

DEPARTMENT OF REGULATORY AGENCIES

State Electrical Board

COLORADO STATE ELECTRICIANS BOARD RULES

3 CCR 710-1

[Editor's Notes follow the text of the rules at the end of this CCR Document.]

1.0 STATEMENT OF BASIS AND PURPOSE

- 1.1 Following are the adopted changes to the Rules and Regulations of the Colorado State Electrical Board for general clarification, for efficient management and expeditious procedures of the Board, and for the safeguarding of the general public in compliance with Title 12, Article 23, of the Colorado Revised Statutes. These rules have been considered and accepted through the formal public hearing process.
- 1.2 The Board adopts the following rules pursuant to the authority granted to the Board by § 12-23-104 (2)(a), C.R.S. and hereby repeals all previous rules with the same number.

2.0 STANDARDS

- 2.1 The Colorado State Electrical Board hereby adopts the National Fire Protection Association standard number 70, hereafter known as the National Electrical Code, 2008 Edition, and as may be amended by the Board. These standards are adopted as the minimum standards governing the planning, laying out, and installing or the making of additions, alterations, and repairs in the installation of wiring apparatus and equipment for electric light, heat, and power in this state. This rule does not include later amendments to or editions of the National Electrical Code, 2008 Edition. The effective date shall be August 1, 2008.
- 2.2 The administrative office of the State Electrical Board maintains a certified copy of the National Electrical Code, 2008 Edition, available for public inspection during regular business hours. For information on examining certified copies of the National Electrical Code, 2008 Edition, or information on how to obtain a copy, contact:

Program Director

State Electrical Board

1560 Broadway, Suite 1350

Denver, Colorado 80202

Phone: 303-894-2300

Website: <http://www.dora.state.co.us/electrical>

A copy of the National Electrical Code, 2008 Edition, which has been incorporated herein by reference, may also be obtained or examined by contacting the State Publications Depository Libraries.

3.0 EXAMINATIONS AND APPLICATIONS

- 3.1 Applications for all examinations and requests for re-examination shall be submitted to the Division of

Registrations.

- 3.2 The applicant must present positive photo identification in order to be admitted to the examination area.
- 3.3 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.
- 3.4 An approved applicant for licensure by examination who does not take the examination within one year from the date of the original approval date may be required to submit an updated application.
- 3.5 Reserved
- 3.6 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 year from the date originally submitted, after which applicants shall begin the process again including payment of the application fee.
- 3.7 Examinations shall not be subject to review by applicants

4.0 TEMPORARY WORK PERMITS

- 4.1 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.
- 4.2 A temporary work permit shall not be accepted to meet the requirements for contractor registration. Exception: 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.

5.0 LICENSURE AND REGISTRATION

- 5.1 An applicant for a residential wireman's license shall provide documented written evidence of training and experience in residential wiring as specified §12-23-106 (3), C.R.S. Documentation shall be provided in the form of:
 - a. A record of employment from the employer verifying employment dates as an apprentice and type of electrical work performed.
 - b. If training and experience were obtained outside the state of Colorado, the applicant shall provide the Board with evidence verified by the employer of employment dates and actual work performed.
 - c. If training includes courses in residential electrical work from an accredited school, a transcript shall be included with the application. If training is received from any other school or program, a course curriculum shall be provided which includes the number of classroom hours. Certification of completed hours shall be submitted. Credit for successful completion of an electrical school or program shall be credited one month of experience for two months of schooling up to a maximum of one year. Education without a certificate of completion may replace actual field experience under a licensed master at the rate of one month credit for every six months training or experience up to a maximum of one year. For both conditions, applicants shall have one year of electrical field experience in

residential wiring.

- d. Verification of military training or experience in residential electrical work shall be detailed and submitted with the application for evaluation. Such experience shall replace actual field experience under a licensed master at the rate of one month credit for each month of training or experience up to a maximum of two years.

