

45:5A-18

November 1, 1968

LEGISLATIVE HISTORY OF R.S. 45:5A-18
(Work not included in business of electrical contracting)
(1968 amendment)

Bill No. 3

See: "Electrician bill fails." Newark Even. News, 3-30-65
(copy enclosed).
"Electrical licensing called no protection for public."
Newark Star Ledger 1-24-67 (copy enclosed).
"Piping installation not electrical work." Trenton
Times 3-10-67 (copy enclosed).

Bills to amend this section introduced in previous years:

- 1965 - S120
Died in Senate
- 1966 - S451 (copy enc.)
Passed Senate.
Died in Assembly Committee.
- 1967 - S416 (copy enc.)
Died in Senate Committee.

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L. 1968, Chapter 17 - S273
Introduced January 15 by Dumont and Stout.
No statement.
February 8 - Senate Committee Amendments adopted.
March 25 - Assembly Committee Amendments adopted.
~~_____~~.

No hearings or reports were located.

Checked and found no information in: N.J. Building News,
April 1967 to August 1968.
and N.J. Building Contractor, January 1965 to September 1968.

RSL/PC

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SENATE, No. 451

STATE OF NEW JERSEY

INTRODUCED JUNE 6, 1966

By Senator KEEGAN

(Without Reference)

AN ACT to amend and supplement "An act concerning electrical contracting, providing for the regulation thereof, establishing a Board of Electrical Examiners and making an appropriation," approved August 30, 1962 (P. L. 1962, c. 162).

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. Section 2 of chapter 162 of the laws of 1962 is amended to read as
2 follows:

3 2. For the purpose of this act, unless otherwise indicated by the con-
4 text:

5 (a) "Act" means this act and the rules and regulations adopted under
6 it;

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

9 (c) "Department" means the Department of Law and Public Safety;

10 (d) "Electrical contractor" means a person who engages in the business
11 of contracting to install, erect, repair or alter electrical equipment for the
12 generation, transmission or utilization of electrical energy, *but does not in-*
13 *clude the installation, erection, repair, maintenance, connection or alteration*
14 *of conduits or other similar associated or accessory materials;*

15 (e) "Person" means a person, firm, corporation or other legal entity.

1 2. Nothing contained in this act or the act of which this act is amenda-
 2 tory and supplementary shall authorize the board to regulate or determine
 3 ~~matters relating to trade or craft jurisdiction or to determine whether any~~
 4 particular class of employees is entitled to perform any particular work.

1 3. Section 16 of chapter 162 of the laws of 1962 is amended to read as
 2 follows:

3 16. The board may suspend, revoke or refuse to renew any license or
 4 business permit if the holder has:

5 (a) secured such license or business permit by misrepresentation;

6 (b) failed to maintain the qualifications required by this act or demon-
 7 strated a level of competence manifestly inconsistent with retention of the li-
 8 cense or business permit in question;

9 (c) engaged in fraudulent business activities or in misleading advertis-
 10 ing practices;

11 (d) violated a provision of this act; or

12 (e) committed an act of gross negligence or condoned such an act by an
 13 employee of his.

14 Any person may prefer charges as set forth above against any licensee
 15 or permit holder. Such charges shall be in writing and shall be sworn to by
 16 the person making them and shall be filed with the secretary of the board. All
 17 charges unless dismissed by the board as unfounded or trivial *or as relating*
 18 *to trade or craft jurisdiction or deemed to be electrical work as defined in sec-*
 19 *tion 18 of the act of which this act is amendatory and supplementary* shall be
 20 heard by the board after completing any necessary investigation. The time
 21 and place for the hearing shall be fixed by the board and a copy of the charges
 22 together with a notice of the time and place of hearing shall be personally
 23 served on or mailed to the last known address of the licensee at least 30 days
 24 before the date fixed for the hearing. At any hearing the accused licensee or
 25 permit holder shall have the right to appear personally and by counsel to
 26 cross-examine witnesses appearing against him and to produce evidence and

27 witnesses in his own defense. No license or business permit shall be suspended
28 or revoked except upon the agreement of at least 4 members of the board.

29 An applicant whose license or business permit has been revoked may be
30 come eligible not earlier than 1 year from the date of said revocation for a
31 new license or business permit upon meeting all of the requirements of this
32 act and, in the case of an application for a license, upon the satisfactory com-
33 pletion of an examination as herein provided.

1 4. Section 18 of chapter 162 of the laws of 1962 is amended to read as
2 follows:

3 18. Electrical work or construction which is performed on the follow-
4 ing facilities or which is by or for the following agencies shall not be in-
5 cluded within the business of electrical contracting so as to require the
6 securing of a business permit under this act:

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

8 (b) The connection of portable electrical appliances to suitable per-
9 manently installed receptacles.

10 (c) The testing, servicing or repairing of electrical equipment or ap-
11 paratus.

12 (d) Electrical work in mines, on ships, railway cars, elevators, escala-
13 tors or automotive equipment.

14 (e) Municipal plants or any public utility as defined in section 48:2-13
15 of the Revised Statutes organized for the purpose of constructing, main-
16 taining and operating works for the generation, supplying, transmission
17 and distribution of electricity for electric light, heat, or power.

18 (f) A public utility subject to regulation, supervision or control by a
19 Federal regulatory body, or a public utility operating under the authority
20 granted by the State of New Jersey, and engaged in the furnishing of com-
21 munication or signal service, or both, to a public utility, or to the public,
22 as an integral part of a communication or signal system, and any agency
23 associated or affiliated with any public utility and engaged in research and
24 development in the communications field.

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

27 (h) Commercial radio and television transmission equipment.

28 (i) Construction by any branch of the Federal Government.

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

30 (k) Repair, manufacturing and maintenance work on premises occupied
31 by a firm or corporation, and installation work on existing buildings occu-
32 pied by a firm or corporation and performed by a regular employee who is
33 a qualified journeyman electrician.

34 (l) Installation, repair or maintenance performed by regular employees
35 of the State or of a municipality, county, or school district on the premises
36 or property owned or occupied by the State, a municipality, county, or
37 school district.

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

42 (n) *The installation, erection, repair, maintenance, connection or altera-*
43 *tion of conduits or other similar associated or accessory materials.*

44 The board may also exempt from the business permit provisions of
45 this act such other electrical activities of like character which in the board's
46 opinion warrant exclusion from the provisions of this act.

1 5. This act shall take effect immediately.

SENATE, No. 416

STATE OF NEW JERSEY

INTRODUCED MARCH 20, 1967

By Senator FERNICOLA

Referred to Committee on Judiciary

AN ACT to amend and supplement "An act concerning electrical contracting, providing for the regulation thereof, establishing a board of electrical examiners and making an appropriation," approved August 30, 1962 (P. L. 1962, c. 162).

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

3 1. Section 7 of the act of which this act is amendatory is amended
4 to read as follows:

5 7. [In carrying into effect the provisions of this act the] *The*
6 board under the hand of its chairman and the seal of the board
7 may subpoena witnesses and compel their attendance, and it also
8 may require the production of papers, *records* or documents in
9 any [case involving the revocation or suspension of a license]
10 *inquiry or proceedings which may be instituted by it or be pending*
11 *before it.* Any member of the board may administer oaths or
12 affirmations to witnesses appearing before the board.

13 2. Section 9 of the act of which this act is amendatory is amended
14 to read as follows:

15 9. (a) On or after July 1, 1963, no person shall enter into, en-
16 gage in or work in business as an electrical contractor [for hire],
17 unless such person has secured a business permit and such person
18 or an officer[,] or partner [or employee] who is or will be actively
19 engaged in the business for which a business permit is sought has
20 obtained a license from the board in accordance with the provisions
21 of this act, *and such licensee shall assume full responsibility for*
22 *inspection and supervision of all electrical work to be performed*
23 *by the permittee in compliance with recognized safety standards.*
24 A licensee shall not be entitled to qualify more than one person
25 for a business permit.

