaged in research and development in the
39 communications field.

40 (g) A railway utility in the exercise of its functions as a utility
41 and located in or on buildings or premises used exclusively by such
42 an agency.

43 (h) Commercial radio and television transmission equipment.

44 (i) Construction by any branch of the federal government.

45 (j) Any work with a potential of less than 10 volts.

46 (k) Repair, manufacturing and maintenance work on premises
47 occupied by a firm or corporation, and installation work on
48 premises occupied by a firm or corporation and performed by a

1 regular employee who is a **【qualified】** Class A journeyman
2 electrician **【registered】** licensed pursuant to section 3 of P.L.2001,
3 c.21 (C.45:5A-11.1).

4 (l) Installation, repair or maintenance performed by regular
5 employees of the State or of a municipality, county, or school
6 district on the premises or property owned or occupied by the State,
7 a municipality, county, or school district; provided that a regular
8 employee of the State, municipality, county or school district
9 performing this work is a **【qualified】** Class A journeyman
10 electrician **【registered】** licensed pursuant to section 3 of P.L.2001,
11 c.21 (C.45:5A-11.1), or holds any civil service title with a job
12 description which includes electrical work pursuant to the "Civil
13 Service Act," N.J.S.11A:1-1 et seq., or regulations adopted pursuant
14 thereto, or any employee of a State authority who has completed an
15 apprenticeship training program approved by the United States
16 Department of Labor, Bureau of Apprenticeship Training, that deals
17 specifically with electrical work, and is of a minimum duration of
18 three years.

19 Any regular employee of the State, or of a municipality, county
20 or school district who has submitted his **【registration】** application
21 to the board for **【registration】** licensure as a **【qualified】** Class A
22 journeyman electrician shall be permitted to continue to perform
23 work pursuant to this subsection until such time as the board acts
24 upon his application. Any applicant whose **【registration】** licensure
25 application is not approved by the board shall no longer be
26 permitted to perform electrical work pursuant to this subsection.

27 (m) The maintaining, installing or connecting of automatic oil,
28 gas or coal burning equipment, gasoline or diesel oil dispensing
29 equipment and the lighting in connection therewith to a supply of
30 adequate size at the load side of the distribution board.

31 (n) Work performed by a person on a dwelling that is occupied
32 solely as a residence for himself or for a member or members of his
33 immediate family.

34 (o) (Deleted by amendment, P.L.1997, c.305).

35 (p) Any work performed by a landscape irrigation contractor
36 which has the potential of not more than 30 volts involving the
37 installation, servicing, or maintenance of a landscape irrigation
38 system as this term is defined by section 2 of this amendatory and
39 supplementary act. Nothing in this act shall be deemed to exempt
40 work covered by this subsection from inspection required by the
41 "State Uniform Construction Code Act," P.L.1975, c.217
42 (C.52:27D-119 et seq.) or regulations adopted pursuant thereto.

43 (q) Any work performed by a person certified pursuant to
44 sections 1 through 10 of P.L.2001, c.289 (C.52:27D-25n through
45 C.52:27D-25w) that is not branch circuit wiring. For the purposes
46 of this subsection, "branch circuit wiring" means the circuit
47 conductors between the final overcurrent device protecting the

1 circuit and one or more outlets. A certificate holder shall be
2 deemed to have engaged in professional misconduct for the
3 purposes of section 8 of P.L.1978, c.73 (C.45:1-21) for violating the
4 provisions of this subsection.

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

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

18 (cf: P.L.2009, c.284, s.1)

19
20 11. (New section) a. Upon payment to the board and
21 submission of an application, the board may issue without
22 examination a temporary license to an individual from another state
23 or jurisdiction to perform services in New Jersey as an electrical
24 worker, a Class A journeyman electrician, Class A electrical
25 apprentice, or a Class B wireman.

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

29 c. If the amount of time in which the individual from another
30 state or jurisdiction is to provide services exceeds 30 days, the
31 individual shall be required to apply to the board for a full license.
32 Passage of an examination shall be required for full licensure if the
33 individual did not complete an electrical apprenticeship program
34 accredited and approved by the United States Department of Labor.
35

36 12. (New section) The board may in its discretion grant licenses
37 without examination to applicants so licensed in another state or
38 territory of the United States or the District of Columbia; provided
39 that equal reciprocity is provided to Class A journeyman
40 electricians, Class A electrical apprentices, and Class B wiremen
41 licensed by the State Board of Examiners on Electrical Contractors.
42

43 13. (New section) An individual currently registered as a
44 qualified journeyman electrician shall have until the first day of the
45 thirteenth month following enactment to exchange the current
46 registration for a license as a Class A journeyman electrician. After
47 the first day of the thirteenth month, any individual registered as a
48 qualified journeyman electrician shall apply to the board to receive

1 a license as a Class A journeyman electrician. The application shall
2 require that the individual affirmatively attest that direct
3 supervision is provided while performing services.