5.2 An applicant for a journeyman electrician's license shall provide documented written evidence of experience and training in commercial and industrial wiring as specified in §12-23-106(2), C.R.S. Documentation shall be provided in the form of:

- a. A record of employment from the employer verifying employment dates as an apprentice and actual work performed in the commercial and industrial field.
- b. If commercial and industrial experience and training were obtained outside the state of Colorado, the applicant shall provide the Board with documented written evidence verified by the employer, of employment dates and actual work performed.
- c. If training includes courses in electrical work from an accredited school, a transcript shall be included with the application. If training is received from any other schools or programs, a course curriculum shall be provided which includes the number of classroom hours. A certificate of completion shall be submitted. A maximum of one year of experience credit may be granted for this type of academic training.
- d. Verification of military training or experience in electrical work shall be detailed and submitted with the application for evaluation. Up to four (4) years experience credit may be granted for military experience meeting the definition of "electrical work" as defined in §12-23-101(1.7), C.R.S.
- e. **Apprenticeship Training Requirements.** All 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 training conducted in compliance with rules promulgated by the Board.
 - 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.
 - 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:
 - I. Grounding/bonding;
 - II. Code changes;
 - III. Wiring methods;
 - IV. Theory/calculations; and
 - V. A minimum of ten (10) and a maximum of forty (40) hours of OSHA curriculum based safety training.

3. **288 Hours Training Criteria.** To qualify for credit, training activities must be structured educational efforts meeting all of the following criteria:
 - I. Include technical and practical applications which impact criteria listed in Board Rule 5.2(e)(1);
 - II. Be current and presented by qualified and technically competent instructors; and
 - III. Provide certificates of completion or other documentation for the apprentice electrician and maintain records of attendance.
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 5.2(e)(2).
5. **Acceptable 288 Hours Training Activities.** The Board deems the following types of activities to be acceptable. On-line delivery of the above activities may be acceptable if in compliance with these rules, including but not limited to Board Rule 9.7(h)
 - I. Non-Credit Academic Course;
 - II. For-Credit Academic Course; and
 - III. Industry Training Programs.
6. **Unacceptable 288 Hours Training Activities.** The Board deems the following types of activities to be unacceptable:
 - I. Serving on federal, state, or municipal boards or commissions;
 - II. Rendering pro bono services;
 - III. Faculty at college, university, or other educational institution shall not receive credit for teaching their regularly-assigned courses beyond the initial class;
 - IV. Participation on a public, professional, or technical society board;
 - V. Attendance at licensing or registration board meetings or any other professionally relevant board or committee meeting; and
 - VI. Participating in or attending exhibit poster sessions or trade shows.
7. **Record Keeping.** 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:
 - I. Apprentice electrician name;
 - II. Activity type;
 - III. Activity location and date(s);

- IV. Activity title and description of content and objectives;
- V. Name and contact information of the sponsor or training provider (e.g. organization, institution, association, employer, vendor, or publication);
- VI. Instructor or speaker name(s), as applicable;
- VII. Name and contact information of the monitor, facilitator, or mentor, as applicable;
- VIII. Certificate of completion; and
- IX. Number of hours;

5.3 Maintenance experience shall be submitted for evaluation with the application. Experience gained under the supervision of a licensed electrician (Colorado licensed or equivalent) shall be detailed, and should include the name(s) of the licensed individual(s). Up to two years experience credit may be granted for working under the supervision of a licensed electrician. Verification of work experience gained in the electrical maintenance field that is not required to be performed under the direct supervision of a licensed electrician shall be detailed as to specific types of installations. A maximum of one year of experience credit may be granted for work not required to be performed under the supervision of a licensed electrician.

5.4 Foreign experience: Foreign electrical engineering courses shall be reviewed by an electrical engineering department in an accredited university to determine if the curriculum is substantially equivalent. Applicants with foreign experience shall have one year of in country electrical construction experience and familiarity with the National Electrical Code. A maximum of three years of out of country experience may be applied towards a license for a journeyman. A maximum of four years out of country experience may be applied towards a master license.