26 *Any single act or transaction shall constitute engaging in the*
27 *business of electrical contracting within the meaning of this chapter.*

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

1 (b) Except as otherwise provided in section 10, no person shall
2 be granted an electrical contractors license unless he shall first
3 establish his qualifications therefor and shall take and pass the ex-
4 amination for electrical contractors. An applicant for such exam-
5 ination shall have been employed or engaged in the business of
6 electrical construction and installation or have equivalent practical
7 experience for a period of not less than 5 years preceding the
8 time of such application, or shall otherwise establish to the satis-
9 faction of the board that the applicant has the necessary educa-
10 tional background and experience to qualify to take the examination
11 for a license.

12 The examination shall be so designed as to establish the com-
13 petence and qualification of the applicant to perform and supervise
14 the various phases of electrical contracting work. Any applicant
15 who shall fail to pass such examination shall not be eligible to
16 retake an examination until 6 months from the date of such failure.

17 (c) An applicant for an examination for a license shall apply
18 to the board for permission to take such examination upon forms
19 provided by the board and shall provide the board with such infor-
20 mation as shall be necessary to establish his qualifications to take
21 the examination. The applicant for an initial examination shall
22 pay a fee to the board of ~~[\$25.00]~~ \$10.00. An applicant for re-
23 examination shall pay a fee to the board of ~~[\$15.00]~~ \$10.00. Such
24 fees shall not be refundable.

25 3. Section 13 of the act of which this act is amendatory is
26 amended to read as follows:

27 13. ~~Before a license or business permit shall issue fees shall~~
28 ~~be paid for same in the following amounts: (a) for initial license—~~
29 ~~\$150.00, (b) for renewal—\$50.00, (c) for initial business permit or~~
30 ~~renewal thereof—\$25.00] Before an initial or renewal license or~~
31 ~~initial business permit or renewal thereof shall issue, a fee of \$20.00~~
32 ~~shall be paid to the board.~~

33 A person seeking issuance or renewal of any business permit
34 shall file with the board an application in writing upon forms
35 prescribed by the board. The application shall designate the person
36 who possesses a license issued pursuant to the provisions of this
37 act and shall contain such other information as the board may
38 prescribe. The application shall be accompanied by the proper fee.

39 If the applicant is a natural person, the application shall be
40 signed and sworn to by the applicant. If the applicant is a partner-
41 ship or other business association, the application shall be signed
42 and sworn to by all natural persons composing such partnership
43 or business association. If the applicant is a corporation, the

1 application shall be signed and sworn to by the president and sec-
2 retary thereof.

3 A person seeking issuance or renewal of any license shall file
4 with the board an application in writing upon forms prescribed
5 by the board, containing such information as the board shall re-
6 quire to maintain the register provided for in section 8 of this act
7 and to establish the qualifications of the applicant. The application
8 shall be signed and sworn to by the applicant and shall be accom-
9 panied by the proper fee.

10 **【Any initial license or business permit or renewal thereof shall**
11 **expire on the first day of the twenty-fifth month following the**
12 **calendar month in which it was issued. The board, however, may**
13 **issue initial licenses or business permits or renewals thereof which**
14 **shall expire on a date fixed by it, which date shall not be earlier**
15 **than 15 months and not later than 30 months after issuance, in**
16 **which case the fee shall be an amount equal to $\frac{1}{24}$ of the normal**
17 **fee times the number of whole months between issuance and ex-**
18 **piration】** *The license and business permit periods shall be from*
19 *July 1 to June 30 of the following year and licenses and business*
20 *permits shall be renewed on or before July 1 of each year. Renewal*
21 *shall be governed by the standards applicable to initial issuance.*
22 *The board may require a re-examination upon failure to apply for*
23 *a renewal within 30 days of the date of the expiration of any*
24 *license. Any license expiring while the holder thereof is outside*
25 *the continental limits of the United States in connection with any*
26 *project undertaken by the Government of the United States, or*
27 *while in the service of the Armed Forces of the United States*
28 *shall be renewed without further examinations upon payment of*
29 *the prescribed fee at any time within 4 months after such person's*
30 *return to the United States or discharge from the armed forces.*

31 4. Section 16 of the act of which this act is amendatory is
32 amended to read as follows:

33 16. The board may *refuse to grant, or may* suspend, revoke or
34 refuse to renew any license or business permit if the holder has:

35 (a) secured such license or business permit by misrepresenta-
36 tion;

37 (b) failed to maintain the qualifications required by this act
38 or demonstrated a level of competence manifestly inconsistent with
39 retention of the license or business permit in question;

40 (c) engaged in fraudulent business activities or in misleading
41 advertising practices;

42 (d) violated a provision of this act; **【or】**

43 (e) committed an act of gross negligence or condoned such an

1 act by an employee of his[.];

2 (f) been convicted of a crime involving moral turpitude;

3 (g) failed to adequately and properly supervise employees in
4 compliance with recognized safety standards;

5 (h) failed to secure inspection of electrical construction by an
6 inspection authority approved by the board, or otherwise provided
7 by law; or

8 (i) failed to perform electrical construction in conformance with
9 standards of the National Electrical Code then in effect and the
10 standards, if any, of the municipality wherein such work is per-
11 formed.

12 Any person may prefer charges as set forth above against any
13 licensee or permit holder. Such charges shall be in writing and
14 shall be sworn to by the person making them and shall be filed
15 with the secretary of the board. All charges unless dismissed by
16 the board as unfounded or trivial shall be heard by the board after
17 completing any necessary investigation. The time and place for
18 the hearing shall be fixed by the board and a copy of the charges
19 together with a notice of the time and place of hearing shall be
20 personally served on or mailed to the last known address of the
21 licensee at least 30 days before the date fixed for the hearing. At
22 any hearing the accused licensee or permit holder shall have the
23 right to appear personally and by counsel to cross-examine wit-
24 nesses appearing against him and to produce evidence and witnesses
25 in his own defense. No license or business permit shall be sus-
26 pended or revoked except upon the agreement of at least 4 members
27 of the board.

28 An applicant whose license or business permit has been revoked
29 may become eligible not earlier than 1 year from the date of said
30 revocation for a new license or business permit upon meeting all
31 of the requirements of this act and, in the case of an application
32 for a license, upon the satisfactory completion of an examination
33 as herein provided.

34 5. Section 18 of the act of which this act is amendatory is
35 amended to read as follows:

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

40 (a) Minor repair work such as the replacement of lamps and
41 fuses.

42 (b) The connection of portable electrical appliances to suitable
43 permanently installed receptacles.

- 1 (c) The testing, servicing or repairing of electrical equipment
2 or apparatus.
- 3 (d) Electrical work in mines, on ships, railway cars, elevators,
4 escalators or automotive equipment.
- 5 (e) Municipal plants or any public utility as defined in section
6 48:2-13 of the Revised Statutes organized for the purpose of
7 constructing, maintaining and operating works for the generation,
8 supplying, transmission and distribution of electricity for electric
9 light, heat, or power.
- 10 (f) A public utility subject to regulation, supervision or control
11 by a Federal regulatory body, or a public utility operating under
12 the authority granted by the State of New Jersey, and engaged
13 in the furnishing of communication or signal service, or both, to
14 a public utility, or to the public, as an integral part of a commu-
15 nication or signal system, and any agency associated or affiliated
16 with any public utility and engaged in research and development
17 in the communications field.
- 18 (g) A railway utility in the exercise of its functions as a utility
19 and located in or on buildings or premises used exclusively by such
20 an agency.
- 21 (h) Commercial radio and television transmission equipment.
- 22 (i) Construction by any branch of the Federal Government.
- 23 (j) Any work with a potential of less than 10 volts.
- 24 (k) Repair, manufacturing and maintenance work on premises
25 occupied by a firm or corporation, and installation work on existing
26 buildings occupied by a firm or corporation and performed by a
27 regular employee who is a qualified journeyman electrician.
- 28 (l) Installation, repair or maintenance performed [by regular
29 employees of the State or of a municipality, county, or school dis-
30 trict] on the premises or property owned or occupied by the State,
31 a municipality, county, or school district *by a regular employee*
32 *who is a qualified journeyman electrician.*
- 33 (m) The maintaining, installing or connecting of automatic oil,
34 gas or coal burning equipment, gasoline or diesel oil dispensing
35 equipment and the lighting in connection therewith to a supply of
36 adequate size at the load side of the distribution board.
- 37 (n) *Work performed by a person on a dwelling that is occupied*
38 *solely as a residence for himself or for a member or members of*
39 *his immediate family.*
- 40 The board may also exempt from the business permit provisions
41 of this act such other electrical activities of like character which
42 in the board's opinion warrant exclusion from the provisions of
43 this act.