4
5 14. (New section) a. If any person violates any provisions of
6 P.L.2001, c.261 (C.45:5A-11.1 et seq.), or any code, rule,
7 regulation, or order adopted or issued pursuant thereto, the board
8 may institute a civil action in a court of competent jurisdiction for
9 injunctive or any other appropriate relief to prohibit and prevent a
10 violation or violations and the court may proceed in the action in a
11 summary manner.

12 b. If any person violates the provisions of P.L.2001, c.261
13 (C.45:5A-11.1 et seq.) or any code, rule, regulation or order
14 adopted or issued pursuant thereto, the board may assess a civil
15 administrative penalty of not more than \$2,500 for the first offense
16 and not more than \$5,000 for the second and each subsequent
17 offense. If the violation is of a continuing nature, each day during
18 which it continues shall constitute an additional, separate, and
19 distinct offense.

20 c. The board is authorized and empowered to compromise and
21 settle any claim for a penalty in such amount in the discretion of the
22 board as is appropriate and equitable under all circumstances.

23 d. Any person who violates a provision of P.L.2001, c.261
24 (C.45:5A-11.1 et seq.) or any code, rule, regulation, or order
25 adopted or issued pursuant thereto, or a court order issued pursuant
26 to subsection a. of this section, or who fails to pay a civil
27 administrative penalty in full pursuant to subsection b. of this
28 section, is subject, upon order of the court, to a civil penalty of not
29 more than \$2,500 for the first offense and not more than \$5,000 for
30 the second and each subsequent offense.

31 e. If the violation is of a continuing nature, each day during
32 which the violation continues, or each day in which the civil
33 administrative penalty is not paid in full, constitutes an additional,
34 separate and distinct offense. Any penalty imposed under this
35 section may be recovered with costs in a summary proceeding
36 pursuant to the "Penalty Enforcement Law of 1999," P.L.1999,
37 c.274 (C.2A:58-10 et seq.). The Superior Court and the municipal
38 court shall have jurisdiction to enforce the "Penalty Enforcement
39 Law of 1999" in connection with P.L.2001, c.261 (C.45:5A-11.1 et
40 seq.).

41
42 15. This act shall take effect on the first day of the thirteenth
43 month next following enactment, except the Commissioner of Labor
44 and Workforce Development may take such anticipatory
45 administrative action in advance thereof as shall be necessary for
46 the implementation of this act.

STATEMENT

This bill updates current law governing the State Board of Examiners of Electrical Contractors by moving the board from the jurisdiction of the Division of Consumer Affairs in the Department of Law and Public Safety to the Department of Labor and Workforce Development. Current registrants designated as qualified journeyman electricians are renamed “Class A journeyman electricians” and are to be licensed. Language in the bill is updated to recognize the change in the name of this level of the profession and to acknowledge that that level of professional is to be licensed now instead of registered. Additional classes of licensees – Class A electrical apprentices and Class B wiremen – are also incorporated under the bill.

Provisions are added to current law that would allow professionals licensed in other states or jurisdictions to come to New Jersey and provide services under a temporary license. The temporary license is to only be issued once to the same individual each triennial renewal period. However, it is stipulated that if the services are to be provided for a period of time beyond 30 days, the out-of-State individual is to seek full licensure from the board. Language is also added that gives the board discretion to license individuals licensed in another state or territory of the United States or the District of Columbia without examination if reciprocity is granted to by board licensees in the other state, territory or possession.

The bill grants current qualified journeyman electricians registered with the board a year after enactment of the bill to exchange the registration for a license as a Class A journeyman electrician with the board. After that one year, the individual will have to apply to be the board to receive the Class A journeyman electrician license. Providing services with a registration as a qualified journeyman electrician after the one year will be deemed unlicensed practice under the bill. Lastly, language is added regarding penalties for any violations of the law. This includes allowing the board to file for injunctive or any other appropriate relief. The board is granted, under the bill, to assess a \$2,500 administrative penalty for a first offense and a \$5,000 administrative penalty for a second or any subsequent offense. Additional penalties are also assessed, under the bill, if there is a failure to pay these administrative penalties.