

CONTRACTORS STATE LICENSE BOARD
APPROVED FINAL TEXT – Effective November 15, 2016

Section 100 Changes

Title 16, Division 8

Article 2. Application for License

Amended Section 816:

§816. Application Form for Original License

(a) The license application form prescribed by the Registrar shall seek from each member of the personnel of the applicant the following information:

(1) A record of the previous experience in the field of construction of the member of applicant's personnel who will qualify for the classification requested.

(2) Whether the applicant or a member of applicant's personnel or whether to his or her knowledge anyone with whom he/she has been associated in the contracting field has ever been licensed or had a professional or vocational license refused or revoked.

(b) The application shall be signed, under penalty of perjury, by each member of the personnel of the applicant.

(c) Nothing in this Rule shall be interpreted to limit the Registrar's authority to require an applicant to provide any other information necessary to determine the applicant's qualifications, or to exempt the applicant therefrom, or to enforce the provisions of the Contractors License Law, except as otherwise required by law. The Registrar may exempt applicants who are eligible for waiver of examination, pursuant to Section 7065.1 of the Code, or who are not required to take the examination, pursuant to Section 7065 of the Code, from the requirement to submit information described in subsection (a)(1).

Note: Authority cited: Section 7008, Business and Professions Code. Reference: Sections 7066, 7067.6 and 7070, Business and Professions Code.

(Section 817 Repealed)

Article 3. Classifications

Amended Section 832:

§832. Specialty Contractors Classified

Specialty contractors shall perform their trade using the art, experience, science and skill necessary to satisfactorily organize, administer, construct and complete projects under their classification, in accordance with the standards of their trade.

They are classified into the following subclassifications:

Asbestos Abatement	C-22
Boiler, Hot Water Heating and Steam Fitting	C-4
Building Moving/Demolition	C-21
Cabinet, Mill Work and Finish Carpentry	C-6
Concrete	C-8
Construction Zone Traffic Control	C-31
Drywall	C-9
Earthwork and Paving	C-12
Electrical	C-10
Elevator	C-11
Fencing	C-13
Fire Protection	C-16
Flooring and Floor Covering	C-15
Framing and Rough Carpentry	C-5
General Manufactured Housing	C-47

Glazing	C-17
Insulation and Acoustical	C-2
Landscaping	C-27
Lathing and Plastering	C-35
Limited Specialty	C-61
Lock and Security Equipment	C-28
Low Voltage Systems	C-7
Masonry	C-29
Ornamental Metal	C-23
Painting and Decorating	C-33
Parking and Highway Improvement	C-32
Pipeline	C-34
Plumbing	C-36
Refrigeration	C-38
Roofing	C-39
Sanitation System	C-42
Sheet Metal	C-43
Sign	C-45
Solar	C-46
Steel, Reinforcing	C-50
Steel, Structural	C-51

Swimming Pool	C-53
Tile (Ceramic and Mosaic)	C-54
Warm-Air Heating, Ventilating and Air Conditioning	C-20
Water Conditioning	C-55
Welding	C-60
Well Drilling (Water)	C-57

Note: Authority cited: Sections 7008 and 7059, Business and Professions Code.
Reference: Sections 7058 and 7059, Business and Professions Code.

Amended Section 832.16:

§832.16. Fire Protection Contractor

A fire protection contractor lays out, fabricates and installs all types of fire protection systems; including all the equipment associated with these systems, excluding electrical alarm systems.

Note: Authority cited: Section 7008 and 7059 of the Business and Professions Code.
Reference: Sections 7058 and 7059, Business and Professions Code.

Article 7. Special Provisions

Amended Section 864:

§864. Continuance of License under Section 7068.2

When a notice of disassociation of the responsible managing officer, responsible managing employee, responsible managing member, or responsible managing manager is given within the time and in the manner prescribed by Section 7068.2 of the code, the license shall remain in force for a period of 90 days from the date of such disassociation.

Note: Authority cited: Section 7008, Business and Professions Code. Reference:
Section 7068.2, Business and Professions Code.

Amended Section 865:

§865. Continuance of License under Section 7076

(a) An application for the continuation of a business under an existing license may be submitted to the Registrar within 90 days of:

- (1) the death of a person licensed as an individual,
- (2) the death or the disassociation of a partner of a licensed partnership, or
- (3) the death of an individual member or the disassociation of any entity of a licensed joint venture.

If the application is approved by the Registrar, the license shall remain in force for a period of up to one year from the date of death or disassociation.

(b) The Registrar may approve an extension to the one-year provision outlined in subsection (a) if additional time is necessary to complete projects contracted for or commenced before the disassociation or death.

(c) A license so extended is subject to all the provisions of the Contractors License Law including those relating to renewal and bond requirements.

Note: Authority cited: Section 7008, Business and Professions Code. Reference: Section 7076, Business and Professions Code.

Amended Section 867:

§867. Procedure to Reactivate an Inactive License

(a) A reactivation of an inactive license shall be effective on the date on which an acceptable form is received by the Registrar, on the date on which the full renewal fee for an active license provided for in Section 7137 of the Code is paid, or on the date, if any, requested by the licensee, whichever last occurs.

