



NOTICE OF TEXT
[Authority G.S. 150B-21.2(c)]

OAH USE ONLY

VOLUME:

ISSUE:

CHECK APPROPRIATE BOX:

- Notice with a scheduled hearing
 Notice without a scheduled hearing
 Republication of text. Complete the following cite for the volume and issue of previous publication, as well as blocks 1 - 4 and 7 - 14. If a hearing is scheduled, complete block 5.
Previous publication of text was published in Volume: Issue:

1. Rule-Making Agency: State Board of Examiners of Electrical Contractors
2. Link to agency website pursuant to G.S. 150B-19.1(c): www.ncbeec.org
3. Proposed Action -- Check the appropriate box(es) and list <u>rule citation(s)</u> beside proposed action: <input type="checkbox"/> ADOPTION: <input checked="" type="checkbox"/> AMENDMENT: 21 NCAC 18B .1101 <input type="checkbox"/> REPEAL: <input type="checkbox"/> READOPTION <u>with</u> substantive changes: <input type="checkbox"/> READOPTION <u>without</u> substantive changes: <input type="checkbox"/> REPEAL through READOPTION:
4. Proposed effective date: 7/1/2024
5. Is a public hearing planned? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes: Public Hearing date: 5/1/2024 Public Hearing time: 08:30 a.m. Public Hearing location: 505 North Greenfield Parkway, Suite 100, Garner, NC
6. If no public hearing is scheduled, provide instructions on how to demand a public hearing:

7. Explain Reason For Proposed Rule(s):

The Board proposes to amend 21 NCAC 18B .1101 to require new qualifiers to complete a free 4-hour Laws and Rules Class as part of the continuing education program. The Board, having observed that many disciplinary actions are the result of a failure of some new licensees to appreciate their responsibilities as a licensee, believes that requiring the completion of this class within the first 12 month of licensure is likely to reduce the number of disciplinary actions.

8. Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission. If the Rules Review Commission receives written and signed objections in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 984-236-1850.

Rule(s) is automatically subject to legislative review. Cite statutory reference:

9. The person to whom written comments may be submitted on the proposed rule(s):

Name: Tim Norman

Address:

505 North Greenfield Parkway, Suite 100

Phone (optional): 919-733-9042

Fax (optional):

E-Mail (optional): tim.norman@ncbeec.org

10. Comment Period Ends: 5/14/2024

11. Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.

- State funds affected
- Local funds affected
- Substantial economic impact (\geq \$1,000,000)
- Approved by OSBM
- No fiscal note required

12. Rule-making Coordinator:

Reed N. Fountain

Phone: 919-861-5127

E-Mail:

reed.fountain@youngmoorelaw.com

Additional agency contact, if any:

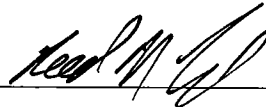
Phone:

E-mail:

13. The Agency formally proposed the text of this rule(s) on

Date: 02/22/2024

14. Signature of Agency Head* or Rule-making Coordinator:



Typed Name: Reed N. Fountain

Title: Rule-Making Coordinator

**If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.*

TITLE 21 - OCCUPATIONAL LICENSING BOARDS AND COMMISSIONS

CHAPTER 18 – BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS

Notice is hereby given in accordance with G.S. 150B-21.2 that the Board of Examiners of Electrical Contractors intends to amend the rule cited as 21 NCAC 18B .1101.

Link to agency website pursuant to G.S. 150B-19.1(c): www.ncbeec.org

Proposed Effective Date: July 1, 2024

Public Hearing:

Date: May 1, 2024

Time: 8:30 a.m.

