

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1999

SENATE BILL 1058
RATIFIED BILL

AN ACT AUTHORIZING THE STATE LICENSING BOARD FOR GENERAL CONTRACTORS TO INCLUDE COMPONENTS OF THE STATE BUILDING CODE IN THE EXAMINATION OFFERED BY THE BOARD AND GRANTING THE BOARD GREATER AUTHORITY WHEN DISCIPLINING LICENSEES WHO VIOLATE THE LAWS RELATED TO GENERAL CONTRACTOR LICENSURE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 87-10(b) reads as rewritten:

"(b) The Board shall conduct an examination, either oral or written, of all applicants for license to ascertain the ability of the applicant to make a practical application of his knowledge of the profession of contracting, under the classification contained in the application, and to ascertain the qualifications of the applicant in reading plans and specifications, knowledge of relevant matters contained in the North Carolina State Building Code, knowledge of estimating costs, construction, ethics and other similar matters pertaining to the contracting business and knowledge of the applicant as to the responsibilities of a contractor to the public and of the requirements of the laws of the State of North Carolina relating to contractors, construction and liens. If the results of the examination of the applicant shall be satisfactory to the Board, then the Board shall issue to the applicant a certificate to engage as a general contractor in the State of North Carolina, as provided in ~~said~~ the certificate, which may be limited into five classifications as the common use of the terms are known – that ~~is~~, is:

- (1) Building contractor, which shall include private, public, commercial, industrial and residential buildings of all ~~types~~, types.
- (1a) Residential contractor, which shall include any general contractor constructing only residences which are required to conform to the residential building code adopted by the Building Code Council pursuant to ~~G.S. 143-138~~, G.S. 143-138.
- (2) ~~Highway contractor~~, contractor.
- (3) Public utilities contractors, which shall include those whose operations are the performance of construction work on the following subclassifications of facilities:
 - a. Water and sewer mains and water service lines and house and building sewer lines as defined in the North Carolina State Building Code, and water storage tanks, lift stations, pumping stations, and appurtenances to water storage tanks, lift stations and pumping ~~stations~~, stations.
 - b. Water and wastewater treatment facilities and appurtenances ~~thereto~~, thereto.
 - c. Electrical power transmission facilities, and primary and secondary distribution facilities ahead of the point of delivery of electric service to the ~~customer~~, customer.
 - d. Public communication distribution ~~facilities~~, and facilities.
 - e. Natural gas and other petroleum products distribution facilities; provided the General Contractors Licensing Board may issue license to a public utilities contractor limited to any of the

above subclassifications for which the general contractor ~~qualifies, and qualifies.~~

- (4) Specialty contractor, which shall include those whose operations as such are the performance of construction work requiring special skill and involving the use of specialized building trades or crafts, but which shall not include any operations now or hereafter under the jurisdiction, for the issuance of license, by any board or commission pursuant to the laws of the State of North Carolina.

Public utilities contractors constructing water service lines and house and building sewer lines as provided in (3)a above shall terminate said lines at a valve, box, meter, or manhole or cleanout at which the facilities from the building may be connected."

Section 2. G.S. 87-11(a) reads as rewritten:

"(a) The Board shall have the power to ~~revoke the certificate of license of any general contractor licensed hereunder who refuse to issue or renew or revoke, suspend, or restrict a certificate of license or to issue a reprimand or take other disciplinary action if a general contractor licensed under this Article is found guilty of any fraud or deceit in obtaining a license, or gross negligence, incompetency-incompetency, or misconduct in the practice of his or her profession, or willful violation of any provisions-provision~~ of this Article. The Board shall also have the power to revoke, suspend, or otherwise restrict the ability of any person to act as a qualifying party for a license to practice general contracting, as provided in G.S. 87-10(c), for any copartnership, corporation or any other organization or combination, if that person committed any act in violation of the provisions of this section and the Board may take disciplinary action against the individual license held by that person.

(a1) Any person may prefer charges of ~~such fraud, deceit, negligence-negligence,~~ or misconduct against any general contractor licensed ~~hereunder; such under this Article.~~ The charges shall be in writing and sworn to by the complainant and submitted to the Board. ~~Such~~ The charges, unless dismissed without hearing by the Board as unfounded or trivial, shall be heard and determined by the Board in accordance with the provisions of Chapter 150B of the General Statutes."

Section 3. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 14th day of July, 1999.

Dennis A. Wicker
President of the Senate

James B. Black
Speaker of the House of Representatives

James B. Hunt, Jr.
Governor

Approved _____ .m. this _____ day of _____ , 19