1 6. Section 20 of the act of which this act is amendatory is
2 amended to read as follows:

3 20. Any person violating any provision of this act *or any rule*
4 *or regulation promulgated pursuant thereto* shall be liable for the
5 first offense to a penalty of not less than \$100.00 or more than
6 \$500.00, and for the second and each succeeding offense to a pen-
7 alty of not less than \$200.00 nor more than \$1,000.00. The penalties
8 shall be collected by a civil action in the name of the board to be
9 instituted in the county district court of the county, or in the
10 municipal court of the municipality where the violation occurred
11 or the defendant resides.

12 7. The Superior Court may in an action brought by the Attorney
13 General in the name of the board grant injunctive relief to prevent
14 and restrain any habitual violation of this chapter or any of the
15 orders or rules or regulations issued by the board or any other
16 violation of any of the provisions of this chapter.

17 8. This act, except as to the fees contained in section 3, shall
18 take effect immediately, and said fees shall take effect July 1, 1967.

SENATE, No. 273

STATE OF NEW JERSEY

INTRODUCED JANUARY 15, 1968

By Senators DUMONT and STOUT

Referred to Committee on Commerce, Industry and Professions

AN ACT to amend and supplement "An act concerning electrical contracting, providing for the regulation thereof, establishing a board of electrical examiners and making an appropriation," approved August 30, 1962 (P. L. 1962, c. 162).

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

3 1. Section 7 of the act of which this act is amendatory is amended
4 to read as follows:

5 7. **[In carrying into effect the provisions of this act the]** *The*
6 *board under the hand of its chairman and the seal of the board*
7 *may subpoena witnesses and compel their attendance, and it also*
8 *may require the production of papers, records or documents in*
9 *any [case involving the revocation or suspension of a license]*
10 *inquiry or proceedings which may be instituted by it or be pending*
11 *before it. Any member of the board may administer oaths or*
12 *affirmations to witnesses appearing before the board.*

13 2. Section 9 of the act of which this act is amendatory is amended
14 to read as follows:

15 9. (a) On or after July 1, 1963, no person shall enter into, en-
16 *gage in or work in business as an electrical contractor [for hire],*
17 *unless such person has secured a business permit and such person*
18 *or an officer[,] or partner [or employee] who is or will be actively*
19 *engaged in the business for which a business permit is sought has*
20 *obtained a license from the board in accordance with the provisions*
21 *of this act, and such licensee shall assume full responsibility for*
22 *inspection and supervision of all electrical work to be performed*
23 *by the permittee in compliance with recognized safety standards.*
24 *A licensee shall not be entitled to qualify more than one person*
25 *for a business permit.*

26 *Any single act or transaction shall constitute engaging in the*
27 *business of electrical contracting within the meaning of this chapter.*

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

1 (b) Except as otherwise provided in section 10, no person shall
 2 be granted an electrical contractors license unless he shall first
 3 establish his qualifications therefor and shall take and pass the ex-
 4 amination for electrical contractors. An applicant for such exam-
 5 ination shall have been employed or engaged in the business of
 6 electrical construction and installation or have equivalent practical
 7 experience for a period of not less than 5 years preceding the
 8 time of such application, or shall otherwise establish to the satis-
 9 faction of the board that the applicant has the necessary educa-
 10 tional background and experience to qualify to take the examination
 11 for a license.

12 The examination shall be so designed as to establish the com-
 13 petence and qualification of the applicant to perform and supervise
 14 the various phases of electrical contracting work. Any applicant
 15 who shall fail to pass such examination shall not be eligible to
 16 retake an examination until 6 months from the date of such failure.

17 (c) An applicant for an examination for a license shall apply
 18 to the board for permission to take such examination upon forms
 19 provided by the board and shall provide the board with such infor-
 20 mation as shall be necessary to establish his qualifications to take
 21 the examination. The applicant for an initial examination shall
 22 pay a fee to the board of ~~[\$25.00]~~ \$10.00. An applicant for re-
 23 examination shall pay a fee to the board of ~~[\$15.00]~~ \$10.00. Such
 24 fees shall not be refundable.

25 3. Section 13 of the act of which this act is amendatory is
 26 amended to read as follows:

27 13. ~~Before a license or business permit shall issue fees shall~~
 28 ~~be paid for same in the following amounts: (a) for initial license—~~
 29 ~~\$150.00, (b) for renewal—\$50.00, (c) for initial business permit or~~
 30 ~~renewal thereof—\$25.00] Before an initial or renewal license or~~
 31 ~~initial business permit or renewal thereof shall issue, a fee of \$20.00~~
 32 ~~shall be paid to the board.~~

33 A person seeking issuance or renewal of any business permit
 34 shall file with the board an application in writing upon forms
 35 prescribed by the board. The application shall designate the person
 36 who possesses a license issued pursuant to the provisions of this
 37 act and shall contain such other information as the board may
 38 prescribe. The application shall be accompanied by the proper fee.

39 If the applicant is a natural person, the application shall be
 40 signed and sworn to by the applicant. If the applicant is a partner-
 41 ship or other business association, the application shall be signed
 42 and sworn to by all natural persons composing such partnership
 43 or business association. If the applicant is a corporation, the

1 application shall be signed and sworn to by the president and sec-
2 retary thereof.

3 A person seeking issuance or renewal of any license shall file
4 with the board an application in writing upon forms prescribed
5 by the board, containing such information as the board shall re-
6 quire to maintain the register provided for in section 8 of this act
7 and to establish the qualifications of the applicant. The application
8 shall be signed and sworn to by the applicant and shall be accom-
9 panied by the proper fee.

10 **【**Any initial license or business permit or renewal thereof shall
11 expire on the first day of the twenty-fifth month following the
12 calendar month in which it was issued. The board, however, may
13 issue initial licenses or business permits or renewals thereof which
14 shall expire on a date fixed by it, which date shall not be earlier
15 than 15 months and not later than 30 months after issuance, in
16 which case the fee shall be an amount equal to $\frac{1}{24}$ of the normal
17 fee times the number of whole months between issuance and ex-
18 piration**】** *The license and business permit periods shall be from*
19 *July 1 to June 30 of the following year and licenses and business*
20 *permits shall be renewed on or before July 1 of each year.* Renewal
21 shall be governed by the standards applicable to initial issuance.
22 The board may require a re-examination upon failure to apply for
23 a renewal within 30 days of the date of the expiration of any
24 license. Any license expiring while the holder thereof is outside
25 the continental limits of the United States in connection with any
26 project undertaken by the Government of the United States, or
27 while in the service of the Armed Forces of the United States
28 shall be renewed without further examinations upon payment of
29 the prescribed fee at any time within 4 months after such person's
30 return to the United States or discharge from the armed forces.

31 4. Section 16 of the act of which this act is amendatory is
32 amended to read as follows:

33 16. The board may *refuse to grant, or may* suspend, revoke or
34 refuse to renew any license or business permit if the holder has:

35 (a) secured such license or business permit by misrepresenta-
36 tion;

37 (b) failed to maintain the qualifications required by this act
38 or demonstrated a level of competence manifestly inconsistent with
39 retention of the license or business permit in question;

40 (c) engaged in fraudulent business activities or in misleading
41 advertising practices;

42 (d) violated a provision of this act; **【or】**

43 (e) committed an act of gross negligence or condoned such an

1 act by an employee of his[.];

2 (f) *been convicted of a crime involving moral turpitude;*

3 (g) *failed to adequately and properly supervise employees in*
4 *compliance with recognized safety standards;*

5 (h) *failed to secure inspection of electrical construction by an*
6 *inspection authority approved by the board, or otherwise provided*
7 *by law; or*

8 (i) *failed to perform electrical construction in conformance with*
9 *standards of the National Electrical Code then in effect and the*
10 *standards, if any, of the municipality wherein such work is per-*
11 *formed.*

12 Any person may prefer charges as set forth above against any
13 licensee or permit holder. Such charges shall be in writing and
14 shall be sworn to by the person making them and shall be filed
15 with the secretary of the board. All charges unless dismissed by
16 the board as unfounded or trivial shall be heard by the board after
17 completing any necessary investigation. The time and place for
18 the hearing shall be fixed by the board and a copy of the charges
19 together with a notice of the time and place of hearing shall be
20 personally served on or mailed to the last known address of the
21 licensee at least 30 days before the date fixed for the hearing. At
22 any hearing the accused licensee or permit holder shall have the
23 right to appear personally and by counsel to cross-examine wit-
24 nesses appearing against him and to produce evidence and witnesses
25 in his own defense. No license or business permit shall be sus-
26 pended or revoked except upon the agreement of at least 4 members
27 of the board.