Location: 505 North Greenfield Parkway, Suite 100, Garner, NC 27529

Reason for Proposed Action: *The Board proposes to amend 21 NCAC 18B .1101 to require new qualifiers to complete a free 4-hour Laws and Rules Class as part of the continuing education program. The Board, having observed that many disciplinary actions are the result of a failure of some new licensees to appreciate their responsibilities as a licensee, believes that requiring the completion of this class within the first 12 months of licensure is likely to reduce the number of disciplinary actions.*

Comments may be submitted to: Tim Norman, 505 North Greenfield Parkway, Suite 100, Garner, NC 27529; phone (919) 733-9042; email tim.norman@ncbeec.org

Comment period ends: May 14, 2024

Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit a written objection to the Rules Review Commission. If the Rules Review Commission receives written and signed objections after the adoption of the Rule in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive letters via U.S. Mail, private courier service, or hand delivery to 1711 New Hope Church Road, Raleigh, North Carolina, or via email to oah.rules@oah.nc.gov. If you have any further questions concerning the submission of objections to the Commission, please review 26 NCAC 05 .0110 or call a Commission staff attorney at 984-236-1850.

Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.

- State funds affected
- Local funds affected
- Substantial economic impact (\geq \$1,000,000)
- Approved by OSBM
- No fiscal note required

SUBCHAPTER 18B - BOARD'S RULES FOR THE IMPLEMENTATION OF THE ELECTRICAL

SECTION .1100 - CONTINUING EDUCATION

21 NCAC 18B .1101 CONTINUING EDUCATION REQUIREMENTS: LISTED QUALIFIED INDIVIDUALS

(a) Upon becoming a qualified individual, all qualifiers shall complete a free, four-hour Laws and Rules Course conducted by Board staff within 12 months after becoming a qualified individual or 90 days prior to becoming a qualified individual. Completion of the Laws and Rules Course pursuant to this requirement, shall satisfy 4 of the required contact hours of continuing education for the initial renewal of the individual's qualification.

~~(a)(b)~~ Every listed qualified individual, including listed qualified individuals pursuant to G.S. 87-50, shall complete continuing education ~~for~~ prior to each annual license period to renew the license on which the qualified individual is currently listed, for the next annual license period, except as follows:

- ~~(1)~~ individuals becoming qualified by examination during the 12 month period immediately preceding the license renewal date;
- ~~(2)~~(1) qualified individuals unable to fulfill the required number of hours as the result of illness as certified in writing by the attending physician; or
- ~~(3)~~(2) persons presenting approved courses of continuing education.

~~(b)(c)~~ The number of required contact hours for every listed qualified individual shall be determined by the classification of license on which the qualified individual is currently listed or is eligible to be listed as follows:

- (1) qualified individuals currently listed on a license in the limited, intermediate, unlimited and special restricted single family dwelling classifications shall complete at least eight hours of approved continuing education for license renewal, and

- (2) qualified individuals currently listed on a license in the special restricted fire alarm/low voltage (SP-FA/LV), special restricted elevator (SP-EL), special restricted plumbing and heating (SP-PH), special restricted ground water pump (SP-WP), special restricted electric sign (SP-ES) and special restricted swimming pool (SP-SP) classifications shall complete at least four hours of approved continuing education for license renewal.

~~(e)~~(d) The Board, pursuant to Rules .1102 and .1103 of the Section, approves courses. Because of differences in the electrical contracting industry and individual needs of listed qualified individuals, each qualified individual must exercise judgment in selecting courses for which continuing education is claimed and in choosing only those courses that will advance the individual's knowledge.

~~(d)~~(e) Course sponsors may be colleges or universities, community colleges, trade associations, providers of self-study programs, employers, third party professional examination companies, private instructors and the like.

~~(e)~~(f) North Carolina listed qualified individuals residing within the state must obtain the required continuing education hours by taking a course provided by an approved sponsor.

~~(f)~~(g) North Carolina listed qualified individuals residing outside of North Carolina, including listed qualified individuals pursuant to G.S. 87-50, may obtain credit for courses offered in North Carolina. They may also obtain credit for courses offered in their state, province or country of residence provided the Board subsequently approves the courses taken, pursuant to Rule .1102(b) of this Section.

~~(g)~~(h) Effective for renewals on or after July 1, 2008, all persons seeking to renew qualification must demonstrate that a minimum of one-half the continuing education hours for each annual license period were obtained by in-person classroom or seminar attendance.

History Note: Authority G.S. 87-42; 87-44.1;

Eff. October 1, 1990;

Amended Eff. January 1, 2010; January 1, 2006; March 1, 1999;

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