

DEPARTMENT OF REGULATORY AGENCIES

Colorado State Electrical Board

ELECTRICIANS

3 CCR 710-1

[PUBLICATION INSTRUCTIONS: THE COLORADO STATE ELECTRICAL BOARD RULES 3 THROUGH 10 ARE BEING REPEALED IN THEIR ENTIRETY AND REPLACED WITH THE FOLLOWING TEXT]

3.0 APPRENTICE REGISTRATION AND RECORDKEEPING

3.1 Registration.

- 3.1.1 Apprentice registrations that are submitted more than 30 days after the date of hire require the following:
 - A. Completed apprentice registration signed by the master electrician for, or any signatory authority of, the electrical contractor, and the apprentice ;
 - B. Registration fee; and,
 - C. A written attestation from the responsible master electrician verifying that the apprentice has been performing electrical work during the unregistered period.
- 3.1.2 An individual that holds an active residential electrician's license and is working on a commercial job site must be registered as an apprentice.
- 3.1.3 The Board may take disciplinary action upon a finding of a violation of § 12-23-110.5(3), C.R.S., requiring the timely registration of apprentices.

3.2 Recordkeeping. Electrical Contractors shall maintain employment records or work reports for their apprentices in order to provide experience verification. Such records or reports should accurately document the number of hours and months the apprentice performed electrical work as defined by § 12-23-101, C.R.S. and should specifically reflect:

- A. Exact dates of employment;
- B. Number of hours and months of residential electrical experience; and,
- C. Number of hours and months of commercial, industrial, or substantially similar electrical experience.

4.0 APPLICATION FOR LICENSURE

4.1 All applications shall be submitted to the Division of Registrations in a form and manner approved by the Board.

4.2 Experience.

- 4.2.1 Applicants cannot verify their own experience.
- 4.2.2 **General Documentation Requirements.** Applicants shall provide documented written evidence of all in state and out of state experience on experience verification forms prepared and furnished by the Board which shall include all of the following:
 - A. Exact dates of employment.
 - B. Breakdown of electrical work performed in:
 - 1. Commercial, residential, industrial and/or maintenance/service; and,
 - 2. Increments of hours and months.

C. Signature of the master electrician for, or a signatory authority of, the electrical contractor or employer.

4.2.3 **Maintenance Experience.** Maintenance experience shall be submitted for evaluation on experience verification forms prepared and furnished by the Board.

4.2.3.1 A maximum of two (2) years experience credit may be granted for work performed under the supervision, and verified by, a Colorado (or equivalent) licensed electrician.

4.2.3.2 A maximum of one (1) year of experience credit may be granted for work not required to be performed under the supervision of a licensed electrician, and verified by the employer.

4.2.4 **Foreign Experience.**

4.2.4.1 Applicants shall have one (1) year of in-country electrical construction experience and familiarity with the National Electrical Code.

4.2.4.2 A maximum of three (3) years of out-of-country experience may be applied towards credit for a journeyman license.

4.2.4.3 A maximum of four (4) years out-of-country experience may be applied towards credit for a master license.

4.2.4.4 Applicants who have electrical experience from a foreign country for which they wish to receive experience credit are required to submit the documentation accompanied by an English language translation and a certification signed by the translator that must be printed legibly or typed. Such certification must include a statement that the translator is competent to translate the document, and that the translation is true and accurate to the best of the translator's abilities.

4.2.4.4.1 This evaluation will be performed at the applicant's expense and the applicant will be responsible for submitting all the necessary information to the evaluating institution.

4.2.5 **Calculating Years of Experience.** This rule is intended to clarify the term “years” of experience earned as referenced in the statutes and does not negate any other requirement set forth in the Board’s rules or statutes for requirements for licensure.

4.2.5.1 When evaluating experience earned by an applicant pursuant to § 12-23-106, C.R.S., the minimum experience of practice experience required for examination is calculated in “years” as follows:

A. Residential Wireman – 4000 hours earned in no less than 2 years.

B. Journeyman Electrician – 8000 hours earned in no less than 4 years.

C. Master Electrician – 10,000 hours earned in no less than 5 years.

4.3 **Education.**

4.3.1 **Community College Degree.** Applicants that are graduates from an accredited community college shall hold a degree in the electrical field to receive credit pursuant to § 12-23-106, C.R.S.

4.3.2 **Trade School.**

4.3.2.1 Apprenticeship training programs are not equivalent to trade schools.

4.3.2.2 A trade school shall meet the following criteria:

A. Provide training in the following areas as it relates to the electrical trade:

1. Maintenance and new construction wiring in residential and commercial buildings;
 2. Basic math related to the electrical industry;
 3. Basic use of hand tools and materials;
 4. Basic electrical resistive theory, wire sizing, circuit construction, and troubleshooting;
 5. Basic to advanced study in motor control, motor theory and maintenance, installation and maintenance of equipment, designing electrical systems, blueprint reading, estimating, and electrical codes;
 6. Electrical theory and practical application; and,
 7. OSHA curriculum based safety training.
- B. Provide official transcripts noting credit hours.
1. Graduate must obtain no less than 165 credit hours.
 2. Each credit hour shall represent no less than 19 classroom hours.
- 4.3.3 **Transcripts.** Applicants providing documentation of education must submit an official transcript from the school with the application. The transcript must be provided with the application in an official envelope sealed by the granting institution.
- 4.3.4 **Foreign Education.**
- 4.3.4.1 Applicants who have an electrical engineering degree or electrical engineering courses from foreign colleges, universities, or their equivalents for which they wish to receive educational credit are required to have the transcripts evaluated by an electrical engineering department in an accredited university to determine if the curriculum is substantially equivalent.
 - 4.3.4.2 This evaluation will be performed at the applicant's expense and the applicant will be responsible for submitting all the necessary information to the evaluating institution.
 - 4.3.4.3 Applicants providing documentation of education must submit the evaluation from the evaluating institution with the application.
- 4.3.5 **Other Education Credit.** Applicants for licensure with electrical apprenticeship training, other electrical training, non-accredited electrical education, or other electrical education not addressed in statute or Board Rules may be granted a maximum of one (1) year of experience credit provided the applicant meets and provides the following documentation:
- A. Course curriculum with the number of classroom hours completed; and,
 - B. Certification of completed hours.
- 4.3.5.1. Credit may be awarded as follows:
- A. Credit for the successful completion of non-accredited electrical courses or program shall be credited one (1) month of experience for two (2) months of schooling up to a maximum of one (1) year.
 - B. Education without a certificate of completion may replace actual field experience under a licensed master at the rate of one (1) month credit for every six (6) months training or experience up to maximum of one (1) year.