28 An applicant whose license or business permit has been revoked
29 may become eligible not earlier than 1 year from the date of said
30 revocation for a new license or business permit upon meeting all
31 of the requirements of this act and, in the case of an application
32 for a license, upon the satisfactory completion of an examination
33 as herein provided.

34 5. Section 18 of the act of which this act is amendatory is
35 amended to read as follows:

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

40 (a) Minor repair work such as the replacement of lamps and
41 fuses.

42 (b) The connection of portable electrical appliances to suitable
43 permanently installed receptacles.

1 (c) The testing, servicing or repairing of electrical equipment
2 or apparatus.

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

5 (e) Municipal plants or any public utility as defined in section
6 48:2-13 of the Revised Statutes organized for the purpose of
7 constructing, maintaining and operating works for the generation,
8 supplying, transmission and distribution of electricity for electric
9 light, heat, or power.

10 (f) A public utility subject to regulation, supervision or control
11 by a Federal regulatory body, or a public utility operating under
12 the authority granted by the State of New Jersey, and engaged
13 in the furnishing of communication or signal service, or both, to
14 a public utility, or to the public, as an integral part of a commu-
15 nication or signal system, and any agency associated or affiliated
16 with any public utility and engaged in research and development
17 in the communications field.

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

21 (h) Commercial radio and television transmission equipment.

22 (i) Construction by any branch of the Federal Government.

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

24 (k) Repair, manufacturing and maintenance work on premises
25 occupied by a firm or corporation, and installation work on existing
26 buildings occupied by a firm or corporation and performed by a
27 regular employee who is a qualified journeyman electrician.

28 (l) Installation, repair or maintenance performed [by regular
29 employees of the State or of a municipality, county, or school dis-
30 trict] on the premises or property owned or occupied by the State,
31 a municipality, county, or school district *by a regular employee*
32 *who is a qualified journeyman electrician.*

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

37 (n) *Work performed by a person on a dwelling that is occupied*
38 *solely as a residence for himself or for a member or members of*
39 *his immediate family.*

40 The board may also exempt from the business permit provisions
41 of this act such other electrical activities of like character which
42 in the board's opinion warrant exclusion from the provisions of
43 this act.

1 6. Section 20 of the act of which this act is amendatory is
2 amended to read as follows:

3 20. Any person violating any provision of this act *or any rule*
4 *or regulation promulgated pursuant thereto* shall be liable for the
5 first offense to a penalty of not less than \$100.00 or more than
6 \$500.00, and for the second and each succeeding offense to a pen-
7 alty of not less than \$200.00 nor more than \$1,000.00. The penalties
8 shall be collected by a civil action in the name of the board to be
9 instituted in the county district court of the county, or in the
10 municipal court of the municipality where the violation occurred
11 or the defendant resides.

12 7. The Superior Court may in an action brought by the Attorney
13 General in the name of the board grant injunctive relief to prevent
14 and restrain any habitual violation of this chapter or any of the
15 orders or rules or regulations issued by the board or any other
16 violation of any of the provisions of this chapter.

17 8. This act, except as to the fees contained in section 3, shall
18 take effect immediately, and said fees shall take effect July 1, 1968.

SENATE COMMITTEE AMENDMENTS TO
SENATE, No. 273

—•—
STATE OF NEW JERSEY
—•—

ADOPTED FEBRUARY 8, 1968

Amend page 2, section 2, line 22, omit "\$10.00", insert "\$25.00".

Amend page 2, section 2, line 23, omit "\$10.00", insert "\$15.00".

Amend page 2, section 3, lines 30 to 32, after "J", omit remainder of line and all of lines 31 and 32, and insert the following: "Before a license or business permit shall issue fees shall be paid for same in the following amounts: (a) for initial license—\$75.00, (b) for renewal—\$25.00, (c) for initial business permit or renewal thereof—\$12.50."

Amend page 4, section 4, line 2, omit line 2 in its entirety.

Amend page 4, section 4, line 3, omit "(g)", insert "(f)".

Amend page 4, section 4, line 5, omit "(h)", insert "(g)".

Amend page 4, section 4, line 8, omit "(i)", insert "(h)".

Amend page 6, section 6, lines 1 to 11, omit section 6 in its entirety.

Amend page 6, section 7, line 1, omit "7.", insert "6."

Amend page 6, section 8, line 1, omit "8.", insert "7."

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

[OFFICIAL COPY REPRINT]

SENATE, No. 273

STATE OF NEW JERSEY

INTRODUCED JANUARY 15, 1968

By Senators DUMONT and STOUT

Referred to Committee on Commerce, Industry and Professions

AN ACT to amend and supplement "An act concerning electrical contracting, providing for the regulation thereof, establishing a board of electrical examiners and making an appropriation," approved August 30, 1962 (P. L. 1962, c. 162).

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

3 1. Section 7 of the act of which this act is amendatory is amended
4 to read as follows:

5 7. **[In carrying into effect the provisions of this act the]** *The*
6 board under the hand of its chairman and the seal of the board
7 may subpoena witnesses and compel their attendance, and it also
8 may require the production of papers, *records* or documents in
9 any **[case involving the revocation or suspension of a license]**
10 *inquiry or proceedings which may be instituted by it or be pending*
11 *before it.* Any member of the board may administer oaths or
12 affirmations to witnesses appearing before the board.

13 2. Section 9 of the act of which this act is amendatory is amended
14 to read as follows:

15 9. (a) On or after July 1, 1963, no person shall enter into, en-
16 gage in or work in business as an electrical contractor **[for hire],**
17 unless such person has secured a business permit and such person
18 or an officer**[,]** *or partner* **[or employee]** who is or will be actively
19 engaged in the business for which a business permit is sought has
20 obtained a license from the board in accordance with the provisions
21 of this act, *and such licensee shall assume full responsibility for*
22 *inspection and supervision of all electrical work to be performed*
23 *by the permittee in compliance with recognized safety standards.*
24 A licensee shall not be entitled to qualify more than one person
25 for a business permit.

26 *Any single act or transaction shall constitute engaging in the*
27 *business of electrical contracting within the meaning of this chapter.*

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

1 (b) Except as otherwise provided in section 10, no person shall
 2 be granted an electrical contractors license unless he shall first
 3 establish his qualifications therefor and shall take and pass the ex-
 4 amination for electrical contractors. An applicant for such exam-
 5 ination shall have been employed or engaged in the business of
 6 electrical construction and installation or have equivalent practical
 7 experience for a period of not less than 5 years preceding the
 8 time of such application, or shall otherwise establish to the satis-
 9 faction of the board that the applicant has the necessary educa-
 10 tional background and experience to qualify to take the examination
 11 for a license.

12 The examination shall be so designed as to establish the com-
 13 petence and qualification of the applicant to perform and supervise
 14 the various phases of electrical contracting work. Any applicant
 15 who shall fail to pass such examination shall not be eligible to
 16 retake an examination until 6 months from the date of such failure.

17 (c) An applicant for an examination for a license shall apply
 18 to the board for permission to take such examination upon forms
 19 provided by the board and shall provide the board with such infor-
 20 mation as shall be necessary to establish his qualifications to take
 21 the examination. The applicant for an initial examination shall
 22 pay a fee to the board of **[\$25.00]** ***[\$10.00]*** *\$25.00*. An ap-
 23 plicant for re-examination shall pay a fee to the board of **[\$15.00]**
 24 ***[\$10.00]*** *\$15.00*. Such fees shall not be refundable.

