

**TITLE 158. CONSTRUCTION INDUSTRIES BOARD  
CHAPTER 40. ELECTRICAL INDUSTRY REGULATIONS**

**Subchapter 1. General Provisions**

**158:40-1-2. Definitions**

The following words or terms, when used in this Chapter, shall have the following meaning, unless the context clearly indicates otherwise:

**"Act"** means the Electrical Licensing Act as found at 59 O.S. § 1680 et seq.

**"Administrator"** means the Administrator of the Board created by SB 354.

**"Applicant"** means any person applying for an examination, for a license or registration, for review of plans and specifications or for an electrical code variance from the National Electrical Code by the Board under the Act.

**"Apprentice"** means an electrical worker registered pursuant to 158:40-9-1 and is limited to working for a contractor and must be directly supervised by a licensed contractor or journeyman with the appropriate license classification for the work being performed.

**"Associated with and responsible for"** means the relationship between an electrical contractor and electrical firm based on the electrical contractor being a permanent employee, owner, partner, or officer in a corporate firm, and whereby the electrical contractor shall give full time to the supervision and control of operations necessary to secure full compliance with the provisions of the Electrical Licensing Act and this Chapter.

**"Board"** means the Oklahoma Construction Industries Board.

**"Bonds and Insurance Unit"** means the consolidated unit that processes bonds, insurance, and citations under the direction of the Construction Industries Board.

**"Cheating"** means any unapproved deviation from any official instruction given before, during or after a license examination, for the purpose of affecting or influencing the examination results or otherwise providing an undue advantage to any examinee.

**"Committee"** means the Committee of Electrical Examiners.

**"Contractor"** means a person who meets the definition of 59 O.S. § 1682(5) and is licensed in the appropriate category for any electrical work performed.

**"Direct supervision"** means the on-the-job presence by the supervisor who must be a licensed electrical contractor or electrical journeyman in the appropriate category for any electrical work supervised.

**"Electrical facility"** means wiring, fixtures, appurtenances and appliances used for and in connection with a supply of electricity, but excludes the connection with a power meter or other supply source.

**"Electrical firm"** means any firm, corporation, partnership, sole proprietorship, joint venture or any other business entity engaged in the business of planning, contracting, supervising or furnishing labor or labor and materials for the installation, repair, maintenance or renovation of electrical facilities according to the Act.

**"Electrical License Unit"** means the staff and administrative support unit to the Committee of Electrical Examiners and the Electrical Hearing Board.

**"Electrical maintenance"** means electrical work limited to maintaining existing electrical systems, facilities or equipment by an employee of a person, company, corporation or

entity owning the electrical systems, facilities or equipment. Maintenance shall not include any alterations or additions to existing systems, facilities or equipment.

**"Electrical work"** means work on "electrical facilities" as that term is defined in 59 O.S.2001, Section 1682.

**"Hearing Board"** means the Electrical Hearing Board created by the Act.

**"Inactive contractor"** means any class of licensed electrical contractor who has formally and voluntarily placed his or her contractor's license in an inactive status.

**"Journeyman electrician"** or **"journeyman"** means any person, other than a contractor or apprentice, who engages in the installation, repair, maintenance or renovation of electrical facilities according to the Act, in the category in which the person is licensed.

**"Limited electrical contractor"** means any person who has qualified and become licensed in accordance with 158:40-7-4. Such person is prohibited from engaging in the work of a journeyman electrician.

~~**"Military electrical installation experience"** means verifiable military experience in electrical work which is the same as or similar to electrical construction work as defined under Oklahoma law.~~

**"Reciprocity agreement"** means an agreement whereby a person holding an electrical license or registration who is licensed in other states with substantially similar or greater licensure requirements may be licensed in this State after payment of a fee for licensing by reciprocity.

**"Refinery Electrical Journeyman"** means an electrician licensed as a refinery electrical journeyman electrician pursuant to 158:40-7-6 and is limited to performing electrical work only in refinery facilities.

**"Residential contractor"** means an electrician licensed as a residential contractor pursuant to 158:40-7-2 and is limited to performing residential electrical construction work.

**"Residential journeyman"** means an electrician licensed as residential journeyman electrician pursuant to 158:40-7-2 and limited to performing residential electrical construction work.

