

ELECTRICIANS

*Administrative Rules of the Texas Department of Licensing and Regulation
16 Texas Administrative Code, Chapter 73*

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73.1. Authority. *(Effective March 1, 2004, 29. TexReg 1653)*

These rules are promulgated under the authority of Title 8, Occupations Code, Chapter 1305, and Title 2, Occupations Code, Chapter 51.

73.10. Definitions. *(Effective March 1, 2004, 29 TexReg 1653; amended effective July 13, 2004, 29 TexReg 6637; emergency rule effective August 25, 2004, 29 TexReg 8699; amended effective December 22, 2004, 29 TexReg 1158; amended effective October 20, 2005, 30 TexReg 6730)*

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise.

- (1) **Assumed name**--A name used by a business as defined in the Business and Commerce Code, Title 4, Chapter 36, Subchapter A, §36.02.
- (2) **Business affiliation**--The business organization to which a master licensee may assign his or her license.
- (3) **Employee**--An individual who performs tasks assigned to him by his employer. The employee is subject to the deduction of social security and federal income taxes from his pay. An employee may be full time, part time, or seasonal.
- (4) **Employer**--One who employs the services of employees, pays their wages, deducts the required social security and federal income taxes from the employee's pay, and directs and controls the employee's performance.
- (5) **Filed**--A document is deemed to have been filed with the department on the date that the document has been received by the department or, if the document has been mailed to the department, the date a postmark is applied to the document by the U.S. Postal Service.
- (6) **General Supervision**--Exercise of oversight by a master electrician on behalf of an electrical contractor, or by a master sign electrician on behalf of an electrical sign contractor of performance by all classes of electrical licensees of electrical work bearing responsibility for the work's compliance with applicable codes under Texas Occupations Code, Chapter 1305.
- (7) **On-Site Supervision**--Exercise of supervision of electrical work or electrical sign work by a licensed individual other than an electrical apprentice. Continuous supervision of an electrical apprentice is not required, though the on-site supervising licensee is responsible for review and inspection of the electrical apprentice's work to ensure compliance with any applicable codes or standards.
- (8) **Electrical Contractor**--A person, or entity, licensed as an electrical contractor, that is in the business of performing "Electrical Contracting" as defined by Texas Occupations Code, §1305.002(5).
- (9) **Master Electrician**--An individual, licensed as a master electrician, who on behalf of an electrical contractor, electrical sign contractor, or employing governmental entity, performs "Electrical Work" as defined by Texas Occupations Code, §1305.002(11).
- (10) **Journeyman Electrician**--An individual, licensed as a journeyman electrician, who works under the general supervision of a master electrician, on behalf of an electrical contractor, or employing governmental entity, while performing "Electrical Work" as defined by Texas Occupations Code, §1305.002(11).
- (11) **Electrical Apprentice**--An individual, licensed as an apprentice who works under the on-site

supervision of a master electrician, a journeyman electrician, or a residential wireman, on behalf of an electrical contractor, or employing governmental entity performing "Electrical Work" as defined by Texas Occupations Code, §1305.002(11).