25 3. Section 13 of the act of which this act is amendatory is
 26 amended to read as follows:

27 13. **[Before a license or business permit shall issue fees shall**
 28 **be paid for same in the following amounts: (a) for initial license—**
 29 **\$150.00, (b) for renewal—\$50.00, (c) for initial business permit or**
 30 **renewal thereof—\$25.00]** ***[Before an initial or renewal license or**
 31 **initial business permit or renewal thereof shall issue, a fee of \$20.00**
 32 **shall be paid to the board.]*** **Before a license or business permit*
 32A *shall issue fees shall be paid for same in the following amounts:—*
 32B *(a) for initial license—\$75.00, (b) for renewal—\$25.00, (c) for*
 32C *initial business permit or renewal thereof—\$12.50*.*

33 A person seeking issuance or renewal of any business permit
 34 shall file with the board an application in writing upon forms
 35 prescribed by the board. The application shall designate the person
 36 who possesses a license issued pursuant to the provisions of this
 37 act and shall contain such other information as the board may
 38 prescribe. The application shall be accompanied by the proper fee.

39 If the applicant is a natural person, the application shall be
 40 signed and sworn to by the applicant. If the applicant is a partner-

1A ship or other business association, the application shall be signed
 1B and sworn to by all natural persons composing such partnership
 1C or business association. If the applicant is a corporation, the
 1D application shall be signed and sworn to by the president and sec-
 2 retary thereof.

3 A person seeking issuance or renewal of any license shall file
 4 with the board an application in writing upon forms prescribed
 5 by the board, containing such information as the board shall re-
 6 quire to maintain the register provided for in section 8 of this act
 7 and to establish the qualifications of the applicant. The application
 8 shall be signed and sworn to by the applicant and shall be accom-
 9 panied by the proper fee.

10 **【Any initial license or business permit or renewal thereof shall**
 11 **expire on the first day of the twenty-fifth month following the**
 12 **calendar month in which it was issued. The board, however, may**
 13 **issue initial licenses or business permits or renewals thereof which**
 14 **shall expire on a date fixed by it, which date shall not be earlier**
 15 **than 15 months and not later than 30 months after issuance, in**
 16 **which case the fee shall be an amount equal to $\frac{1}{24}$ of the normal**
 17 **fee times the number of whole months between issuance and ex-**
 18 **piration】** *The license and business permit periods shall be from*
 19 *July 1 to June 30 of the following year and licenses and business*
 20 *permits shall be renewed on or before July 1 of each year. Renewal*
 21 *shall be governed by the standards applicable to initial issuance.*
 22 *The board may require a re-examination upon failure to apply for*
 23 *a renewal within 30 days of the date of the expiration of any*
 24 *license. Any license expiring while the holder thereof is outside*
 25 *the continental limits of the United States in connection with any*
 26 *project undertaken by the Government of the United States, or*
 27 *while in the service of the Armed Forces of the United States*
 28 *shall be renewed without further examinations upon payment of*
 29 *the prescribed fee at any time within 4 months after such person's*
 30 *return to the United States or discharge from the armed forces.*

31 4. Section 16 of the act of which this act is amendatory is
 32 amended to read as follows:

33 16. The board may *refuse to grant, or may* suspend, revoke or
 34 refuse to renew any license or business permit if the holder has:

35 (a) secured such license or business permit by misrepresenta-
 36 tion;

37 (b) failed to maintain the qualifications required by this act
 38 or demonstrated a level of competence manifestly inconsistent with
 39 retention of the license or business permit in question;

40 (c) engaged in fraudulent business activities or in misleading

1A advertising practices;

1B (d) violated a provision of this act; **[or]**

1C (e) committed an act of gross negligence or condoned such an
1D act by an employee of his**[.]**;

2 ***[(f)]** *been convicted of a crime involving moral turpitude;**

3 ***[(g)]*** **(f)* failed to adequately and properly supervise em-*
4 *ployees in compliance with recognized safety standards;*

5 ***[(h)]*** **(g)* failed to secure inspection of electrical construc-*
6 *tion by an inspection authority approved by the board, or otherwise*
7 *provided by law; or*

8 ***[(i)]*** **(h)* failed to perform electrical construction in con-*
9 *formance with standards of the National Electrical Code then in*
10 *effect and the standards, if any, of the municipality wherein such*
11 *work is performed.*

12 Any person may prefer charges as set forth above against any
13 licensee or permit holder. Such charges shall be in writing and
14 shall be sworn to by the person making them and shall be filed
15 with the secretary of the board. All charges unless dismissed by
16 the board as unfounded or trivial shall be heard by the board after
17 completing any necessary investigation. The time and place for
18 the hearing shall be fixed by the board and a copy of the charges
19 together with a notice of the time and place of hearing shall be
20 personally served on or mailed to the last known address of the
21 licensee at least 30 days before the date fixed for the hearing. At
22 any hearing the accused licensee or permit holder shall have the
23 right to appear personally and by counsel to cross-examine wit-
24 nesses appearing against him and to produce evidence and witnesses
25 in his own defense. No license or business permit shall be sus-
26 pended or revoked except upon the agreement of at least 4 members
27 of the board.

28 An applicant whose license or business permit has been revoked
29 may become eligible not earlier than 1 year from the date of said
30 revocation for a new license or business permit upon meeting all
31 of the requirements of this act and, in the case of an application
32 for a license, upon the satisfactory completion of an examination
33 as herein provided.

34 5. Section 18 of the act of which this act is amendatory is
35 amended to read as follows:

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

40 (a) Minor repair work such as the replacement of lamps and

1A fuses.

1B (b) The connection of portable electrical appliances to suitable
1C permanently installed receptacles.

1D (c) The testing, servicing or repairing of electrical equipment
2 or apparatus.

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

5 (e) Municipal plants or any public utility as defined in section
6 48:2-13 of the Revised Statutes organized for the purpose of
7 constructing, maintaining and operating works for the generation,
8 supplying, transmission and distribution of electricity for electric
9 light, heat, or power.

10 (f) A public utility subject to regulation, supervision or control
11 by a Federal regulatory body, or a public utility operating under
12 the authority granted by the State of New Jersey, and engaged
13 in the furnishing of communication or signal service, or both, to
14 a public utility, or to the public, as an integral part of a commu-
15 nication or signal system, and any agency associated or affiliated
16 with any public utility and engaged in research and development
17 in the communications field.

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

21 (h) Commercial radio and television transmission equipment.

22 (i) Construction by any branch of the Federal Government.

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

24 (k) Repair, manufacturing and maintenance work on premises
25 occupied by a firm or corporation, and installation work on existing
26 buildings occupied by a firm or corporation and performed by a
27 regular employee who is a qualified journeyman electrician.

28 (l) Installation, repair or maintenance performed [by regular
29 employees of the State or of a municipality, county, or school dis-
30 trict] on the premises or property owned or occupied by the State,
31 a municipality, county, or school district *by a regular employee*
32 *who is a qualified journeyman electrician.*

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

37 (n) *Work performed by a person on a dwelling that is occupied*
38 *solely as a residence for himself or for a member or members of*
39 *his immediate family.*

40 The board may also exempt from the business permit provisions

1A of this act such other electrical activities of like character which
1B in the board's opinion warrant exclusion from the provisions of
1C this act.

1D ***[6.** Section 20 of the act of which this act is amendatory is
2 amended to read as follows:

3 20. Any person violating any provision of this act *or any rule*
4 *or regulation promulgated pursuant thereto* shall be liable for the
5 first offense to a penalty of not less than \$100.00 or more than
6 \$500.00, and for the second and each succeeding offense to a pen-
7 alty of not less than \$200.00 nor more than \$1,000.00. The penalties
8 shall be collected by a civil action in the name of the board to be
9 instituted in the county district court of the county, or in the
10 municipal court of the municipality where the violation occurred
11 or the defendant resides.]*

12 ***[7.]** *6.* The Superior Court may in an action brought by the
13 Attorney General in the name of the board grant injunctive relief to
14 prevent and restrain any habitual violation of this chapter or any
15 of the orders or rules or regulations issued by the board or any
16 other violation of any of the provisions of this chapter.