**"Temporary Journeyman"** means an electrician temporarily licensed by the Oklahoma Construction Industries Board as a journeyman electrician pursuant to 59 O.S. § 1685.1 and is limited to electrical construction per the appropriate temporary journey classification determined by the Board.

**"Variance"** means the use of an alternative material or method of construction from that prescribed in the National Electrical Code for use at a particular location or project specified in the variance application; and

**"Variance and Appeals Board"** means the Oklahoma State Electrical Installation Code Variance and Appeals Board.

## **Subchapter 7. License Classifications**

### **158:40-7-1. Unlimited electrical license**

(a) Applicants for an unlimited electrical contractor examination must be eighteen (18) years of age or older and must verify at least twelve thousand (12,000) hours (6 years) experience on-the-job in electrical construction work. At least six thousand (6,000) of the hours of experience must be verified in commercial/industrial work. Experience must be obtained while employed by a

licensed electrical contractor. No more than two thousand (2,000) of the hours may be counted as experience for any combination of verified actual classroom hours of formal electrical education, ~~and/or military electrical experience~~. Applicants must submit proof of two (2) years experience as a licensed electrical journeyman prior to making application for the unlimited electrical contractor's license.

(b) Applicants for an unlimited electrical journeyman examination must be at least eighteen (18) years of age or older and must verify eight thousand (8,000) hours (4 years) on-the-job experience in the electrical construction trade, as defined in 90-2 National Electrical Code, under the supervision of a journeyman or contractor. Experience must be obtained while employed by a licensed electrical contractor. Six thousand (6,000) of the hours of experience must be verified in commercial/industrial work. No more than two thousand (2,000) of the hours may be counted as experience for any combination of verified actual classroom hours of formal electrical education, ~~and/or military electrical experience~~.

(c) A licensed residential electrician may work as an apprentice electrician on commercial/industrial jobs in order to qualify experience for an unlimited license exam.

(d) A licensed residential electrician may work as an apprentice under the unlimited license category.

#### **158:40-7-2. Residential electrical license**

(a) Residential electrical licenses are limited to wiring buildings as defined in the National Electrical code for one and two family dwellings.

(b) Applicants for residential electrical contractor examination must:

- (1) be eighteen (18) years of age or older,
- (2) have passed the residential or unlimited journeyman examination and
- (3) submit proof of two (2) years experience as a licensed electrical journeyman and have at least four thousand (4,000) hours of experience as a residential or unlimited journeyman electrician under the employment and supervision of an unlimited or residential electrical contractor.

(c) Applicants for residential electrical journeyman examination must:

- (1) be eighteen (18) years of age or older and
- (2) verify at least four thousand (4,000) hours (2 years) experience in the electrical construction trade as an apprentice under the direct supervision of an unlimited or residential journeyman electrician or unlimited or residential electrical contractor.
- (3) No more than one thousand (1,000) of the hours may be counted as experience for any combination of verified actual classroom hours of formal electrical education, ~~and/or military electrical experience~~.

### **Subchapter 9. Examination Applications, Examinations and License and Registration Fees and Renewals**

#### **158:40-9-3. License and registration fees and renewals**

(a) Examination fees for contractors and journeyman. The Construction Industries Board, or its designated representative, may collect for the actual cost of any examination provided by these rules. The cost for each such examination referenced in section 158:40-9-2 shall be posted in plain view at the testing site that provides and administers the examination. Every person whose

application for examination is approved shall be informed of the specific fee prior to setting for the examination. The unit testing fee shall be the amount negotiated by the administrator in accordance with the provisions of the Oklahoma Central Purchasing Act, but cannot exceed the maximum allowable fee provided in 59 O.S. § 1000.5 (A)(2). Documentation confirming the contractual fee shall be available upon request.

(b) Licensing, registration and application fee schedule for contractors, journeyman, and apprentices. The licensure, application, and registration fees shall be annually as follows:

- (1) contractors application - \$30.00
- (2) initial contractor license - \$300.00
- (3) renewal contractor license - ~~\$250.00~~ \$200.00
- (4) renewal contractor late fee - \$300.00
- (5) journeyman application - \$25.00
- (6) initial journeyman license - \$50.00
- (7) renewal journeyman license - \$75.00
- (8) renewal journeyman late fee - \$100.00
- (9) apprentice application - \$5.00
- (10) apprentice registration - \$20.00
- (11) initial alarm endorsement ~~issuance~~ - \$75.00
- (12) renewal alarm endorsement ~~renewal~~ - \$25.00

(c) **License renewal penalties.** Penalty for late license renewal for contractors and journeyman (30 days after expiration date), as provided in the Act is listed above, and upon meeting continuing education requirements listed in 158:40-9-4. Any license which remains expired for longer than one (1) year shall not be renewed. The former license holder shall be required to make an initial application and retest to obtain the license formerly held.