4.4 Training.

- 4.4.1 **Apprenticeship Training Requirements.** Persons who, on or after January 1, 2011, either, enter an apprenticeship program or register as an apprentice, must comply with the following requirements. Pursuant to § 12-23-106(2)(a)(III) C.R.S., during the last four (4) years of apprenticeship, an applicant for a journeyman electrician's license shall provide documented written evidence of at least two hundred eighty-eight (288) hours of electrical training conducted in compliance with rules promulgated by the Board.
- 4.4.1.1 One (1) hour of approved training shall consist of not less than fifty (50) minutes of instruction, presentation, or activity spent in structured education.
- 4.4.1.2 The 288 hours of approved training is in addition to any stipulated on-the-job training requirement and shall include technical and professional subjects related to the practice of electrical work which the Board deems necessary to safeguard the public. Such subjects include:
- A. Grounding/bonding;
 - B. Code changes;
 - C. Wiring methods;
 - D. Theory/calculations; and,
 - E. A minimum of ten (10) and a maximum of forty (40) hours of OSHA curriculum based safety training.
- 4.4.1.3 **288 Hours Training Criteria.** To qualify for credit, training activities must be structured educational efforts meeting all of the following criteria:
- A. Include technical and practical applications which impact criteria listed in Board Rule 4.1.1.1;
 - B. Be current and presented by qualified and technically competent instructors; and,
 - C. Provide certificates of completion or other documentation for the apprentice electrician and maintain records of attendance.
- 4.4.1.4 **No Pre-Approval of 288 Hours Training Activities.** The Board will not pre-approve courses or programs. It is within the discretion of the Board to deny credit for any activity that does not meet the training criteria in Board Rule 4.4.1.2.
- 4.4.1.5 **Acceptable 288 Hours Training Activities.** The Board deems the following types of activities to be acceptable. On-line delivery and participation in Board Rule 4.4.1 may be acceptable if in compliance with these rules, including but not limited to Board Rule 6.5.8
- A. Not-for-credit academic course;
 - B. For-credit academic course; and,
 - C. Industry training programs.
- 4.4.1.6 **Non-Acceptable 288 Hours Training Activities.** The Board deems the following types of activities not acceptable training for this requirement:
- A. Serving on federal, state, or municipal boards or commissions;
 - B. Rendering pro bono services;
 - C. Faculty at college, university, or other educational institution shall not receive credit for teaching their regularly-assigned courses beyond the initial class;

- D. Participation on a public, professional, or technical society board;
- E. Attendance at licensing or registration board meetings or any other professionally relevant board or committee meeting; and,
- F. Participating in or attending exhibit poster sessions or trade shows.

4.4.1.7 **Recordkeeping.** The applicant shall track and document training hour requirements in a process approved by the Board. The applicant shall retain the documentation for a minimum of three (3) years following completion of the activity. Documentation shall contain, at a minimum the following information:

- A. Apprentice electrician name;
- B. Activity type;
- C. Activity location and date(s);
- D. Activity title and description of content and objectives;
- E. Name and contact information of the sponsor or training provider (e.g. organization, institution, association, employer, vendor, or publication);
- F. Instructor or speaker name(s), as applicable;
- G. Name and contact information of the monitor, facilitator, or mentor, as applicable;
- H. Certificate of completion; and,
- I. Number of classroom hours.

4.4.1.8 Training earned under this requirement shall not qualify for any other education, training, or experience credit.

4.5 License by Endorsement.

4.5.1. Applicants may qualify for licensure by endorsement, providing that the applicant has:

- A. An active residential wireman's license, journeyman electrician's license, or master electrician's license in another state, respective to the license you are applying for;
- B. Successfully completed a state or federally-approved apprenticeship program, or obtained the required years and type of experience for the comparable license; and,
- C. Successfully completed a comparable written state electrical examination based on the current edition of the National Electrical Code in effect at the time the application is submitted to the Board.

4.5.2 Proof of successful completion of the requirements in 4.5 shall be submitted on the verification forms prepared and furnished by the Board, as part of the application for endorsement.

4.5.3 Qualification may be accumulated in multiple states, provided the qualifications meet the requirements of 4.5.1.

4.6 **Military.** Education, training, or service gained in military services outlined in §24-34-102(8.5), C.R.S. to be accepted and applied towards receiving a license, must be substantially equivalent, as determined by the Board, to the qualifications otherwise applicable at the time of receipt of application. It is the applicant's responsibility to provide timely and complete evidence for review and consideration. Satisfactory evidence of such education, training, or service will be assessed on a case by case basis.

4.7 **Reconsideration.** An applicant requesting reconsideration of a Board action or requesting a personal interview before the Board, shall submit the request in writing, accompanied by additional information or documentation. This request shall be submitted within forty-five (45) days of the date on which the Board made the decision. Any request filed after forty-five (45) days will not be considered by the Board.