17 ***[8.]** *7.* This act, except as to the fees contained in section 3,
18 shall take effect immediately, and said fees shall take effect July
19 1, 1968.

SENATE AMENDMENTS TO
SENATE, No. 273
[OFFICIAL COPY REPRINT]

—•—
STATE OF NEW JERSEY
—•—

ADOPTED FEBRUARY 13, 1968

Amend page 1, section 2, line 18, after “[**]**”, omit “or”, and insert a comma; after “[**or employee]**”, insert “or employee”.

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

[SECOND OFFICIAL COPY REPRINT]

SENATE, No. 273

STATE OF NEW JERSEY

INTRODUCED JANUARY 15, 1968

By Senators DUMONT and STOUT

Referred to Committee on Commerce, Industry and Professions

AN ACT to amend and supplement "An act concerning electrical contracting, providing for the regulation thereof, establishing a board of electrical examiners and making an appropriation," approved August 30, 1962 (P. L. 1962, c. 162).

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

3 1. Section 7 of the act of which this act is amendatory is amended
4 to read as follows:

5 7. **[In carrying into effect the provisions of this act the]** *The*
6 board under the hand of its chairman and the seal of the board
7 may subpoena witnesses and compel their attendance, and it also
8 may require the production of papers, *records* or documents in
9 any **[case involving the revocation or suspension of a license]**
10 *inquiry or proceedings which may be instituted by it or be pending*
11 *before it.* Any member of the board may administer oaths or
12 affirmations to witnesses appearing before the board.

13 2. Section 9 of the act of which this act is amendatory is amended
14 to read as follows:

15 9. (a) On or after July 1, 1963, no person shall enter into, en-
16 gage in or work in business as an electrical contractor **[for hire]**,
17 unless such person has secured a business permit and such person
18 or an officer **[,]** ****[or]**** ***,**** partner **[or employee]** ****or em-**
19 **ployee**** who is or will be actively engaged in the business for
20 which a business permit is sought has obtained a license from the
21 board in accordance with the provisions of this act, *and such*
22 *licensee shall assume full responsibility for inspection and super-*
23 *vision of all electrical work to be performed by the permittee in*
24 *compliance with recognized safety standards.* A licensee shall not
25 be entitled to qualify more than one person for a business permit.

26 *Any single act or transaction shall constitute engaging in the*
27 *business of electrical contracting within the meaning of this chapter.*

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

1 (b) Except as otherwise provided in section 10, no person shall
 2 be granted an electrical contractors license unless he shall first
 3 establish his qualifications therefor and shall take and pass the ex-
 4 amination for electrical contractors. An applicant for such exam-
 5 ination shall have been employed or engaged in the business of
 6 electrical construction and installation or have equivalent practical
 7 experience for a period of not less than 5 years preceding the
 8 time of such application, or shall otherwise establish to the satis-
 9 faction of the board that the applicant has the necessary educa-
 10 tional background and experience to qualify to take the examination
 11 for a license.

12 The examination shall be so designed as to establish the com-
 13 petence and qualification of the applicant to perform and supervise
 14 the various phases of electrical contracting work. Any applicant
 15 who shall fail to pass such examination shall not be eligible to
 16 retake an examination until 6 months from the date of such failure.

17 (c) An applicant for an examination for a license shall apply
 18 to the board for permission to take such examination upon forms
 19 provided by the board and shall provide the board with such infor-
 20 mation as shall be necessary to establish his qualifications to take
 21 the examination. The applicant for an initial examination shall
 22 pay a fee to the board of ~~[\$25.00]~~ *~~[\$10.00]~~* *\$25.00*. An ap-
 23 plicant for re-examination shall pay a fee to the board of ~~[\$15.00]~~
 24 *~~[\$10.00]~~* *\$15.00*. Such fees shall not be refundable.

25 3. Section 13 of the act of which this act is amendatory is
 26 amended to read as follows:

27 13. ~~Before a license or business permit shall issue fees shall~~
 28 ~~be paid for same in the following amounts: (a) for initial license—~~
 29 ~~\$150.00, (b) for renewal—\$50.00, (c) for initial business permit or~~
 30 ~~renewal thereof—\$25.00]~~ *~~Before an initial or renewal license or~~
 31 ~~initial business permit or renewal thereof shall issue, a fee of \$20.00~~
 32 ~~shall be paid to the board.]~~* *~~Before a license or business permit~~
 32A ~~shall issue fees shall be paid for same in the following amounts:—~~
 32B ~~(a) for initial license—\$75.00, (b) for renewal—\$25.00, (c) for~~
 32C ~~initial business permit or renewal thereof—\$12.50*.~~

33 A person seeking issuance or renewal of any business permit
 34 shall file with the board an application in writing upon forms
 35 prescribed by the board. The application shall designate the person
 36 who possesses a license issued pursuant to the provisions of this
 37 act and shall contain such other information as the board may
 38 prescribe. The application shall be accompanied by the proper fee.

39 If the applicant is a natural person, the application shall be
 40 signed and sworn to by the applicant. If the applicant is a partner-

1A ship or other business association, the application shall be signed
1B and sworn to by all natural persons composing such partnership
1C or business association. If the applicant is a corporation, the
1D application shall be signed and sworn to by the president and sec-
2 retary thereof.

3 A person seeking issuance or renewal of any license shall file
4 with the board an application in writing upon forms prescribed
5 by the board, containing such information as the board shall re-
6 quire to maintain the register provided for in section 8 of this act
7 and to establish the qualifications of the applicant. The application
8 shall be signed and sworn to by the applicant and shall be accom-
9 panied by the proper fee.

10 **【Any initial license or business permit or renewal thereof shall**
11 **expire on the first day of the twenty-fifth month following the**
12 **calendar month in which it was issued. The board, however, may**
13 **issue initial licenses or business permits or renewals thereof which**
14 **shall expire on a date fixed by it, which date shall not be earlier**
15 **than 15 months and not later than 30 months after issuance, in**
16 **which case the fee shall be an amount equal to $\frac{1}{24}$ of the normal**
17 **fee times the number of whole months between issuance and ex-**
18 **piration】** *The license and business permit periods shall be from*
19 *July 1 to June 30 of the following year and licenses and business*
20 *permits shall be renewed on or before July 1 of each year. Renewal*
21 *shall be governed by the standards applicable to initial issuance.*
22 *The board may require a re-examination upon failure to apply for*
23 *a renewal within 30 days of the date of the expiration of any*
24 *license. Any license expiring while the holder thereof is outside*
25 *the continental limits of the United States in connection with any*
26 *project undertaken by the Government of the United States, or*
27 *while in the service of the Armed Forces of the United States*
28 *shall be renewed without further examinations upon payment of*
29 *the prescribed fee at any time within 4 months after such person's*
30 *return to the United States or discharge from the armed forces.*

31 4. Section 16 of the act of which this act is amendatory is
32 amended to read as follows:

33 16. The board may *refuse to grant, or may* suspend, revoke or
34 refuse to renew any license or business permit if the holder has:

35 (a) secured such license or business permit by misrepresenta-
36 tion;

37 (b) failed to maintain the qualifications required by this act
38 or demonstrated a level of competence manifestly inconsistent with
39 retention of the license or business permit in question;

40 (c) engaged in fraudulent business activities or in misleading

1A advertising practices;

1B (d) violated a provision of this act; **[or]**

1C (e) committed an act of gross negligence or condoned such an
1D act by an employee of his**[.]**;

2 ***[(f) been convicted of a crime involving moral turpitude;]***

3 ***[(g)]* *(f)* failed to adequately and properly supervise em-**
4 **ployees in compliance with recognized safety standards;**

5 ***[(h)]* *(g)* failed to secure inspection of electrical construc-**
6 **tion by an inspection authority approved by the board, or otherwise**
7 **provided by law; or**

8 ***[(i)]* *(h)* failed to perform electrical construction in con-**
9 **formance with standards of the National Electrical Code then in**
10 **effect and the standards, if any, of the municipality wherein such**
11 **work is performed.**

12 Any person may prefer charges as set forth above against any
13 licensee or permit holder. Such charges shall be in writing and
14 shall be sworn to by the person making them and shall be filed
15 with the secretary of the board. All charges unless dismissed by
16 the board as unfounded or trivial shall be heard by the board after
17 completing any necessary investigation. The time and place for
18 the hearing shall be fixed by the board and a copy of the charges
19 together with a notice of the time and place of hearing shall be
20 personally served on or mailed to the last known address of the
21 licensee at least 30 days before the date fixed for the hearing. At
22 any hearing the accused licensee or permit holder shall have the
23 right to appear personally and by counsel to cross-examine wit-
24 nesses appearing against him and to produce evidence and witnesses
25 in his own defense. No license or business permit shall be sus-
26 pended or revoked except upon the agreement of at least 4 members
27 of the board.