(d) **Outstanding fines.** A license cannot be issued until the applicant has paid any and all outstanding fines due and owing to any department of the Construction Industries Board.

(e) **Duration of licenses.** All licenses and alarm endorsements shall have a duration of no longer than one year, and shall expire on the last day of the birth month of the licensee each year. The alarm endorsement for apprentices shall expire on the expiration date of each apprentice registration.

#### **158:40-9-4. Continuing education**

(a) **Continuing Education Requirements.**

(1) ~~No Electrical contractor or journeyman license shall be renewed unless the licensee has completed at least six (6) instructional hours of continuing education on a current, published edition of the National Electrical Code approved by the Committee for continuing education, any other code approved by the Committee as an appropriate code for topics of continuing education for electrical licensees, and/or other electrical subject matters approved by the Committee within thirty six (36) months preceding the application for renewal.~~ No Electrical contractor or journeyman license shall be renewed unless the licensee has completed at least six (6) instructional hours of continuing education within thirty-six (36) months preceding the application for renewal. The committee shall approve the appropriate code or subject matter. The appropriate code or subject matter shall be contained in 158:40-9-4 (1)(A).

(A) Changes to the 2011 National Electrical Code.

- (2) Credit will be given for CE programs approved by the Electrical Examining Committee (Committee) or its designee.
  - (3) Except as provided herein these rules shall apply to every journeyman or contractor licensed by the Construction Industries Board.
  - (4) A licensee is exempt from the educational requirements of these rules for the code year during which he or she first passed an exam testing over that code.
- (b) **The following standards will govern the approval of continuing education programs by the Committee.**
- (1) The program must be offered by a provider having substantial, recent, experience in offering continuing education or demonstrated ability to organize and present effectively continuing education. Demonstrated ability arises partly from the extent to which individuals with trade training or educational experience are involved in the planning, instruction and supervision of the program.
  - (2) If written materials are provided, the materials must be thorough, high quality, readable, and must be made available to all participants at or before the time the course is presented.
  - (3) The program must be conducted in a comfortable physical setting which is conducive to learning.
  - (4) The program itself must be conducted by an individual or group qualified by practical or academic experience. The program including the named advertised participants must be conducted substantially as planned, subject to emergency withdrawals and alterations.
  - (5) Changes including but not limited to location, date, instructors, or cancellations must be requested from the Committee or its designee in writing prior to the start of class. All requests for changes must include the Course ID number.
  - (6) The training location shall be outside the regular work place or after regular working hours.
  - (7) Each attendee of a continuing education course shall have, or otherwise be provided with, a copy of the most recently adopted edition of the National Electrical Code for use during the duration of the course.
  - (8) Sixty (60) minutes constitutes one (1) instructional hour.
  - (9) CE courses shall be presented in one of the following formats:
    - (A) Six instructional hours presented on one day
    - (B) Two sessions of three instructional hours each presented within a seven day period
    - (C) An approved correspondence or online course, or
    - (D) Another format approved by the committee.
  - (10) Verification of Credit.
    - (A) The Course Provider shall verify the total number of continuing education hours completed by each attendee.
    - (B) Continuing education providers shall require attendees to present a photo I.D. prior to the attendee signing the sign-in sheet provided by the Construction Industries Board. Sign-in sheets shall include the name and license number of each licensee in attendance.

~~(C) Each attendee shall complete a course evaluation on a form provided by the Construction Industries Board.~~

~~(D) (C) As soon as practicable but in any event on or before seven (7) days following an approved education program, the provider shall furnish to the Examining Unit Electrical License Unit the original sign-in sheets, and evaluations from the course.~~

~~(E) (D) Providers must maintain copies of all sign-in sheets and evaluations for a period of two (2) years following the conclusion of the course.~~

(11) Course providers or instructors may not advertise or promote the sale of any goods, products or services between the opening and closing of any Continuing Education Course.