4.8 **Temporary Work Permits**

4.8.1 Pursuant to § 12-23-110, C.R.S., a temporary work permit may be issued at the time of approval for an examination. The temporary permit will be valid for a period of no more than thirty (30) days after the date of approval or as otherwise limited in § 12-23-110, C.R.S.

4.8.2 A temporary work permit shall not be accepted to meet the requirements for obtaining a new electrical contractor registration.

4.8.2.1 A temporary master electrician work permit may be issued to a qualified applicant of an existing electrical contractor pursuant to § 12-23-110, C.R.S.

4.9 **Application Retention**

4.9.1 **Incomplete Applications.** An application for a license by examination or endorsement submitted without all required fees and documentation will be considered incomplete. Incomplete applications will be retained for one (1) year from the date originally submitted, after which applicants shall begin the process again including payment of the application fee.

4.9.2 **Approved Applications without Activity.** Effective November 30, 2012, an approved applicant for licensure by examination who does not take the examination within three (3) years from the date of the original approval date will be required to begin the application process again including payment of the application fee.

4.9.3 **Approved Applications with Activity.** Effective November 30, 2012, an approved applicant for licensure by examination who takes the examination but does not pass the examination within five (5) years from the date of the original approval date will be required to begin the application process again including payment of the application fee.

5.0 **EXAMINATIONS**

5.1 The candidate must present positive photo identification in order to be admitted to the examination area.

5.2 **Proprietary Information.** The content and answers to examinations and assessments for licensure or renewal administered by the Board are proprietary property. Licensees and registrants shall not disclose, or offer to disclose any portion of the examinations or assessment to others. Licensees and registrants may be subject to disciplinary action by the Board should they disclose, or offer to disclose, sell or otherwise distribute the content and/or answers for any examinations or assessments administered by the Board.

5.3 Examination results will be provided in writing to each examinee in a pass or fail format. Results will not be given in any other manner.

5.4 Examinations shall not be subject to review by candidates.

6.0 **RENEWAL AND REINSTATEMENT**

6.1 **Renewal.** Board issued licenses and electrical contractor registrations shall be renewed every three (3) years to correspond with the Board's adoption of the National Electrical Code.

6.1.1 A licensee or registrant shall have a sixty (60) day grace period to renew such license or registration without the imposition of a disciplinary sanction for practicing on an expired license or registration. During this grace period, a delinquency fee shall be charged for late renewal.

- 6.1.2 A licensee or registrant who does not renew such license or registration within the sixty (60) day grace period shall be deemed as having an expired license or registration and shall be ineligible to practice until such license or registration is reinstated. If the licensee or registrant practices with an expired license or registration, the Board may impose disciplinary actions.
- 6.2 **Reinstatement.** An expired license may be reinstated by submitting a reinstatement application, paying the current reinstatement fee, and meeting the appropriate requirements below.
- 6.2.1 **Expired for Less Than Three (3) Years.** To reinstate a license that has expired for less than three (3) years the licensee must comply with the continuing competency requirements contained in Board Rule 6.4.
- 6.2.1.1 If the licensee's performance on the Continuing Competency Assessment necessitates a Learning Plan pursuant to Board Rule 6.4.6, the holder shall satisfactorily complete the Personal Development Units (PDUs) prior to the expiration of the current Continuing Competency Assessment Cycle.
- 6.2.1.2 Demonstration the licensee has maintained their continuing competency by completion of the PDUs assigned during the assessment cycle immediately preceding application, if any were assigned.
- 6.2.2 **Expired for More Than Three (3) Years.** If the license has been expired for more than three (3) years, pursuant to §24-34-102(8)(d)(II), C.R.S. the licensee must demonstrate competency to practice by any of the following:
- A. Satisfactorily pass the state electrical examination;
 - B. Provide verification of an active license with a state where a reciprocal agreement for an equivalent license exists;
 - C. Provide verification of active licensure in a non-reciprocal state as follows:
 - 1. Verify an active residential wireman's license, journeyman electrician's license, or master electrician's license in non-reciprocal state, respective to the license being reinstated; and,
 - 2. Comply with the continuing competency requirements contained in Board Rule 6.4.
 - a. If the licensee's performance on the Continuing Competency Assessment necessitates a Learning Plan pursuant to Board Rule 6.4.6, the holder shall satisfactorily complete the Personal Development Units (PDUs) prior to the expiration of the current Continuing Competency Assessment Cycle.
 - D. By other means approved by the Board.
- 6.3 An individual who has acquired both a master and a journeyman electrician license by examination issued by the state of Colorado, and who has allowed the journeyman license to expire, and holds an active master license, may reinstate the journeyman license after meeting the requirements of Board Rule 6.0.
- 6.4 **Continuing Competency Requirements.**
- 6.4.1 **Statutory Basis.** Pursuant to § 12-23-106(4)(d)(II), C.R.S., the Board shall adopt rules establishing requirements for continuing competency that a licensee shall demonstrate in order to renew a license on or after January 1, 2011. These rules shall require the licensee to participate in an assessment and a process or procedure that demonstrates whether the licensee obtained the required knowledge and skills to address any areas needing improvement or development through participation in the continuing competency activity.
- 6.4.2 **Basis of Requirements.** As established by the Colorado General Assembly, the regulatory authority of the Board is to establish continuing competency standards that shall include

assessment of knowledge and skills required to renew a license, the methods to obtain the required knowledge and skills, and the documentation necessary to demonstrate compliance.