5.5 License by endorsement: An individual licensed in another state shall be eligible to obtain licensure by endorsement providing that the applicant meets the requirements of §12-23-109, C.R.S. and all of the following conditions:

- a. Completion of a state or federally approved apprenticeship program, or completion of the required years and type of experience for the comparable license.
- b. Successful completion of a comparable written state electrical examination.
- c. The examination shall be based on the current or immediately previous edition on the National Electrical Code in effect at the time that the application is submitted to the Colorado State Electrical Board.

5.6 Electrical Contractor: Applications for electrical contractor registration shall be submitted at least ten (10) days prior to the registration effective date.

6.0 PERMITS AND INSPECTIONS

6.1 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 his/her own work in accordance with statutory requirements.

6.2 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.

- 6.3 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 State Electrical 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.
- 6.4 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.
- 6.5 Services to temporary and moved buildings shall comply with the standards of the State Electrical 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.
- 6.6 An individual requesting an electrical inspection shall provide reasonable access to the inspection area during the normal working hours of the Board office.
- 6.7 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.
- 6.8 Reinspection fees shall be paid before requesting a reinspection.
- 6.9 A final inspection shall not be performed until a permanent electrical load consistent with the type of structure is connected.

7.0 DECLARATORY ORDERS

- 7.1 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.
- 7.2 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.
- 7.3 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.

7.4 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.

7.5 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.

7.6 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 4 of this rule. Any reference to a "petitioner" in this rule also refers to any person who has been granted leave to intervene by the board.

7.7 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.

8.0 ENFORCEMENT

8.1 Licensees 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 furnish such information or assistance as may be requested.

8.2 REPORTING CONVICTIONS, JUDGMENTS AND ADMINISTRATIVE PROCEEDINGS.

A. 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, journeyman, or master, herein after known 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, as described in § 12-23-118 (1)(g), C.R.S. A plea of guilty or a plea of nolo contendere (no contest) accepted by the court is considered a conviction.

B. The notice to the board shall include the following information: the court, its jurisdiction, the case name, the case number, a description of the matter or a copy of the indictment or charges, a copy of the judgment of conviction, and the discharge or completion of sentence;

C. The registrant or licensee notifying the board may submit a written statement with the notice to be included in the registrant or licensee records.

D. This rule shall apply to any event that occurs on or after August 1, 2008.

8.3 CITATIONS

8.3.1 The citation form shall be completed by the State electrical inspector. Citations will be served by certified mail, in person by a state electrical inspector, or by waiver of personal service. Personal service by an electrical inspector shall be verified by affidavit. Completed, served citation forms will be mailed to the State Electrical Board for review and approval. The Electrical Board maintains the discretion to dismiss the citation at any time.

8.3.2 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 Electrical Board Program Director; or
- c. submit a written request for a formal administrative hearing.

8.3.3 Fines. 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; or
- b. Written request for negotiation of a stipulated settlement agreement; or
- c. Written request for a formal administrative hearing.

In any action to collect a fine, the Electrical Board shall seek reasonable attorney fees and costs. A citation offense that is more than four years old will not be considered by the Electrical Board.

8.3.4 Negotiations. A written request and explanation for negotiation of a stipulated settlement agreement shall be submitted to the Electrical Board Program Director or designee and shall include information in mitigation of the violation, the postmarked date or date received by the Electrical Board Program Director, whichever is earlier, constitutes the submittal date for requesting negotiation of a stipulated settlement agreement. After reviewing the requested settlement offer, 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.

8.3.5 Negotiations may become moot for any, but are not limited to, the following reasons:

- 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.

8.3.6 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.

8.3.7 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 given notice that he/she must pay the fine or request a formal administrative hearing within ten (10) calendar days of the notice. Written settlement information may be used against the licensee, registrant or applicant at the hearing when unsuccessful settlement negotiations proceed to a formal hearing.