- (12) **Electrical Sign Contractor**--A person, or entity, licensed as an electrical sign contractor, that is in the business of performing "Electrical Sign Contracting" as defined by Texas Occupations Code, §1305.002(9).
- (13) **Master Sign Electrician**--An individual, licensed as a master sign electrician, who, on behalf of an electrical sign contractor, performs "Electrical Sign Work" as defined in paragraph (18) of this section.
- (14) **Journeyman Sign Electrician**--An individual, licensed as a journeyman sign electrician, who works under the general supervision of a master electrician or a master sign electrician, on behalf of an electrical sign contractor, while performing "Electrical Sign Work" as defined in paragraph (18) of this section.
- (15) **Residential Wireman**--An individual, licensed as a residential wireman, who works under the general supervision of a master electrician, on behalf of an electrical contractor, or employing governmental entity, while performing electrical work that is limited to electrical installations in single family and multifamily dwellings not exceeding four stories, as defined by Texas Occupations Code, §1305.002(13).
- (16) **Maintenance Electrician**--An individual, licensed as a maintenance electrician, who works under the general supervision of a master electrician, on behalf of an electrical contractor, or employing governmental entity and performs "Electrical Maintenance Work" as defined in paragraph (17) of this section.
- (17) **Electrical Maintenance Work**--The replacement, or repair of existing electrical appurtenances, apparatus, equipment, machinery, or controls used in connection with the use of electrical energy in, on, outside, or attached to a building, residence, structure, property, or premises. All replacements or repairs must be of the same rating and type as the existing installation. No improvements may be made that are necessary to comply with applicable codes under Texas Occupations Code, Chapter 1305. Electrical maintenance work does not include the replacement of any raceways, conductors, disconnecting means, or service feeder components. It also does not include the installation of any new electrical appurtenances, apparatus, equipment, machinery, or controls beyond the scope of any existing electrical installation.
- (18) **Electrical Sign Work**--Any labor or material used in manufacturing, installing, maintaining, extending, connecting or reconnecting an electrical wiring system and its appurtenances, apparatus or equipment used in connection with signs, outline lighting, awnings, signals, light emitting diodes, and the repair of existing outdoor electric discharge lighting. This also includes the installation of an electrical service integral to an isolated sign and/or outline lighting installation
- (19) **Work Involved in the Manufacture of Electrical Equipment**--Work involved in the manufacture of electrical equipment includes on and off-site manufacture, commissioning, testing, calibration, coordination, troubleshooting, evaluation, repair or retrofits with components of the same ampacity, maintenance and servicing of electrical equipment within their enclosures performed by authorized employees of electrical equipment manufacturers and limited to the type of products they manufacture.
- (20) **Electrical Sign Apprentice**--An individual, licensed as an electrical sign apprentice who works under the on-site supervision of a master electrician, a master sign electrician, or a journeyman sign electrician, on behalf of an electrical sign contractor performing "Electrical Sign Work" as defined by these rules.
- (21) **A Principal Place of Business**--For purposes of these rules, a contractor has a principal place of

business in another state or territory or foreign country if the contractor is doing business in Texas without complying with all applicable Texas statutes and the contractor conducts substantial business in another state, territory or country while business conducted by the contractor in Texas is minimal.

(22) **On-the-job Training**--Training or experience performing electrical work.

73.20. Licensing Requirements--Applicant and Experience Requirements. *(Effective March 1, 2004, 29 TexReg 1653; amended effective October 20, 2005, 30 TexReg 6730)*

- (a) An applicant for a license must submit the required fees with a completed application and the appropriate attachments:
 - (1) Applicants for Master Electrician, Master Sign Electrician, Journeyman Electrician, Journeyman Sign Electrician, Residential Wireman, and Maintenance Electrician must submit proof of a passing grade on the accepted examination.
 - (2) Applicants for contractor's licenses must submit proof of general liability insurance and either workers' compensation insurance or a certificate of authority to self insure, or a statement that the applicant has elected not to obtain workers' compensation insurance pursuant to Subchapter A, Chapter 406, Labor Code, with the initial and renewal applications.
- (b) An applicant must complete all requirements within one year of the date the application is filed.
- (c) Except as provided by §73.24, each individual applicant must pass all parts of a Department accepted examination, and provide proof of a passing grade, before the applicant will be licensed. To be accepted, an examination must have been taken and passed no more than two years before the date of the application.
- (d) For purposes of this chapter, 2,000 hours of on the job training shall equal one year of on the job training. On the job training must be established by letter(s) setting out dates of employment from persons who either employed or supervised the applicant or as required by the application. Letters must include the name and license type of the supervising person.
- (e) Each applicant must meet the applicable eligibility requirements as set forth in the Occupations Code, §§1305.153-1305.161.
- (f) Obtaining a license by fraud or false representation is grounds for denial, suspension, or revocation of a license and/or an administrative penalty.