6.4.3 **Definitions.**

6.4.3.1 *Acceptable Level of Performance:* Acceptable Level of Performance shall be a value assigned by the Board to evaluate a licensee's rating on the Individual Assessment for compliance with the Continuing Competency requirements. Marks below the Acceptable Level of Performance shall indicate one or more areas needing improvement and requiring professional development activity or activities and documentation of required Professional Development Units (PDUs) to demonstrate continuing competency.

6.4.3.2 *Core Competencies:* Core Competencies are technical and professional subjects, related to the practice of electrical work, which the Board deems necessary to safeguard the public. Such subjects include:

- A. Grounding and bonding;
- B. Code changes;
- C. Wiring methods; and,
- D. Theory and calculations.

6.4.3.3 *Continuing Competency Assessment Cycle:* The Continuing Competency Assessment Cycle shall be a three (3) year period corresponding to the adoption of the National Electrical Code by the Board.

6.4.3.4 *Inactive Status:* A licensee is not required to comply with continuing competency requirements to renew a license in inactive status. An individual whose license is in inactive status is prohibited by law from practicing as a licensed electrician.

6.4.3.5 *Individual Assessment:* An instrument or process approved by the Board to evaluate the knowledge and/or skills of the licensee in each of the Core Competencies determined by the Board to be essential for practice.

6.4.3.6 *National Electrical Code:* The National Electrical Code ("the Code") shall refer to the code for the safe installation of electrical wiring and equipment, as amended, published by the National Fire Protection Association and approved by the American National Standards Institute, or its successor organization.

6.4.3.7 *Personal Learning Plan:* The Personal Learning Plan shall be the plan of professional development activities undertaken to demonstrate continuing competency especially in the event of an area identified as needing improvement in one (1) or more Core Competency areas, as evaluated by the licensee's performance on the Individual Assessment in relation to the Acceptable Level of Performance.

6.4.3.8 *Professional Development Unit (PDU):* One PDU shall consist of not less than fifty (50) minutes of instruction, presentation, or activity, spent in structured educational efforts intended to increase the licensee's knowledge and competence in Core Competencies identified by the Board.

6.4.4 **Requirements.** Licensees shall demonstrate compliance with the continuing competency requirements and documenting professional development units in order to renew a license to perform electrical work in Colorado. Licensees shall complete an Individual Assessment of Core Competencies. Core Competencies shall be identified and defined by the Board. An Acceptable Level of Performance in all four (4) core competencies shall result in the award of twenty-four (24) PDUs. A maximum of twenty-four (24) PDUs shall be required per assessment cycle.

- 6.4.4.1 Upon the beginning of an assessment cycle, an Individual Assessment must be completed by the licensee, addressing Core Competency areas identified by the Board.
- 6.4.4.2 A performance rating will be assigned for each licensee in each of the Core Competency areas of the Individual Assessment. A rating below the Acceptable Level of Performance will indicate an area for professional development in a Core Competency area.
- 6.4.4.3 If a rating at or above the Acceptable Level of Performance is assessed in all Core Competency areas, the licensee will be awarded twenty-four (24) PDUs, as defined in these rules, for his or her demonstrated competency.
- 6.4.4.4 A Personal Learning Plan in the Board-prescribed format will be required of any licensee earning a rating below the Acceptable Level of Performance on the Individual Assessment.
 - 6.4.4.4.1 In the event of a rating below the Acceptable Level of Performance in one (1) Core Competency area of the Individual Assessment, sixteen (16) PDUs shall be awarded to the licensee and eight (8) PDUs will be required addressing the area of low rated Core Competency.
 - 6.4.4.4.2 In the event of a rating below the Acceptable Level of Performance in two (2) Core Competency areas of the Individual Assessment, eight (8) PDUs shall be awarded to the licensee and sixteen (16) PDUs will be required addressing the low rated Core Competency areas.
 - 6.4.4.4.3 A low assessment will be indicated by a rating below the Acceptable Level of Performance in three (3) or more Core Competency areas of the Individual Assessment. In this event twenty-four (24) PDUs addressing three (3) areas of Core Competency will be required by the licensee over the corresponding assessment cycle.
 - 6.4.4.4.4 A maximum of twenty-four (24) PDUs shall be required during any single assessment cycle.
 - 6.4.4.4.5 PDU completion in accordance with the Individual Assessment and documentation requirements of the Board will indicate compliance with the continuing competency requirements and shall comprise the elements of the learning plan for each licensee.
 - 6.4.4.4.6 PDUs need not be acquired within Colorado.
- 6.4.5 **Credit Required for License Renewal.** Licensees shall have acquired PDUs during the period prior to the expiration of each Continuing Competency Assessment Cycle.
- 6.4.6 **Individual Assessment.** This is an assessment that demonstrates proficiency in core competencies by means of an examination approved by the Board. The Individual Assessment shall be completed by each licensee no later than one hundred fifty (150) days after the adoption of the most recent Code. The results of the assessment shall be utilized to identify the need and nature of a Personal Learning Plan for each licensee.
- 6.4.7 **Learning Plan.** The Personal Learning Plan shall be defined by the licensee's performance on the Individual Assessment. Refer to requirements of Board Rule 6.4.4.4 to determine how many PDUs are needed. The licensee must demonstrate compliance by completing continuing competency activities as defined in Board Rule 6.4.10.
- 6.4.8 **Continuing Competency Activity Criteria.** To qualify for PDU credit, continuing competency activities must be structured educational efforts meeting all of the following criteria:

- A. Include technical and practical applications which impact Core Competency areas identified by the Board;
 - B. Improve, expand or enhance the quality of the licensee's existing technical knowledge; or develop new and relevant professional skills and knowledge;
 - C. Have clear purposes and objectives;
 - D. Be well-organized and provide evidence of pre-planning;
 - E. Be current and presented by qualified and technically competent instructors; and,
 - F. Provide certificates of completion or other documentation for the licensee and maintain records of licensee attendance.
- 6.4.9 **No Pre-Approval of Continuing Competency Activities.** The Board will not pre-approve courses or programs. It is within the discretion of the Board to deny credit for any activity that does not meet the continuing competency criteria in Board Rule 6.4.10 or the definition of a core competency subject in Board Rule 6.4.3.2.
- 6.4.10 **Acceptable Continuing Competency Activities.** The Board deems the following types of activities to be acceptable. On-line participation in training programs or courses may be acceptable if in compliance with these rules, including but not limited to Board Rule 6.4.8:
- A. Not-for-credit academic course;
 - B. For-credit academic course; and,
 - C. Industry training programs.
- 6.4.11 **Non-Acceptable Continuing Competency Activities.** The Board deems the following types of activities are not acceptable:
- A. Serving on federal, state, or municipal boards or commissions;
 - B. Rendering pro bono services;
 - C. Faculty at college, university, or other educational institution shall not receive credit for teaching their regularly-assigned courses beyond the initial class;
 - D. Participation on a public, professional, or technical society board;
 - E. Attendance at licensing or registration board meetings or any other professionally relevant board or committee meeting; or,
 - F. Participating in or attending exhibit poster sessions and tradeshow.
- 6.4.12 **Recordkeeping.** The licensee shall track and document PDUs in a process approved by the Board. The licensee shall retain the documentation for a minimum of seven (7) years and contain, at a minimum, the following information:
- A. Licensee name;
 - B. Activity type;
 - C. Activity location and date(s);
 - D. Activity title and description of content and objectives;
 - E. Name and contact information of the sponsor or Continuing Competency provider (e.g. organization, institution, association, employer, vendor, publication);
 - F. Instructor or speaker name, as applicable;
 - G. Monitor/Facilitator/Mentor name and contact information, as applicable;

H. Certificate of Completion;

I. Number of classroom hours or PDUs.

6.4.13 **Exemptions.** The Board may grant exemptions from the Individual Assessment, development of the Personal Learning Plan and demonstration of Continuing Competency requirements set out in Board Rules 6.4.4 and 6.4.5, for the reasons specified herein. It is within the sole discretion of the Board to decide in particular cases whether good cause has been shown in order to grant exemptions. A licensee shall not be eligible for an exemption under this section for two (2) consecutive renewal periods except in the case of an exemption for military service. In the event a licensee cannot complete continuing competency requirements following an exemption, the license will remain expired until the licensee meets all continuing competency requirements unless the licensee applies to place the license on inactive status. Requests for exemptions must be in writing and provide the following information:

A. Evidence that during the renewal period prior to the expiration of the license, the licensee was working at a location outside of the country, reasonably preventing completion of the continuing competency requirements;

B. Evidence that the licensee was called to Federally funded active duty for more than one hundred twenty days for the purpose of serving in a war, emergency, or contingency during the renewal cycle for which the exemption is requested or within six months following the completion of the service in a war, emergency, or contingency;

C. Evidence and written explanation of any other cause citing in as much detail as possible the inability of the licensee to comply with the continuing competency requirements for the renewal period and why the license should remain in active status.

6.4.14 **Audits.** The Board may audit documentation of PDUs for verification of compliance with these requirements at any time. The Board may, at its discretion, disallow any continuing competency activity.

6.4.15 **Compliance with Continuing Competency Requirements.**

6.4.15.1 Compliance with the continuing competency requirements, including Individual Assessment, development of a Personal Learning Plan, and demonstration of continuing competency, along with other requirements, must be completed before the last day of the Continuing Competency Assessment Cycle.

6.4.15.2 Licensees shall cooperate with the Board to determine compliance with the continuing competency requirements.

6.4.15.3 Licensees shall provide all documentation requested for audit within thirty (30) days of the request.

6.4.16 **Multiple Licenses.** Licensees holding multiple licenses issued by the Board shall complete the continuing competency requirements for the most advanced license they hold including the Individual Assessment, Learning Plan and any PDUs required based on their performance on the Individual Assessment. Completion of the continuing competency requirements for the most advanced license shall satisfy the requirements for all lesser licenses.

6.5 **Inactive License Status and Reactivation.**

6.5.1 **Inactive License.** Pursuant to § 12-70-101, C.R.S., any licensee may apply to the Board to transfer his or her license to inactive status. Such application shall be in the form and manner designated by the Board. The holder of an inactive license shall not be required to comply with the continuing competency requirements for renewal so long the license remains inactive.