8.3.8 If the citation recipient hires an attorney for assistance during stipulated settlement negotiations, the Electrical Board Program Director may request the Attorney General to assist with settlement negotiations.

8.3.9 Hearings. State Electrical Board hearings shall be conducted in accordance with the provisions of § 24-4-105, C.R.S. The hearings shall be conducted by an administrative law judge at the Office of Administrative Courts. The citation recipient may be represented by his or her own counsel. All parties shall have the right to cross-examine witnesses testifying at the proceeding. The proceedings shall be recorded. The administrative law judge shall issue a written initial decision that shall be reviewed by the Board and either be affirmed, reversed, and/or modified.

At the formal administrative hearing, the Electrical Board shall pursue the award of the maximum allowable fine of one thousand dollars for the first offense and two thousand dollars for the second offense. At the formal administrative hearing, the Electrical Board may also pursue the award of disciplinary sanctions such as revocation, suspension or probation. The Electrical Board shall review the entire citation history of a licensee, as found in the Board's records, in any disciplinary action against a licensee.

8.3.10 Inspectors shall not negotiate settlements or accept payment of fines.

COLORADO STATE ELECTRICAL BOARD CITATION FINE SCHEDULE EFFECTIVE AUGUST 1, 2008

Violation	Statute or Rule Provision	1st	2nd
(A) Failure of a journeyman to be licensed while engaging in electrical work	§12-23-105 (1)	\$225	\$600
(B) Failure of a master electrician to be licensed while engaging in electrical work	§12-23-105 (1)	\$300	\$600
(C) Failure of a residential wireman to be licensed while engaging in electrical work	§12-23-105 (1)	\$150	\$375
(D) Failure of an electrical contractor to register apprentice	§12-23-110.5 (3)	\$225	\$600
(E) Failure of an apprentice to work under the supervision of a licensed electrician	§12-23-110.5 (1)	\$50	\$200

(F) Employment by an electrical contractor of unlicensed persons doing electrical work	§12-23-118 (1)(k)	\$300	\$600
(G) Failure of an electrical contractor to register	§12-23-106 (5)(a)	\$750	\$1,500
(H) Failure to supervise an apprentice	§12-23-110.5 (1), (3)(b) & § 12-23-118 (1)(j)	\$375	\$600
(I) Failure of an electrical contractor to maintain a supervisory ratio of one licensed electrician to three apprentices	§12-23-110.5 (1)	\$375	\$600
(J) Performing electrical work beyond the authorization of the electrical license or registration	§12-23-105 (1)	\$375	\$750
(K) Failure to obtain a permit and/or failure to obtain an inspection	§12-23-116	\$375	\$900
(L) Failure to correct electrical code violations within a reasonable time (30 days)	§12-23-116	\$450	\$900
(M) Providing false or misleading advertising	§12-23-118 (1)(h)	\$375	\$750
(N) 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
(O) Failure to comply with other state or federal law (safety, health, insurance, tax)	§12-23-118 (1)(p)	\$375	\$750
(P) Other violations of the state electrical statute	§12-23-118 (1)	Up to \$1000	Up to \$2000

9.0 RENEWALS AND REINSTATEMENTS

- 9.1 The multiple-choice renewal examination required by §12-23-104 (2)(i), C.R.S. shall not exceed twenty-five (25) questions and shall be a pass/fail exam. Effective January 1, 2011, this multiple-choice renewal examination will not be administered.

9.2 A licensee shall have a sixty (60) day grace period after the expiration of his or her license to renew such license without the imposition of a disciplinary sanction for practicing on an expired license. During this grace period, a delinquency fee shall be charged for late renewals.

9.3 A licensee who does not renew his or her license within the sixty (60) day grace period shall be treated as having an expired license and shall be ineligible to practice until such license is reinstated. A person who practices with an expired license, may be subject to disciplinary or injunctive action by the Board.