73.21. Licensing Requirements—Examinations. *(Effective March 1, 2004, 29 TexReg 1653; amended effective October 20, 2005, 30 TexReg 6730)*

- (a) To obtain by examination a license issued under this chapter, an individual applicant must successfully complete an examination approved by the Executive Director of the Texas Department of Licensing and Regulation.
- (b) To obtain a license without examination, an applicant must either:
 - (1) file a completed application and the provisions of Section 12, House Bill 1317 of the 79th Legislative Session and §73.24 must be met on or before December 31, 2005; or,
 - (2) have been licensed for the preceding year by a municipality or regional licensing authority that has terminated its licensing program and have applied for a state issued license within ninety days of the date the program stopped issuing or renewing licenses.

73.22. Licensing Requirements--General. *(Effective March 1, 2004, 29 TexReg 1653; amended effective October 20, 2005, 30 TexReg 6730)*

- (a) A license issued under this chapter is valid for one year from the date of issuance and must be renewed annually.
- (b) A person shall not perform work requiring a license under Title 8, Occupations Code, Chapter 1305 with an expired license.
- (c) Falsification of information on an application or cheating on an examination is grounds for denial, suspension, or revocation of a license and/or an administrative penalty.
- (d) An electrical contractor, or an electrical sign contractor shall not use a license number that is not assigned to that contractor by the Department.
- (e) A license is not transferable.
- (f) Altering a license in any way is prohibited and is grounds for a sanction and/or penalty.
- (g) If a licensee contracts with a general contractor or a home warranty company to provide installation or service that requires a license under the Act, the licensee remains responsible for the integrity of that work.
- (h) A person using the license of another person or allowing another person to use his license shall be subject to license denial, suspension, or revocation and/or assessment of an administrative penalty.

73.23. Licensing Requirements--Renewal. *(Effective March 1, 2004, 29 TexReg 1653; amended effective October 20, 2005, 30 TexReg 6730)*

- (a) Non-receipt of a license renewal notice from the Department does not exempt a person, or entity, from any requirements of this chapter.
- (b) A complete request for renewal must be filed on the form approved by the Department and include all required fees by the expiration date to maintain continuous licensure.
- (c) Applications not filed by the expiration date are considered applications for late renewal and are subject to late renewal fees.
- (d) Licenses issued from a late renewal application will have an unlicensed period from the expiration date of the previous license to the issuance date of the renewed license. Work that requires a license issued under this chapter shall not be performed during the unlicensed period.

73.24. Licensing Requirements--Waiver of Examination Requirements. *(Effective March 1, 2004, 29 TexReg 1653; amended effective October 20, 2005, 30 TexReg 6730)*

- (a) An applicant who is licensed in another state that has entered into a reciprocity agreement with Texas regarding licensure of electricians, may obtain an equivalent license in Texas without passing the examination, provided that all other licensure requirements are met.
- (b) The Executive Director may waive the examination requirement if, based upon acceptable proof, the Executive Director determines that the provisions of §73.21 are met.
- (c) Acceptable proof of an applicant's qualifications may include any or all of the following:
 - (1) a form prescribed by the Department that certifies completion of the required hours of on-the-job training under the supervision of a master electrician or master sign electrician as appropriate.
 - (2) a form prescribed by the Department and completed by the municipality or region in which the applicant was licensed for at least one year.

- (3) a transcript, diploma or certificate evidencing graduation from an applicable apprenticeship program with the required number of hours of job-related education. The apprenticeship program must be approved and registered by the U.S. Department of Labor, Bureau of Apprenticeship and Training or other organizations recognized by the Department.
- (d) An applicant applying for licensure in an area in which a municipal or regional licensing program exists and who works in the area, without passing an examination, may obtain a state issued license that is equivalent to the municipal or regional license held at the time of application.
- (e) An applicant who lives and works in an area where no municipal or regional licensing program exists, without passing an examination, may obtain a state issued master electrician's license or a master sign electrician's license if the applicant has 20,000 hours of on-the-job electrical experience acquired while working in an area where no municipal or regional licensing program existed while under the supervision of a master electrician recognized by the department.