**(c) Any organization desiring approval of a course shall apply to the Electrical Examining Committee by submitting an application on a form to be obtained from the Construction Industries Board and supporting documentation at least thirty (30) days prior to the date for which the course is scheduled.** An application is to be submitted for each date or set of dates that constitute a single class. Each class must be included on a separate application. The Committee or its designee and the Construction Industries Board Administrator will review each application for completeness of form and supporting documentation as well as course content. The applicant will be notified in writing by mail whether the program is approved or disapproved. Applicants denied approval of a course may appeal such a decision by submitting a letter of appeal to the Committee within fifteen (15) days of the receipt of the notice of disapproval. All appeals will be heard by the Committee at its next regularly scheduled meeting.

(1) Supporting documentation includes:

(A) resumes or a brief summary of qualifications for all instructors providing instruction for the class,

(B) a class agenda designating beginning and ending of actual instructional times, sign-in times, breaks, lunches and evaluation time, and

(C) A class curriculum indicating the subject or code areas to be taught with sufficient detail to determine which code revisions are to be addressed.

(2) The Committee or its designee may refuse to accept any application for approval if the supporting documentation is insufficient or incomplete. The Committee may deny or revoke approval of an application for any of the following reasons:

(A) Failure to comply with the continuing education provisions;

(B) Inadequate application or supporting documentation;

(C) Failure to instruct on the topic approved, or

(D) Unsatisfactory evaluations of the course, instructor, or materials from previous classes.

(3) If an application is refused or disapproved, written notice detailing the basis of the decision shall be provided to the applicant.

(4) The Committee may at any time re-evaluate and grant or revoke approval of an application or course.

(A) The Committee or its designee shall be granted access to attend, observe and audit any continuing education course approved by the committee.

(B) The Committee may at any time review courses for quality in instruction. The Committee shall also investigate and take appropriate action, up to and

including revocation of authority to provide CE, regarding complaints involving approved courses.

(C) A provider's failure to comply with any continuing education rule constitutes grounds for disciplinary action, up to and including revocation of authority to provide CE, against the provider or for denial of future applications for coursework.

(d) **Course Advertisement.**

(1) All advertising must include the course identification.

(2) Approved program courses may be advertised.

(3) The provider of an approved continuing education program may announce or indicate as follows: Course #\_\_\_\_\_ has been approved by the Construction Industries Board Electrical Examining Committee for \_\_\_\_\_ hours of CE credit.

(e) **Correspondence or Online course approval.**

(1) Providers seeking to offer correspondence or online courses for continuing education shall submit a course curriculum and study material for review and approval by the Committee, or its designee, ~~and the Construction Industries Board Administrator~~ prior to the courses being offered as continuing education. Approved correspondence courses shall be required to comply with all requirements for other continuing education courses except for sign-in sheets. Providers shall provide a student with a document of completion that shall certify completion of an approved correspondence or online course.

(2) Providers are to offer reasonable accommodations for disabled licensees attending a course when such accommodations are requested.

(f) **Alternate Credit accrual.**

(1) Credit may be earned through teaching in an approved continuing education class. The Committee may award up to six (6) hours of CE credit not to exceed the number of approved hours for that CE class.

(2) Credit may also be earned through teaching a course in an accredited trade school or a trade-specific program approved by the committee. The Committee may award up to six (6) hours of CE credit for each semester of academic credit awarded by the academic institution for the course.

**(g) Complaint procedure.**

(1) A person, government, or private organization may submit a written complaint to the Committee, or its designee, charging a provider of continuing education with a violation of the rules, and specifying the grounds for the complaint.

(2) Complaints must be in writing and include contact information, and shall be filed on the proper complaint form prescribed by the Construction Industries Board, or its designee.

(3) The Committee may consider an unsigned or anonymous complaint for further investigation.

(4) Upon receipt of a signed complaint form, a copy shall be sent to the continuing education provider addressed in the complaint. The continuing education provider shall provide a written response within fifteen days. Upon receipt of the continuing education provider's written response, both complaint and response shall be considered by the Committee, or its designee, for appropriate action including dismissal of the complaint.

further investigation, or a finding of violation of a statute or rule. The Committee, or its designee, shall notify both complainant and continuing education provider of the determination made by the Committee. Failure of the Continuing education provider to respond will be considered as a violation of this rule.

(5) If a reasonable cause violation determination is made by the Committee, the Oklahoma Administrative Procedure Act shall be followed for all disciplinary proceedings undertaken including but not limited to all parts of this subsection.

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