9.4 An expired license may be reinstated by submitting a reinstatement application, paying the current reinstatement fee, and:

a. If a license has been expired more than sixty (60) days but not more than two (2) years:

1. Successfully completing the multiple-choice renewal examination. Effective January 1, 2011, this multiple-choice renewal examination will not be required; and
2. After January 1, 2011, see Board Rule 9.7

b. If the license has been expired for more than two (2) years, the licensee must demonstrate competency to practice by any of the following:

1. Satisfactorily passing the state electrical examination.;
2. Hold an active journeyman wireman license with a state where a reciprocal agreement for an equivalent license exists;
3. Verify licensure and provide proof of active practice in a non-reciprocal state for no less than three (3) years of the previous four (4) years immediately preceding the date of the application for reinstatement. Proof of active practice shall be submitted through acceptable letters of verification provided by:
 - I. An employer;
 - II. An inspection authority; or
 - III. General Contractors;
4. By other means approved by the Board.

9.5 The content and answers to examinations for licensure and renewal administered by the Board are proprietary property. Licensees and registrants shall not disclose, or offer to disclose any portion of the examinations 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 administered by the Board.

9.6 An individual who has acquired both master and journeyman licenses by examination issued by the State of Colorado, and who has allowed the journeyman license to expire and holds a valid master license, may reinstate the journeyman license after meeting the requirements of Board Rule 9.0.

9.7 Continuing Competency Requirements.

- a. **Statutory Basis.** Pursuant to §12-23-106(4)(d)(II), C.R.S., the Board shall adopt rules establishing requirements for Continuing Competency that an electrician shall

demonstrate in order to renew a license on or after January 1, 2011. These rules shall require the electrician to participate in an assessment and a process or procedure that demonstrates whether the electrician obtained the required knowledge and skills to address any areas needing improvement or development through participation in the Continuing Competency activity.

- b. **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.

c. **Definitions**

1. *Acceptable Level of Performance:* Acceptable Level of Performance shall be a value assigned by the Board to help evaluate an electrician'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(ies) and documentation of required Professional Development Units to demonstrate continuing competency.
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:
 - I. Grounding and bonding;
 - II. Code changes;
 - III. Wiring methods; and
 - IV. Theory and calculations.
3. *Continuing Competency Assessment Cycle:* The Assessment Cycle shall be a three (3) year period corresponding to the adoption of the National Electrical Code by the Board.
4. *Electrician:* "Electricians" shall include all persons licensed as Residential Wiremen, Journeymen Electricians, or Master Electricians, as defined by §12-23-101, C.R.S., as amended from time to time.
5. *Inactive Status:* The electrician is not required to comply with continuing competency requirements to renew a license in inactive status. An electrician with a license in inactive status is prohibited by law from practicing as a licensed electrician.
6. *Individual Assessment:* An instrument or process approved by the Board to evaluate the knowledge and/or skills of the electrician in each of the Core Competencies determined by the Board to be essential for practice.
7. *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.

8. *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 electrician's performance on the Individual Assessment in relation to the Acceptable Level of Performance.
 9. *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 electrician's knowledge and competence in Core Competencies identified by the Board.
- d. **Requirements.** Electricians shall demonstrate participation in the Continuing Competency program, documenting professional development units, and providing evidence that the electrician has complied with the requirements of the Continuing Competency program in order to renew a license to perform electrical work in Colorado. Electricians shall complete an Individual Assessment of Core Competencies. Core Competencies shall be identified and defined by the Board. An Acceptable Level of Performance shall result in the award of twenty-four (24) PDUs. A maximum of twenty-four (24) PDUs shall be required per assessment cycle.
1. Upon the beginning of an assessment cycle, an Individual Assessment must be completed by the electrician addressing Core Competency areas identified by the Board.