73.25. Continuing Education. *(Effective November 24, 2004, 29 TexReg 10768; amended effective October 20, 2005, 30 TexReg 6730)*

- (a) Terms used in this section have the meanings assigned by Chapter 59 of this title, unless the context indicates otherwise.
- (b) To renew a license listed in Texas Occupations Code, §1305.168(a), an individual licensee must complete four hours of continuing education in courses approved by the department.
- (c) The continuing education hours must have been completed within the term of the current license, in the case of a timely renewal. For a late renewal, the continuing education hours must have been completed within one year prior to the date of renewal.
- (d) A licensee may not receive continuing education credit for attending the same course more than once for one renewal.
- (e) For each annual renewal, an individual licensee must complete a course, or combination of courses, dedicated to instruction in:
 - (1) the National Electrical Code, as adopted under Title 8, Occupations Code §1305.101, or the current version of the National Electrical Code, as approved by the National Fire Protection Association; and
 - (2) state law and rules that regulate the conduct of licensees.
- (f) A licensee shall retain a copy of the certificate of completion for a course for one year after the date of completion. In conducting any inspection or investigation of the licensee, the department may examine the licensee's records to determine compliance with this subsection.
- (g) To be approved under Chapter 59 of this title, a provider's course must be dedicated to instruction in:
 - (1) the National Electrical Code, as adopted under Title 8, Occupations Code §1305.101, or the current version of the National Electrical Code, as approved by the National Fire Protection Association; and/or
 - (2) state law and rules that regulate the conduct of licensees.
- (h) If a provider files a course approval application prior to January 1, 2005 and the department subsequently approves the course, a provider may submit to the department a completion report for hours of instruction completed from March 1, 2004 to the course approval date. The completion report must be submitted on the appropriate department-approved form. Continuing education credit will be awarded to a participant under this subsection if the provider submits sufficient documentation to satisfy the department that the hours of instruction offered prior to the course approval date were substantially similar to the course subsequently approved by the department.

- (i) Section 59.51(d) of this title does not apply to hours of instruction or courses completed prior to the course approval date under subsection (h) of this section.

73.26. Documentation of Required On-The-Job Training. *(Emergency Rule effective September 13, 2004, 29 TexReg 9081; Adopted effective December 1, 2004, 29 TexReg 11029; amended effective October 20, 2005, 30 TexReg 6730)*

- (a) Individual applicants for electrical licenses and electrical sign licenses may establish required on-the-job training under a master electrician or a master sign electrician by showing that the applicant has been supervised for the requisite period by one or more persons who meet any one of the following:
 - (1) licensure by any jurisdiction as a master electrician, or master sign electrician as appropriate; or,
 - (2) a person not licensed as an electrician, who during the period of supervision of the applicant, had experience working in a position having overall responsibility for electrical work, or electrical sign work, as appropriate, that is acceptable in the trade for a business that performed such work in an area where no municipal or regional electrical license, or electrical sign license, was required.
- (b) Proof of a non-licensed supervising person's experience may be established by providing on a form acceptable to the department:
 - (1) a verified statement from the owner or manager of a business described in subsection (a)(2) of this section, that the supervising person during the period the person supervised electrical work performed by the applicant, had overall responsibility for electrical work, or electrical sign work, as appropriate, performed by the business;
 - (2) a verified statement by the supervising person that he or she was the owner of a business described in subsection (a)(2) of this section with overall responsibility for work performed by the business, and that he or she supervised the applicant in the performance of electrical work or electrical sign work, as appropriate, during the period of employment reported; or,
 - (3) when statements described in paragraph (1) and (2) of this subsection are not available;
 - (A) the applicant's verified statement setting out the period of employment, the nature of relevant work provided by the business, the nature of work performed by the applicant, the name and title of supervising persons, that the supervising persons had overall responsibility for electrical work, or electric sign work, as appropriate, and an explanation why a statement under either paragraph (1) or (2) of this subsection is not available; and,
 - (B) documentation showing applicant's relationship to the business for the relevant period, such as:
 - (i) payroll records;
 - (ii) applicant's personal tax records; or,
 - (iii) other records acceptable to the department.
- (c) When the applicant has been supervised by a non-licensed person, the existence of the business described in subsection (a)(2) of this section must be established by providing documentation for the relevant period, such as:
 - (1) invoices showing work performed;
 - (2) tax records of the business;
 - (3) approval of electrical work, or electrical sign work, as appropriate, by officials from jurisdictions

- having authority over the work, but where no license was required;
- (4) yellow page and newspaper advertisements (must include date); or
- (5) other records acceptable to the department.