- 6.5.1.1 Each holder of an inactive license shall renew once every three (3) years with the Board in the same manner as active license holders and pay a fee pursuant to § 12-23-112, C.R.S.
- 6.5.1.2 During such time as a license remains in an inactive status, the licensee shall not perform any acts restricted to active licensed electricians pursuant to § 12-23-118, C.R.S. The Board shall retain jurisdiction over an inactive license for the purposes of disciplinary action pursuant to § 12-23-119, C.R.S.
- 6.5.2 **Reactivation of Inactive License.** An inactive license may be reactivated by submitting the proper application, paying the current reactivation fee, and meeting the appropriate requirements below.
 - 6.5.2.1 **Inactive for Less Than Three (3) Years.** To reactivate a license that has been inactive for less than three (3) years, the licensee must comply with the continuing competency requirements contained in Board Rule 6.4.
 - 6.5.2.1.1 If the licensee's performance on the Continuing Competency Assessment necessitates a Learning Plan pursuant to Board Rule 6.4.6, the holder shall satisfactorily complete the Personal Development Units (PDUs) prior to the expiration of the current Continuing Competency Assessment Cycle.
 - 6.5.2.1.2 Demonstration the licensee has maintained their continuing competency by completion of the PDUs assigned during the assessment cycle immediately preceding application, if any were assigned.
 - 6.5.2.2 **Inactive for More Than Three (3) Years.** Pursuant to § 12-23-106(4)(c), C.R.S., a licensee whose license has been inactive for more than three (3) years must demonstrate competency to practice by any of the following:
 - A. Satisfactorily pass the state electrical examination;
 - B. Provide verification of an active license with a state where a reciprocal agreement for an equivalent license exists;
 - C. Provide verification of active licensure in a non-reciprocal state as follows:
 - 1. Verify an active residential wireman's license, journeyman electrician's license, or master electrician's license in non-reciprocal state, respective to the license you are reinstating; and,
 - 2. Comply with the continuing competency requirements contained in Board Rule 6.4.
 - a. If the licensee's performance on the Continuing Competency Assessment necessitates a Learning Plan pursuant to Board Rule 6.4.6, the holder shall satisfactorily complete the Personal Development Units (PDUs) prior to the expiration of the current Continuing Competency Assessment Cycle.
 - D. By other means approved by the Board.
- 6.5.3 **Practicing with an Inactive License.** Practicing electrical work with a license in inactive status shall constitute practice without an active license and, therefore, may be grounds for injunctive or disciplinary action, up to and including revocation.

7.0 OTHER REGISTRANT AND LICENSEE RESPONSIBILITIES

- 7.1 **Loss of Responsible Master.** An electrical contractor who loses the services of the responsible master electrician, for any reason, will be allowed twenty (20) days in which to hire another master electrician. If the electrical contractor has not hired another master electrician during that period, the

Board shall place the electrical contractor registration into inactive status until such time that the contractor submits evidence that a master electrician has been hired, and the appropriate fee has been paid.

7.2 Any licensed or registered individual working as an electrician shall be required to carry on their person the appropriate license, temporary work permit, or registration.

7.3 Name and Address Change.

7.3.1 A licensee or registrant shall inform the Board in a clear, explicit, and unambiguous written statement of any name, address, telephone, or email change within thirty (30) days of the change. The Board will not change the licensee or registrant information without explicit written notification from the licensee or registrant. Notification by any manner approved by the Board is acceptable.

7.3.1.1 The Division of Registrations maintains one (1) contact address for each licensee or registrant, regardless of the number of licenses or registrations the licensee or registrant may hold.

7.3.1.2 Address change requests for some, but not all, communications or for confidential communications only are not accepted.

7.3.2 The Board requires one (1) of the following forms of documentation to change the name or social security number of a licensee or registrant:

7.3.2.1 Marriage license;

7.3.2.2 Divorce decree;

7.3.2.3 Court order; or

7.3.2.4 A driver's license or social security card with a second form of identification may be acceptable at the discretion of the Division of Registrations.

8.0 PERMITS AND INSPECTIONS

8.1 Wiring permit applications shall be issued in the name of the qualified applicant (see § 12-23-111 (2), C.R.S.) or registered electrical contractor performing the electrical work. The qualified applicant is defined as a homeowner performing work in accordance with statutory requirements.

8.2 A permit shall be required for all systems supplying power that may normally be supplied by an electrical utility, such as, but not limited to, solar, wind, hydroelectric and other generated sources. The Board or its administrative officer may revoke a permit that was issued in error or on the basis of incorrect information supplied by the applicant.

8.3 Additions, alterations or repairs may be made to any electrical system and equipment without requiring the existing electrical system and equipment to comply with all the requirements of the Board standards, provided that the addition, alteration or repair conforms to that required for a new electrical system and equipment, and provided further that no hazard to life, health or safety will be created by such additions, alterations or repairs.

8.4 Existing electrical wiring systems may continue to be energized provided that they were lawfully installed and that they present no hazard to life, health or property.

8.5 Services to temporary and moved buildings shall comply with the standards of the Board for new installations. The existing electrical wiring may be re-energized provided that a registered electrical contractor gives written verification to the Board that the existing electrical installation presents no hazard to life, health or property. Permits and inspections shall be required.

8.6 An individual requesting an electrical inspection shall provide reasonable access to the inspection area during the normal working hours of the Board office.

- 8.7 Article 110.2, "Approval", in the National Electrical Code, provides that conductors and equipment required or permitted by this code shall be acceptable only when "approved". The Board will accept conductors and equipment that have been tested and approved by a recognized testing agency such as Underwriters Laboratories, Inc. The Board reserves the right of its inspectors to reject any conductors or equipment that in their opinion may be unsafe or injurious to life or property.
- 8.8 A re-inspection shall not be performed until the re-inspection fee has been paid.
- 8.9 A final inspection shall not be performed until a permanent electrical load consistent with the type of structure is connected.
- 8.10 As used in § 12-23-118(1)(c), C.R.S., the term "reasonable time" shall mean thirty (30) calendar days.