A performance rating will be assigned for each electrician 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.
 2. If a rating at or above the Acceptable Level of Performance is assessed in all Core Competency areas, the electrician will be awarded twenty-four (24) PDUs, as defined in these rules, for his or her demonstrated competency.
 3. A Personal Learning Plan in the Board-prescribed format will be required of any electrician earning a rating below the Acceptable Level of Performance on the Individual Assessment.
 - I. In the event of a rating below the Acceptable Level of Performance in one Core Competency area of the Individual Assessment, sixteen (16) PDUs shall be awarded to the electrician and eight (8) PDUs will be required addressing the area of low rated Core Competency.
 - II. In the event of a rating below the Acceptable Level of Performance in two Core Competency areas of the Individual Assessment, eight (8) PDUs shall be awarded to the electrician and sixteen (16) PDUs will be required addressing the low rated Core Competency areas.
 - III. 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 electrician over the corresponding assessment cycle.
 - IV. A maximum of twenty-four (24) PDUs shall be required during any single

assessment cycle.

V. PDU completion in accordance with the Individual Assessment and documentation requirements of the Board will be used to demonstrate compliance with the Continuing Competency program requirements and shall comprise the elements of the learning plan for each electrician.

VI. PDUs need not be acquired within Colorado.

- e. **Credit Required for License Renewal.** Electricians shall have acquired PDUs during the period prior to the expiration of each Continuing Competency assessment cycle.
- f. **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 electrician no later than ninety (90) 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 electrician.
- g. **Learning Plan.** The Personal Learning Plan shall be defined by the electrician's performance on the Individual Assessment. Refer to requirements of Board Rule 9.7(d)(3) to determine how many PDUs are needed. The electrician must demonstrate compliance with the Continuing Competency program by the completion of Continuing Competency activities as defined in Board Rule 9.7(j).
- h. **Continuing Competency Activity Criteria.** To qualify for PDU credit, Continuing Competency activities must be structured educational efforts meeting all of the following criteria:
 - 1. Include technical and practical applications which impact Core Competency areas identified by the Board;
 - 2. Improve, expand or enhance the quality of the electrician's existing technical knowledge; or develop new and relevant professional skills and knowledge;
 - 3. Have clear purposes and objectives;
 - 4. Be well-organized and provide evidence of pre-planning;
 - 5. Be current and presented by qualified and technically competent instructors; and
 - 6. Provide certificates of completion or other documentation for the electrician and maintain records of electrician attendance.
- i. **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 9.7(l) or the definition of a Core Competency subject in Board Rule 9.7(c)(2).
- j. **Acceptable Continuing Competency Activities.** The Board deems the following types of activities to be acceptable. On-line training programs or courses may be acceptable if in compliance with these rules, including but not limited to Board Rule 9.7(h):
 - 1. Non-credit academic course;
 - 2. For-credit academic course; and

3. Industry training programs.

k. **Unacceptable Continuing Competency Activities.** The Board deems the following types of activities to be unacceptable:

1. Serving on federal, state, or municipal boards or commissions;
2. Rendering pro bono services;
3. Faculty at college, university, or other educational institution shall not receive credit for teaching their regularly-assigned courses beyond the initial class;
4. Participation on a public, professional, or technical society board;
5. Attendance at licensing or registration board meetings or any other professionally relevant board or committee meeting;
6. Participating in or attending exhibit poster sessions and tradeshow.

l. **Record Keeping.** The electrician shall track and document PDUs in a process approved by the Board. The electrician shall retain the documentation for a minimum of seven (7) years and contain, at a minimum, the following information:

1. Electrician name;
2. Activity type;
3. Activity location and date(s);
4. Activity title and description of content and objectives;
5. Name and contact information of the sponsor or Continuing Competency provider (e.g. organization, institution, association, employer, vendor, publication);
6. Instructor or speaker name, as applicable;
7. Monitor/Facilitator/Mentor name and contact information, as applicable;
8. Certificate of Completion;
9. Number of PDUs; and
10. A declaration that the PDUs are considered applicable to consumer protection and one (1) of the core competencies identified by the Board.

m. **Exemptions.** An electrician shall not be subject to the Continuing Competency requirements in order to renew a license, if during the current renewal period:

1. The electrician holds a suspended license pursuant to Board Rule 9.0; or
2. The electrician was initially issued their Colorado license by examination within the four (4) months immediately preceding the license expiration date.