(b) When an inactive license is reactivated, the Registrar shall issue to the licensee an active pocket license.

(c) The name, address, license number and classification of the reactivated licensee shall be posted publicly as prescribed by the Registrar.

Note: Authority cited: Section 7008, Business and Professions Code. Reference: Section 7076.5, Business and Professions Code.

Amended Section 869.1:

§869.1. Applicant Defined

(a) All applicants for licensure shall furnish a full set of fingerprints for purposes of the board conducting a criminal history record check. The fingerprints will be used to allow the California Department of Justice and the Federal Bureau of Investigation to provide criminal history to the Board.

(b) For purposes of fingerprinting, "applicant" means any individual applying to be a member of the personnel of record.

(c) For purposes of fingerprinting, "applicant" means an individual applying for a home improvement salesperson registration.

Note: Authority cited: Section 7008, Business and Professions Code. Reference: Sections 7069 and 7153.1, Business and Professions Code.

Amended Section 869.5:

§869.5. Inquiry into Criminal Convictions

The Board may conduct an inquiry into the circumstances surrounding the commission of a crime in order to fix the degree of discipline or to determine if the crime is substantially related to the qualifications, functions, and duties of a licensee by requiring the applicant or licensee to provide documents including, but not limited to, certified court documents, certified court orders or sentencing documents.

Note: Authority cited: Sections 480, 481 and 7008, Business and Professions Code. Reference: Sections 480, 481, 493, 7066, 7069 and 7073, Business and Professions Code.

Amended Section 870:

§870. Factors to Apply When Determining Earliest Date a Revoked Licensee May Apply for Licensure

(a) The Registrar shall have exclusive authority in setting the earliest date a revoked licensee may reapply for reissuance or reinstatement of a license.

(b) When extending the minimum one year period, the Registrar shall give due consideration to the gravity of the violation, the history of previous violations and criminal convictions, and evaluate the application based on the following criteria:

Reapplication Dates:

5 years

License has been revoked:

- (1) one or more times or
- (2) for committing fraudulent acts or
- (3) committing acts which have seriously endangered the public welfare and safety or
- (4) for being convicted of a construction-related crime. (For the purposes of determining if a crime is construction-related, CCR Title 16, Chapter 8, Section 868 shall apply.)

4 years

License has been revoked:

- (1) for committing violations on multiple construction projects; or
- (2) for committing multiple violations of law for reasons other than fraud, danger to the public welfare and safety and for conviction of a construction-related crime.

3 years

License has been revoked and revoked licensee:

- (1) has been issued more than one citation which has become final within one year immediately preceding the date of revocation or
- (2) has been previously suspended by the Register

as the result of a disciplinary action.

2 years

License has been revoked and revoked licensee has been issued a citation, which has become final within one year immediately preceding the date of revocation.

1 year

Licensee has been revoked for the first time and revoked licensee has no previous legal action history with the Board.

Note: Authority cited: Sections 7008 and 7059, Business and Professions Code.

Reference: Sections 7058 and 7059, Business and Professions Code.

NOTICE PUBLICATION/REGULATIONS SUBMISSION

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-	REGULATORY ACTION NUMBER 2016-1014-01N	EMERGENCY NUMBER
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For use by Office of Administrative Law (OAL) only

2016 OCT 14 A 10:26
OFFICE OF
ADMINISTRATIVE LAW

ENDORSED - FILED
in the office of the Secretary of State
of the State of California

NOV 15 2016

1:47 p.m.

NOTICE

REGULATIONS

AGENCY WITH RULEMAKING AUTHORITY
Contractors State License Board (CSLB)

AGENCY FILE NUMBER (if any)

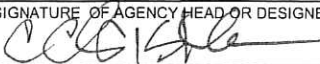
A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE		TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed <input type="checkbox"/> Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn		NOTICE REGISTER NUMBER	PUBLICATION DATE

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Application for License, Classifications, and Special Provisions		1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)	
2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)			
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)		ADOPT	
TITLE(S) 16		AMEND 816, 832, 832.16, 832.62, 864, 865, 867, 869, 869.1, 869.5, 869.9, and 870	
3. TYPE OF FILING		REPEAL 817	
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346) <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b)) <input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute. <input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1) <input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) <input type="checkbox"/> File & Print <input type="checkbox"/> Other (Specify) _____			
4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)			
5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)			
<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a)) <input type="checkbox"/> Effective on filing with Secretary of State <input checked="" type="checkbox"/> §100 Changes Without Regulatory Effect <input type="checkbox"/> Effective other (Specify) _____			
6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY			
<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660) <input type="checkbox"/> Fair Political Practices Commission <input type="checkbox"/> State Fire Marshal <input type="checkbox"/> Other (Specify) _____			
7. CONTACT PERSON Betsy Figueira		TELEPHONE NUMBER (916) 255-3369	FAX NUMBER (Optional) E-MAIL ADDRESS (Optional) betsy.figueira@cslb.ca.gov

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE 	DATE 10/13/2016
TYPED NAME AND TITLE OF SIGNATORY Cindi Christenson, Registrar	

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ENDORSED APPROVED

NOV 15 2016

Office of Administrative Law