9.0 ENFORCEMENT

- 9.1 **Cooperation with Board Investigations.** Licensees and registrants having knowledge of, and/or involvement in, any alleged violation of Title 12, Article 23, and/or Board rules, shall cooperate with any investigation initiated by the Board and timely furnish such information or assistance as may be requested.
- 9.2 **Report Convictions, Judgments, and Administrative Proceedings**
- 9.2.1 A licensee or registrant, as defined in § 12-23-101(1)(2)(3) and (4), C.R.S., including but not limited to registered electrical apprentices, registered electrical contractors, or licensed electricians (residential wireman, journeyman electricians, or master electricians, herein after known collectively as "electricians") shall inform the Board, in a manner set forth by the Board, within forty-five (45) days of any of the following occurrences: the conviction of the registrant or licensee of a felony under the laws of any State or of the United States.
- 9.2.2 A licensee or registrant convicted of a felony under the laws of any State or of the United States is grounds for discipline pursuant to § 12-23-118, C.R.S.
- 9.2.3 For purposes of this rule, a "conviction" includes:
- A. A guilty verdict;
 - B. A plea of guilty accepted by the court; or
 - C. A plea of nolo contendere (no contest) accepted by the court.
- 9.2.4 The notice to the Board shall include the following information:
- A. The court;
 - B. The jurisdiction;
 - C. The case name;
 - D. The case number; and,
 - E. A description of the matter or copy of the indictment or charges.
- 9.2.5 The licensee or registrant shall inform the Board of the following information within forty-five (45) days of each such occurrence:
- A. The imposition of a sentence for a felony conviction; and,
 - B. The completion of all terms of a sentence for a felony conviction.
- 9.2.6 The licensee or registrant notifying the Board may submit a written statement with any notice under this rule to be included in the registrant or licensee records.
- 9.2.7 This rule shall apply to any conviction or plea as described in Board Rule 9.2.3.

9.3 Citations.

9.3.1 The citation form shall be completed by the state electrical inspector. Citations will be served by certified mail or in person by a state electrical inspector. Completed, served citation forms will be mailed to the Board for review. The Board maintains the discretion to dismiss the citation at any time.

9.3.2 The citation form shall direct the recipient to respond in one of the following ways within ten (10) working days after service of the citation:

- A. Pay the fine; or
- B. Submit a written request to negotiate a stipulated settlement agreement with the Program Director; or
- C. Submit a written request for a formal administrative hearing.

9.3.3 Fines.

9.3.3.1 If one of the following actions has not been taken by the citation recipient within ten (10) working days following the service of the citation, the recipient shall be deemed to have failed to comply with the citation and the fine shall become a final Board action:

- A. Full payment of the fine;
- B. Written request for negotiation of a stipulated settlement agreement; or,
- C. Written request for a formal administrative hearing.

9.3.3.2 In any action to collect a fine, the Board shall seek reasonable attorney fees and costs.

6.3.4 Negotiations.

9.3.4.1 A written request and explanation for negotiation of a stipulated settlement agreement shall be submitted to the Program Director or designee and may include information in mitigation of the violation. The date the request for negotiation of a stipulated agreement is received by the Program Director constitutes the submittal date. After reviewing the requested settlement information, the Program Director has the option to authorize the following actions:

- A. Issue a letter of admonition;
- B. Dismiss the citation;
- C. Reduce the fine;
- D. Arrange a payment schedule;
- E. Permit a personal appearance before the Board; and/or,
- F. Refer the matter for a formal administrative hearing.

9.3.4.2 Negotiations may terminate for reasons including but not limited to:

- A. The recipient admits to committing the violation;
- B. The recipient does not conduct settlement negotiations timely and in writing;
- C. The recipient does not present reasonable mitigating or extenuating information in writing;
- D. The Program Director determines the settlement negotiations are not being conducted in good faith or are being conducted for the purpose of delay;

- E. It appears unlikely the parties will reach a negotiated resolution; and/or,
 - F. The recipient has prior violations that need to be brought to the Board's attention prior to attempting settlement negotiations.
- 9.3.4.3 A stipulated settlement agreement shall be considered a violation for the purpose of determining the fine amount in subsequent violations. The stipulated settlement agreement may contain an admission of the violation(s). A stipulated settlement agreement shall be signed and dated by both the Program Director or Board chair or designee and the citation recipient. A stipulated settlement agreement shall be approved by the Board in order to become a final agency order.
- 9.3.4.4 A written request from the citation recipient to proceed to a formal hearing may be submitted at any time during settlement negotiations. If the negotiations are subsequently deemed futile, the citation recipient shall be notified that payment of the fine or request a formal administrative hearing shall be submitted within ten (10) calendar days. Written settlement information may be used against the licensee, registrant, applicant or respondent at the hearing when unsuccessful settlement negotiations proceed to a formal hearing.
- 9.3.4.5 When the citation recipient retains an attorney for assistance during stipulated settlement negotiations, the Board or Program Director may request the Attorney General to assist with settlement negotiations.
- 9.3.4.6 **Hearings.** Hearings shall be conducted in accordance with the Administrative Procedure Act. The hearings shall be conducted by an administrative law judge at the Office of Administrative Courts. The citation recipient may be represented by counsel of his or her choosing.
- 9.3.4.6.1 At the formal administrative hearing, the Board may pursue the award of the maximum fine allowed by statute. At the formal administrative hearing, the Board may also pursue the award of any other disciplinary sanctions such as revocation, suspension or probation. The Board shall review the entire citation history of a licensee, as found in the Board's records, in any disciplinary action against a licensee.
- 9.3.4.7 Inspectors shall not negotiate settlements or accept payment of fines.

9.4 **Fine Schedule.** The following is the current fine schedule adopted by the Board pursuant to § 12-23-118(5)(a), C.R.S.