73.27. Licensing Requirements--Temporary Apprentices. *(Effective October 20, 2005, 30 TexReg 6730)*

- (a) An applicant for a license as an electrical apprentice or an electrical sign apprentice will be issued a temporary apprentice license, if the applicant:
 - (1) has not been convicted of a criminal offense; and,
 - (2) pays the required fee.
- (b) A temporary license is valid for 21 days and may not be renewed.

73.28.Licensing Requirements--Emergency Licenses. *(Effective October 20, 2005, 30 TexReg 6730)*

- (a) The executive director may grant emergency electrician licenses when:
 - (1) in response to an emergency as defined by Gov. Code, §418.004, a state of disaster is declared by;
 - (A) the Governor pursuant to Gov. Code, §418.014; or,
 - (B) the presiding officer of the governing body of a local governmental entity pursuant to Gov. Code, §418.108, and,
 - (2) the executive director determines that a sufficient number of persons holding electrical licenses recognized under Occupations Code, Chapter 1305 is not available to perform electrical work needed to timely respond to the disaster.
- (b) To obtain an emergency license, an applicant must:
 - (1) be currently licensed by another state of the United States to perform electrical work in the licensing state; and,
 - (2) submit a completed application on a form acceptable to the department, along with appropriate attachments and the required fee.
- (c) Emergency licenses will be classified as master, journeyman, residential wireman, or maintenance electrician and will be issued to applicants at a level equivalent to the license the applicant holds in another state.
- (d) An emergency license will expire ninety days after issuance, and:
 - (1) is valid only in the disaster area designated by the governor, or in the jurisdiction of a local governmental entity declaring a disaster;
 - (2) is valid only during the time of a declared disaster and its recovery period, if any; and
 - (3) may be renewed for an additional ninety days if:
 - (A) the declared disaster and any applicable recovery period continues on the eightieth day of the emergency license;
 - (B) the executive director determines, at that time, that a sufficient number of persons holding

electrical licenses recognized under Occupations Code, Chapter 1305 is not available to perform electrical work needed to timely respond to the disaster; and,

- (C) submits a completed renewal application on a form acceptable to the department, along with appropriate attachments and the required fee.
- (e) A person holding an emergency license must perform electrical work:
 - (1) on behalf of an electrical contractor, an electrical sign contractor, or an employing governmental entity; and,
 - (2) in compliance with all applicable statutes, administrative rules, and ordinances.
- (f) The fee for emergency licenses will be the amount set out in §73.80 for the class of emergency license issued.

73.30. Exemptions. *(Effective March 1, 2004 29 TexReg 1653)*

This chapter does not apply to electrical work as provided in the Occupations Code, Section 1305.003.

73.40. Insurance Requirements. *(Effective March 1, 2004, 29 TexReg 1653; amended effective October 20, 2005, 30 TexReg 6730)*

- (a) Electrical contractors and electrical sign contractors are required to maintain at least the minimum general liability insurance coverages at all times to satisfy proof of financial responsibility. The insurance must:
 - (1) be at least \$300,000 per occurrence (combined for property damage and bodily injury);
 - (2) be at least \$600,000 aggregate (total amount the policy will pay for property damage and bodily injury coverage); and
 - (3) be at least \$300,000 aggregate for products and completed operations.
- (b) A license applicant or licensee shall file with the Department a completed certificate of insurance or other evidence satisfactory to the Department when applying for initial and renewal licenses and upon request of the Department.
- (c) Proof of the required general liability and workers' compensation insurance can be submitted on an industry standard certificate of insurance form with a 30 day cancellation notice. Workers' compensation coverage may be established by a certificate of authority to self insure, or an applicant may state that it has elected not to obtain workers' compensation coverage.
- (d) A licensed contractor shall furnish the name of the insurance carrier, policy number, name, address, and telephone number of the insurance agent with whom the contracting company is insured to any customer who requests it.
- (e) Insurance must be obtained from an admitted company or an eligible surplus lines carrier, as defined in the Texas Insurance Code, Chapter 981, or other insurance companies that are rated by A.M. Best Company as B+ or higher.