28 An applicant whose license or business permit has been revoked
29 may become eligible not earlier than 1 year from the date of said
30 revocation for a new license or business permit upon meeting all
31 of the requirements of this act and, in the case of an application
32 for a license, upon the satisfactory completion of an examination
33 as herein provided.

34 5. Section 18 of the act of which this act is amendatory is
35 amended to read as follows:

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

40 (a) Minor repair work such as the replacement of lamps and

1A fuses.

1B (b) The connection of portable electrical appliances to suitable
1C permanently installed receptacles.

1D (c) The testing, servicing or repairing of electrical equipment
2 or apparatus.

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

5 (e) Municipal plants or any public utility as defined in section
6 48:2-13 of the Revised Statutes organized for the purpose of
7 constructing, maintaining and operating works for the generation,
8 supplying, transmission and distribution of electricity for electric
9 light, heat, or power.

10 (f) A public utility subject to regulation, supervision or control
11 by a Federal regulatory body, or a public utility operating under
12 the authority granted by the State of New Jersey, and engaged
13 in the furnishing of communication or signal service, or both, to
14 a public utility, or to the public, as an integral part of a commu-
15 nication or signal system, and any agency associated or affiliated
16 with any public utility and engaged in research and development
17 in the communications field.

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

21 (h) Commercial radio and television transmission equipment.

22 (i) Construction by any branch of the Federal Government.

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

24 (k) Repair, manufacturing and maintenance work on premises
25 occupied by a firm or corporation, and installation work on existing
26 buildings occupied by a firm or corporation and performed by a
27 regular employee who is a qualified journeyman electrician.

28 (l) Installation, repair or maintenance performed [by regular
29 employees of the State or of a municipality, county, or school dis-
30 trict] on the premises or property owned or occupied by the State,
31 a municipality, county, or school district *by a regular employee*
32 *who is a qualified journeyman electrician.*

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

37 (n) *Work performed by a person on a dwelling that is occupied*
38 *solely as a residence for himself or for a member or members of*
39 *his immediate family.*

40 The board may also exempt from the business permit provisions

1A of this act such other electrical activities of like character which
1B in the board's opinion warrant exclusion from the provisions of
1C this act.

1D ***[6.]** Section 20 of the act of which this act is amendatory is
2 amended to read as follows:

3 20. Any person violating any provision of this act *or any rule*
4 *or regulation promulgated pursuant thereto* shall be liable for the
5 first offense to a penalty of not less than \$100.00 or more than
6 \$500.00, and for the second and each succeeding offense to a pen-
7 alty of not less than \$200.00 nor more than \$1,000.00. The penalties
8 shall be collected by a civil action in the name of the board to be
9 instituted in the county district court of the county, or in the
10 municipal court of the municipality where the violation occurred
11 or the defendant resides.]*

12 ***[7.]** *6.* The Superior Court may in an action brought by the
13 Attorney General in the name of the board grant injunctive relief to
14 prevent and restrain any habitual violation of this chapter or any
15 of the orders or rules or regulations issued by the board or any
16 other violation of any of the provisions of this chapter.

17 ***[8.]** *7.* This act, except as to the fees contained in section 3,
18 shall take effect immediately, and said fees shall take effect July
19 1, 1968.

SENATE AMENDMENTS TO

SENATE, No. 273

[OFFICIAL COPY REPRINT]

STATE OF NEW JERSEY

ADOPTED FEBRUARY 13, 1968

Amend page 1, section 2, line 18, after “[,]”, omit “or”, and insert a comma; after “[or employee]”, insert “or employee”.

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

ASSEMBLY COMMITTEE AMENDMENTS TO

SENATE, No. 273

[SECOND OFFICIAL COPY REPRINT]

STATE OF NEW JERSEY

ADOPTED MARCH 25, 1968

Amend page 5, section 5, lines 25 and 26, delete "existing buildings", insert "premises".

Amend page 5, section 5, line 30, after "trict[]]", insert "by regular employees of the State or of a municipality, county, or school district".

Amend page 5, section 5, lines 31 and 32, after "district", insert a period and delete remainder of line and all of line 32.

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

CHAPTER 17 LAWS OF N. J. 1968
APPROVED 4-17-68
[THIRD OFFICIAL COPY REPRINT]

SENATE, No. 273

STATE OF NEW JERSEY

INTRODUCED JANUARY 15, 1968

By Senators DUMONT and STOUT

Referred to Committee on Commerce, Industry and Professions

AN ACT to amend and supplement "An act concerning electrical contracting, providing for the regulation thereof, establishing a board of electrical examiners and making an appropriation," approved August 30, 1962 (P. L. 1962, c. 162).

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

3 1. Section 7 of the act of which this act is amendatory is amended
4 to read as follows:

5 7. [In carrying into effect the provisions of this act the] *The*
6 board under the hand of its chairman and the seal of the board
7 may subpoena witnesses and compel their attendance, and it also
8 may require the production of papers, *records* or documents in
9 any [case involving the revocation or suspension of a license]
10 *inquiry or proceedings which may be instituted by it or be pending*
11 *before it.* Any member of the board may administer oaths or
12 affirmations to witnesses appearing before the board.

13 2. Section 9 of the act of which this act is amendatory is amended
14 to read as follows:

15 9. (a) On or after July 1, 1963, no person shall enter into, en-
16 gage in or work in business as an electrical contractor [for hire],
17 unless such person has secured a business permit and such person
18 or an officer[,] **[or]** **,** partner [or employee] **or em-
19 ployee** who is or will be actively engaged in the business for
20 which a business permit is sought has obtained a license from the
21 board in accordance with the provisions of this act, *and such*
22 *licensee shall assume full responsibility for inspection and super-*
23 *vision of all electrical work to be performed by the permittee in*
24 *compliance with recognized safety standards.* A licensee shall not
25 be entitled to qualify more than one person for a business permit.

26 *Any single act or transaction shall constitute engaging in the*
27 *business of electrical contracting within the meaning of this chapter.*

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

1 (b) Except as otherwise provided in section 10, no person shall
 2 be granted an electrical contractors license unless he shall first
 3 establish his qualifications therefor and shall take and pass the ex-
 4 amination for electrical contractors. An applicant for such exam-
 5 ination shall have been employed or engaged in the business of
 6 electrical construction and installation or have equivalent practical
 7 experience for a period of not less than 5 years preceding the
 8 time of such application, or shall otherwise establish to the satis-
 9 faction of the board that the applicant has the necessary educa-
 10 tional background and experience to qualify to take the examination
 11 for a license.

12 The examination shall be so designed as to establish the com-
 13 petence and qualification of the applicant to perform and supervise
 14 the various phases of electrical contracting work. Any applicant
 15 who shall fail to pass such examination shall not be eligible to
 16 retake an examination until 6 months from the date of such failure.

17 (c) An applicant for an examination for a license shall apply
 18 to the board for permission to take such examination upon forms
 19 provided by the board and shall provide the board with such infor-
 20 mation as shall be necessary to establish his qualifications to take
 21 the examination. The applicant for an initial examination shall
 22 pay a fee to the board of ~~[\$25.00]~~ *~~[\$10.00]~~* *\$25.00*. An ap-
 23 plicant for re-examination shall pay a fee to the board of ~~[\$15.00]~~
 24 *~~[\$10.00]~~* *\$15.00*. Such fees shall not be refundable.