Electricians meeting the above criteria shall be required to meet all other licensure requirements including, without limitation, compliance with Article 23 of

Title 12, C.R.S., Board Rules, and the payment of renewal fees.

- n. **Hardship 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 9.7(d) and (e) for reasons of individual hardship including, but not limited to, health, military service, or other good cause. 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. An electrician shall not be eligible for an exemption under this section for two (2) consecutive renewal periods. In the event an electrician cannot complete Continuing Competency requirements following an exemption, the electrician's license will remain expired until the electrician meets all Continuing Competency requirements. Requests for exemptions must be in writing and provide the following information:
1. Evidence that during the renewal period prior to the expiration of the license, the electrician was residing in another country for one (1) year or longer, reasonably preventing completion of the Continuing Competency requirements;
 2. Evidence that the electrician was absent from Colorado because of military service for a period of one (1) year or longer during the renewal period, preventing completion of the Continuing Competency requirements;
 3. Evidence that the electrician should be exempt from the Continuing Competency requirements for reasons of health or other good cause which include:
 - I. Total physical and/or mental disability for one (1) year or more during the renewal period and the inability to work during this period has been verified by a licensed physician or surgeon or licensed clinical psychologist; or,
 - II. Total physical and/or mental disability for one (1) year or more of an immediate family member for whom the electrician had total responsibility, occurring during the renewal period as verified by a licensed physician or surgeon or licensed clinical psychologist.
 4. Documentation or written explanation of any other good cause citing in as much detail as possible the inability of the electrician to comply with the Continuing Competency requirements for the renewal period.
- o. **Reinstatement.** To reinstate an expired or suspended license to an active status, the holder shall do all of the following:
1. Comply with any applicable renewal or reinstatement requirements;
 2. Complete the Competency Assessment within ninety (90) days of reinstatement;
 3. Complete PDUs according to Board Rule 9.7(d)(3).
- p. **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.
- q. **Compliance with Continuing Competency Requirements.**
1. Compliance for 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 assessment cycle.

2. Electricians shall cooperate with the Board to determine compliance with the Continuing Competency program requirements.
3. Electricians shall provide all documentation requested for audit within thirty (30) days of the request.

r. Inactive License Status.

1. **Reactivation of Inactive License within Three (3) Years or Less.** Should a licensee wish to reactivate his or her license three (3) years or less after such license is placed on inactive status, the licensee shall file a proper application, pay the proper license reactivation fee, and meet the renewal requirements for the period while inactive.
2. **Reactivation of Inactive License after 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 prove to the Board that he or she has maintained an active practice in another jurisdiction or otherwise is still competent to practice. Should a licensee wish to reactivate his or her license more than three (3) years after such license is placed on inactive status, at the discretion of the Board, he or she shall file a proper application, pay the proper license reactivation fee, and meet the continuing competency requirements for the period while inactive.
3. **Practicing with an Inactive License.** Practicing as an electrician with a license in inactive status shall constitute practice without an active license and, therefore, may be grounds for disciplinary or injunctive action, up to and including revocation.

10.0 LICENSEE AND REGISTRANT RESPONSIBILITIES

10.1 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 it has hired a master electrician and pays the appropriate fee.

10.2 An individual working as an electrician shall be required to carry on his or her person his or her license, permit or registration.

10.3 Name and Address Change

- a. 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.
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.

2. Address change requests for some, but not all, communications or for confidential communications only are not accepted.
- b. The Board requires one (1) of the following forms of documentation to change the name or social security number of a licensee or registrant:
1. Marriage license;
 2. Divorce decree;
 3. Court order; or
 4. A driver's license or social security card with a second form of identification may be acceptable at the discretion of the Division.

Editor's Notes

History

Entire Rule eff. 08/01/2008.

Sections 3.7, 5.0 – 5.2, 9.0 – 10.0 eff. 08/01/2010.