73.51. Electrical Contractors' Responsibilities. *(Effective July 13, 2004, 29 TexReg 6637; amended effective March 1, 2005, 30 TexReg 1073)*

- (a) A licensed electrical contractor shall display its name and license number on both sides of each vehicle owned or operated by the business and used in the conduct of electrical work. Lettering shall be of a contrasting color and at least two inches in height. The license number shall be preceded by the letters "TECL".
- (b) All of a contractor's non-exempt electrical work shall be performed by licensed individuals. A contractor is responsible for compliance with applicable codes for all such electrical work it performs.

- (c) The electrical contractor's name, address, phone number, and license number shall appear on all proposals, invoices, and written contracts proposed by the contractor. The following information: "Regulated by The Texas Department of Licensing and Regulation, P. O. Box 12157, Austin, Texas 78711, 1-800-803-9202, 512-463-6599; website: www.license.state.tx.us/complaints" shall be listed on invoices and written contracts.

73.52. Electrical Sign Contractors' Responsibilities. (Effective July 13, 2004, 29 TexReg 6637; amended effective March 1, 2005, 30 TexReg 1073)

- (a) A licensed electrical sign contractor shall display its name and license number on both sides of each vehicle owned or operated by the business and used in the conduct of electrical sign work. Lettering shall be of a contrasting color and at least two inches in height. The license number shall be preceded by the letters "TSCL".
- (b) All of a contractor's non-exempt electrical sign work shall be performed by licensed individuals. A contractor is responsible for compliance with applicable codes for all such electrical sign work it performs.
- (c) The electrical sign contractor's name, address, phone number, and license number shall appear on all proposals, invoices, and written contracts proposed by the contractor. The following information: "Regulated by The Texas Department of Licensing and Regulation, P. O. Box 12157, Austin, Texas 78711, 1-800-803-9202, 512-463-6599; website: www.license.state.tx.us/complaints" shall be listed on invoices and written contracts.

73.53. Licensees' Responsibilities. (Effective July 13, 2004, 29 TexReg 6637; Section title amended effective October 20, 2005, 30 TexReg 6730)

All licensees must perform non-exempt electrical work or non-exempt electrical sign work in compliance with applicable codes. The department will interpret applicable codes for purposes of enforcement of the Act.

73.60. Standards of Conduct for Licensee. (Effective March 1, 2004, 29 TexReg 1653; amended effective October 20, 2005, 30 TexReg 6730)

- (a) *Competency.* The licensee shall be knowledgeable of and adhere to the Act, the rules, applicable codes, and all procedures established by the Department for licensees. It is the obligation of the licensee to exercise reasonable judgment and skill in the performance of all duties and work performed as a licensee.
- (b) *Integrity.* A licensee shall be honest and trustworthy in the performance of all duties and work performed as a licensee, and shall avoid misrepresentation and deceit in any fashion, whether by acts of commission or omission. Acts or practices that constitute threats, coercion, or extortion are prohibited.
- (c) *Interest.* The primary interest of the licensee is to ensure compliance with the Act, the rules, and all applicable codes. The licensee's position, in this respect, should be clear to all parties concerned while in the performance of all duties and work performed as a licensee.
- (d) *Specific Rules of Conduct.* A licensee shall not:
 - (1) participate, whether alone or in concert with others, in any plan, scheme, or arrangement attempting or having as its purpose the evasion of any provision of the Act, the rules, or the standards adopted by the Commission;
 - (2) knowingly furnish inaccurate, deceitful, or misleading information to the Department, a consumer, or other person while performing as a licensee;
 - (3) engage in any activity that constitutes dishonesty, misrepresentation, or fraud while performing as a licensee; and
 - (4) perform duties or work as a licensee in a negligent or incompetent manner.