Violation	Statutory Provision	1st Offense	2nd Offense	Subsequent Offense
Engaging in the business, trade, or calling of a journeyman electrician without a license	12-23-105(1)	\$225	\$600	Up to \$2,000 per day
Engaging in the business, trade, or calling of a master electrician without a license	12-23-105(1)	\$300	\$600	Up to \$2,000 per day
Engaging in the business, trade, or calling of a residential wireman without a license	12-23-105(2)	\$150	\$375	Up to \$2,000 per day
Performing electrical work beyond the authorization of a residential wireman license	12-23-105(1)	\$375	\$750	Up to \$2,000 per day
Failure of an electrical contractor to register an apprentice	12-23-110.5(3) 12-23-118(1)(a)	\$225	\$600	Up to \$2,000 per day
Failure of an apprentice to work under the supervision of a licensed electrician	12-23-110.5(1)	\$50	\$200	Up to \$2,000 per day
Employment by an electrical contractor of unlicensed persons doing electrical work	12-23-118(1)(k)	\$300	\$600	Up to \$2,000 per day
Engaging in the business of an electrical contractor without obtaining registration from the Board	12-23-106(5)(a)	\$750	\$1,500	Up to \$2,000 per day
Failure of a licensed electrician to supervise an apprentice	12-23-110.5(1), 12-23-110.5(3)(b) 12-23-118(1)(j)	\$375	\$600	Up to \$2,000 per day
Failure of an electrical contractor to maintain a supervisory ratio of one licensed electrician to three apprentices	12-23-110.5(1)	\$375	\$600	Up to \$2,000 per day
Failure to obtain a permit and/or failure to obtain an inspection	12-23-116 12-23-118(1)(a)	\$375	\$900	Up to \$2,000 per day
Failure to remove a cause for disapproval of any electrical installation within a reasonable time	12-23-118(1)(c)	\$450	\$900	Up to \$2,000 per day
Advertising by a licensee or registrant which is false or misleading	12-23-118(1)(h)	\$375	\$750	Up to \$2,000 per day
Deception, misrepresentation or fraud in obtaining or attempting to obtain a license (includes loaning a license)	12-23-118(1)(i)	\$1,000	\$2,000	Up to \$2,000 per day
Failure to comply with other state or federal law (safety, health, insurance, tax)	12-23-118(1)(p)	\$375	\$750	Up to \$2,000 per day
Other violations of the state electrical statutes, rules, or Board orders.	12-23-118(1)	Up to \$1,000	Up to \$2,000	Up to \$2,000 per day

10.0 DECLARATORY ORDERS

- 10.1 Any person may petition the Board for a declaratory order to terminate controversies or to remove uncertainties as to the applicability to the petitioner of any statutory provision or of any rule or order of the Board.
- 10.2 The Board will determine, in its discretion and without notice to the petitioner, whether to rule upon any such petition. If the Board determines that it will not rule upon such a petition, the Board shall promptly notify the petitioner of its action and state the reasons for such action.
- 10.3 The Board shall consider the following matters, among others in determining whether to rule upon a petition filed pursuant to this rule:
 - A. If a rule on the petition will terminate a controversy or remove uncertainties as to the applicability to petitioner of any statutory provision or rule or order of the Board.
 - B. If the petition involves any subject, question or issue which is the subject of a formal or informal matter or investigation currently pending before the Board or a court involving one or more of the petitioners.
 - C. If the petition involves any subject, question or issue that is the subject of a formal or informal matter of investigation currently pending before the Board or a court but not involving any petitioner.
 - D. If the petition seeks a ruling on a moot or hypothetical question or will result in an advisory ruling or opinion.
 - E. If the petitioner has some other adequate legal remedy, other than an action for declaratory relief pursuant to Rule 57, Colo. R. Civ.P., that will terminate the controversy or remove any uncertainty as to the applicability to the petitioner of the statute, rule or order in question.
- 10.4 A petition filed pursuant to this rule shall set forth the following:
 - A. The name and address of the petitioner and whether the petitioner is licensed pursuant to the organic act.
 - B. The statute, rule or order to which the petition relates; and,
 - C. A concise statement of all of the facts necessary to show the nature of the controversy or uncertainty and the manner in which the statute, rule or order in question applies or potentially applies to the petitioner.
- 10.5 If the Board determines that it will rule on the petition, the following procedures shall apply:
 - A. The Board may rule upon the petition based solely upon the facts presented in the petition. In such a case:
 1. Any ruling of the Board will apply only to the extent of the facts presented in the petition and any amendment to the petition.
 2. The Board may order the petitioner to file a written brief, memorandum or statement of position.
 3. The Board may set the petition, upon due notice to petitioner, for a non-evidentiary hearing.
 4. The Board may dispose of the petition on the sole basis of the matters set forth in the petition.
 5. The Board may request the petitioner to submit additional facts, in writing. In such event, such additional facts will be considered as an amendment to the petition.

6. The Board may take administrative notice of facts pursuant to the Administrative Procedure Act (§ 24-4-105[8], C.R.S.) and may utilize its experience, technical competence and specialized knowledge in the disposition. If the Board rules upon the petition without a hearing, it shall promptly notify the petitioner of its decision.
 - B. The Board may, in its discretion, set the petition for hearing upon due notice to petitioner, for the purpose of obtaining additional facts or information or to determine the truth of any facts set forth in the petition or to hear oral argument on the petition. The notice to the petitioner setting such hearing shall set forth, to the extent known, the factual or other matters into which the Board intends to inquire. For the purpose of such a hearing, to the extent necessary, the petitioner shall have the burden of proving all of the facts stated in the petition, all of the facts necessary to show the nature of the controversy or uncertainty and the manner in which the statute, rule or order in question applies or potentially applies to the petitioner and any other facts the petitioner desires the Board to consider.
- 10.6 The parties to any proceeding pursuant to this rule shall be the Board and the petitioner. Any other person may seek leave of the Board to intervene in such a proceeding, and leave to intervene will be granted at the sole discretion of the Board. A petition to intervene shall set forth the same matters as required by section 7.4. Any reference to a “petitioner” in this rule also refers to any person who has been granted leave to intervene by the Board.
- 10.7 A declaratory order or other order disposing of a petition pursuant to this rule shall constitute agency action subject to judicial review pursuant to § 24-4-106, C.R.S.