25 3. Section 13 of the act of which this act is amendatory is
 26 amended to read as follows:

27 13. ~~Before a license or business permit shall issue fees shall~~
 28 ~~be paid for same in the following amounts: (a) for initial license—~~
 29 ~~\$150.00, (b) for renewal—\$50.00, (c) for initial business permit or~~
 30 ~~renewal thereof—\$25.00]~~ *~~Before an initial or renewal license or~~
 31 ~~initial business permit or renewal thereof shall issue, a fee of \$20.00~~
 32 ~~shall be paid to the board.]* *Before a license or business permit~~
 32A ~~shall issue fees shall be paid for same in the following amounts:—~~
 32B ~~(a) for initial license—\$75.00, (b) for renewal—\$25.00, (c) for~~
 32C ~~initial business permit or renewal thereof—\$12.50*.~~

33 A person seeking issuance or renewal of any business permit
 34 shall file with the board an application in writing upon forms
 35 prescribed by the board. The application shall designate the person
 36 who possesses a license issued pursuant to the provisions of this
 37 act and shall contain such other information as the board may
 38 prescribe. The application shall be accompanied by the proper fee.

39 If the applicant is a natural person, the application shall be
 40 signed and sworn to by the applicant. If the applicant is a partner-

1A ship or other business association, the application shall be signed
1B and sworn to by all natural persons composing such partnership
1C or business association. If the applicant is a corporation, the
1D application shall be signed and sworn to by the president and sec-
2 retary thereof.

3 A person seeking issuance or renewal of any license shall file
4 with the board an application in writing upon forms prescribed
5 by the board, containing such information as the board shall re-
6 quire to maintain the register provided for in section 8 of this act
7 and to establish the qualifications of the applicant. The application
8 shall be signed and sworn to by the applicant and shall be accom-
9 panied by the proper fee.

10 [Any initial license or business permit or renewal thereof shall
11 expire on the first day of the twenty-fifth month following the
12 calendar month in which it was issued. The board, however, may
13 issue initial licenses or business permits or renewals thereof which
14 shall expire on a date fixed by it, which date shall not be earlier
15 than 15 months and not later than 30 months after issuance, in
16 which case the fee shall be an amount equal to $\frac{1}{24}$ of the normal
17 fee times the number of whole months between issuance and ex-
18 piration] *The license and business permit periods shall be from*
19 *July 1 to June 30 of the following year and licenses and business*
20 *permits shall be renewed on or before July 1 of each year.* Renewal
21 shall be governed by the standards applicable to initial issuance.
22 The board may require a re-examination upon failure to apply for
23 a renewal within 30 days of the date of the expiration of any
24 license. Any license expiring while the holder thereof is outside
25 the continental limits of the United States in connection with any
26 project undertaken by the Government of the United States, or
27 while in the service of the Armed Forces of the United States
28 shall be renewed without further examinations upon payment of
29 the prescribed fee at any time within 4 months after such person's
30 return to the United States or discharge from the armed forces.

31 4. Section 16 of the act of which this act is amendatory is
32 amended to read as follows:

33 16. The board may *refuse to grant, or may* suspend, revoke or
34 refuse to renew any license or business permit if the holder has:

35 (a) secured such license or business permit by misrepresenta-
36 tion;

37 (b) failed to maintain the qualifications required by this act
38 or demonstrated a level of competence manifestly inconsistent with
39 retention of the license or business permit in question;

40 (c) engaged in fraudulent business activities or in misleading

1A advertising practices;

1B (d) violated a provision of this act; **[or]**

1C (e) committed an act of gross negligence or condoned such an
1D act by an employee of his**[.]**;

2 ***[(f)]** *been convicted of a crime involving moral turpitude;**

3 ***[(g)]** **(f)* *failed to adequately and properly supervise em-*
4 *ployees in compliance with recognized safety standards;*

5 ***[(h)]** **(g)* *failed to secure inspection of electrical construc-*
6 *tion by an inspection authority approved by the board, or otherwise*
7 *provided by law; or*

8 ***[(i)]** **(h)* *failed to perform electrical construction in con-*
9 *formance with standards of the National Electrical Code then in*
10 *effect and the standards, if any, of the municipality wherein such*
11 *work is performed.*

12 Any person may prefer charges as set forth above against any
13 licensee or permit holder. Such charges shall be in writing and
14 shall be sworn to by the person making them and shall be filed
15 with the secretary of the board. All charges unless dismissed by
16 the board as unfounded or trivial shall be heard by the board after
17 completing any necessary investigation. The time and place for
18 the hearing shall be fixed by the board and a copy of the charges
19 together with a notice of the time and place of hearing shall be
20 personally served on or mailed to the last known address of the
21 licensee at least 30 days before the date fixed for the hearing. At
22 any hearing the accused licensee or permit holder shall have the
23 right to appear personally and by counsel to cross-examine wit-
24 nesses appearing against him and to produce evidence and witnesses
25 in his own defense. No license or business permit shall be sus-
26 pended or revoked except upon the agreement of at least 4 members
27 of the board.

28 An applicant whose license or business permit has been revoked
29 may become eligible not earlier than 1 year from the date of said
30 revocation for a new license or business permit upon meeting all
31 of the requirements of this act and, in the case of an application
32 for a license, upon the satisfactory completion of an examination
33 as herein provided.

34 5. Section 18 of the act of which this act is amendatory is
35 amended to read as follows:

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

40 (a) Minor repair work such as the replacement of lamps and

1A fuses.

1B (b) The connection of portable electrical appliances to suitable
1C permanently installed receptacles.

1D (c) The testing, servicing or repairing of electrical equipment
2 or apparatus.

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

5 (e) Municipal plants or any public utility as defined in section
6 48:2-13 of the Revised Statutes organized for the purpose of
7 constructing, maintaining and operating works for the generation,
8 supplying, transmission and distribution of electricity for electric
9 light, heat, or power.

10 (f) A public utility subject to regulation, supervision or control
11 by a Federal regulatory body, or a public utility operating under
12 the authority granted by the State of New Jersey, and engaged
13 in the furnishing of communication or signal service, or both, to
14 a public utility, or to the public, as an integral part of a commu-
15 nication or signal system, and any agency associated or affiliated
16 with any public utility and engaged in research and development
17 in the communications field.

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

21 (h) Commercial radio and television transmission equipment.

22 (i) Construction by any branch of the Federal Government.

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

24 (k) Repair, manufacturing and maintenance work on premises
25 occupied by a firm or corporation, and installation work on ***[ex-
26 isting buildings]*** *premises**** occupied by a firm or corpo-
27 ration and performed by a regular employee who is a qualified
27A journeyman electrician.

28 (l) Installation, repair or maintenance performed [by regular
29 employees of the State or of a municipality, county, or school dis-
30 trict] ****by regular employees of the State or of a municipality,*
31 *county, or school district**** on the premises or property owned or
32 occupied by the State, a municipality, county, or school district
32A ****[by a regular employee who is a qualified journeyman elec-*
32B *trician].****

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

37 (n) *Work performed by a person on a dwelling that is occupied*

1A *solely as a residence for himself or for a member or members of*
1B *his immediate family.*

1C The board may also exempt from the business permit provisions
1D of this act such other electrical activities of like character which
1E in the board's opinion warrant exclusion from the provisions of
1F this act.

1G ***[6.** Section 20 of the act of which this act is amendatory is
2 amended to read as follows:

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4 *or regulation promulgated pursuant thereto* shall be liable for the
5 first offense to a penalty of not less than \$100.00 or more than
6 \$500.00, and for the second and each succeeding offense to a pen-
7 alty of not less than \$200.00 nor more than \$1,000.00. The penalties
8 shall be collected by a civil action in the name of the board to be
9 instituted in the county district court of the county, or in the
10 municipal court of the municipality where the violation occurred
11 or the defendant resides.]*

12 ***[7.]** *6.* The Superior Court may in an action brought by the
13 Attorney General in the name of the board grant injunctive relief to
14 prevent and restrain any habitual violation of this chapter or any
15 of the orders or rules or regulations issued by the board or any
16 other violation of any of the provisions of this chapter.

17 ***[8.]** *7.* This act, except as to the fees contained in section 3,
18 shall take effect immediately, and said fees shall take effect July
19 1, 1968.