73.65. Advisory Board. *(Effective March 1, 2004, 29 TexReg 1653)*

- (a) Board meetings are called by the presiding officer. Meetings in excess of those mandated by the Act may be authorized by the Executive Director.
- (b) Expenses reimbursed to board members shall be limited to authorized expenses incurred while on board business and traveling to and from board meetings. The least expensive method of travel should be used. Expenses can be reimbursed to board members only when the legislature has specifically appropriated money for that purpose.
- (c) Expenses paid to board members shall be limited to those allowed by the State of Texas Travel Allowance Guide and the Texas Department of Licensing and Regulation policies governing travel allowances for employees.

73.70. Responsibility of Licensee--Standards of Conduct. *(Effective March 1, 2004, 29 TexReg 1653; amended effective October 20, 2005, 30 TexReg 6730)*

- (a) An individual licensee must provide all electrical work requiring a license through a licensed contractor, or employing governmental entity.
- (b) The licensee shall accurately and truthfully represent to any prospective client or employer, the licensee's capabilities and qualifications to perform the services to be rendered.
- (c) The licensee shall not offer to perform, nor perform, technical services for which the licensee is not qualified by education or experience, without securing the services of another who is qualified.
- (d) The licensee shall not evade responsibility to a client or employer.
- (e) The licensee shall not agree to perform services if any significant financial or other interest exists that may be in conflict with:
 - (1) the obligation to render a faithful discharge of such services; or
 - (2) would impair independent judgment in rendering such services.
- (f) The licensee should withdraw from employment when it becomes apparent that it is not possible to faithfully discharge the duty and performance of services owed the client or employer, but then only upon reasonable notice to the client or employer. A licensee who does not withdraw must inform the consumer of the facts that give rise to the duty to withdraw.
- (g) The licensed contractor shall not engage in advertising that is false, misleading, deceptive, or which does not clearly display the licensee's state license number.
- (h) The licensee shall not misrepresent the amount or extent of prior education or experience to any employer or client, or to the Department.
- (i) The licensee shall not hold out as being engaged in partnership or association with any person unless a partnership or association exists in fact.
- (j) Licensees must abide by all laws and rules regulating electricians, including the Standards of Conduct set forth in this section, within any geographic location in this state when performing or offering to perform electrical work.

73.80. Fees. *(Effective March 1, 2004, 29 TexReg 1653; amended effective March 1, 2005, 30 TexReg 1074; amended effective October 20, 2005, 30 TexReg 6730)*

- (a) Application and renewal fees:

- (1) Master Electrician--\$65
 - (2) Master Sign Electrician--\$65
 - (3) Journeyman Electrician--\$40
 - (4) Journeyman Sign Electrician--\$40
 - (5) Residential Wireman--\$25
 - (6) Maintenance Electrician--\$25
 - (7) Electrical Contractor--\$125
 - (8) Electrical Sign Contractor--\$125
 - (9) Electrical Apprentice--\$20
 - (10) Electrical Sign Apprentice--\$20
- (b) Late Renewal Fees. Late renewal fees for licenses issued under this chapter are provided under §60.83 of this title (relating to Late Renewal Fees).
- (c) Revised or duplicate license fees:
- (1) All licenses except as set out below--\$ 25
 - (2) Electrical Apprentice--\$20
 - (3) Electrical Sign Apprentice--\$20
- (d) All fees are non-refundable.

73.90. Sanctions--Administrative Sanctions/Penalties. *(Effective March 1, 2004, 29 TexReg 1653)*

If a person violates any provision of Title 8, Occupations Code, Chapter 1305, any provision of Title 16, Texas Administrative Code, Chapter 73, or any provision of an order of the Executive Director or Commission, proceedings may be instituted to impose administrative penalties, administrative sanctions, or both administrative penalties and sanctions in accordance with the provisions of Title 8, Texas Civil Statutes, Chapter 1305, Texas Occupations Code, Chapter 51; and Title 16, Texas Administrative Code, Chapter 60.

73.100. Technical Requirements. *(Effective March 1, 2004, 29 TexReg 1653; amended effective July 3, 2005, 30 TexReg 3727)*

Effective July 1, 2005 the Department adopts the National Electrical Code, 2005 Edition as it existed August 5, 2004 as adopted by the National Fire Protection Association, Inc.