STATE OF ALABAMA LICENSING BOARD FOR GENERAL CONTRACTORS ADMINISTRATIVE CODE

CHAPTER 230-X-1
OPERATIONS OF THE BOARD

230-X-1-.34 License And Examination.

(1) Beginning with applicants for licensure whose applications are received after March 24, 2003, an examination(s) must be successfully completed before a license will be issued.

(2) If the application is satisfactory to the board, then the applicant is entitled to an examination to determine the applicant's qualifications. This examination may be written. Each applicant may be charged an examination fee for each written examination.

(3) Employees registering as the qualifying party for an applicant must be in full-time employment for 90 consecutive days immediately preceding the examination. Said employee shall be prepared to execute an affidavit furnished by the Board at the time he/she takes the examination giving length of employment, social security number, and evidence of his/her eligibility by furnishing cancelled payroll checks representing three preceding months.

(4) Each qualifying party shall provide all prior affiliations with a licensed contractor(s) and shall disclose whether or not he/she has been involved in sanctions levied against such contractor(s).

(5) The following persons must obtain a successful score on the examination to obtain a certificate authorizing the applicant to operate as a contractor.

(a) for a sole proprietorship - the individual owner or full-time employee with a limited written power of attorney who is in responsible supervision of the business management and construction practices;

(b) for any partnership – a general partner or a full-time employee with limited written power of attorney who is in responsible supervision of the business management and construction practice;

(c) for any corporation – a major stockholder or a full-time employee with a limited written power of attorney who is in responsible supervision of the business management and construction practice;

(d) for any limited liability company – the person who is in responsible supervision of the business management and construction practice and is either manager or full-time employee with a limited written power of attorney.

(e) in the event that the qualifying agent in (a), (b), (c) or (d) above leaves the employment of the business, or his or her employment status changes, written notice must be given within (30) days to the Board.

(f) if anyone other than an individual with an ownership interest acts as qualifying agent, then an officer with an ownership interest or power of attorney must also appear along with the qualifying agent for interview before the Board.

(6) If the results of the examination of any applicant are satisfactory to the board, then it may issue to the applicant a certificate authorizing the applicant to operate as a contractor in this state if all other licensing requirements have been met. The board shall state the classifications in which the applicant is qualified to engage in as a contractor and shall list the monetary limitations thereon as determined by the statues.

(7) Whenever any applicant is advised to appear before the board for an interview and fails to appear at the scheduled time and place without notifying the board at least three (3) days in advance and fails to appear for interview on three (3) separate occasions, a new application and fee are required.

(8) Upon request, the Board will provide general information concerning the examination to any person who intends to be examined for licensure.

(9) EXEMPTIONS FROM EXAMINATIONS

(a) Except as provided for in these regulations, all licensees who are properly licensed before January 1, 2003 and who renew their 2003 licenses by December 31, 2003, shall not be required to take an examination in order to maintain their licenses. Licensees with more than one year since last licensed will not be deemed current and will not be exempt.

(b) A contractor who is a subsidiary of a currently licensed contractor and who is making application for a license in the same classification(s) as that of the currently licensed contractor shall not be required to take an examination, provided that the majority stock holder(s) of the subsidiary applicant and the currently licensed company are the same. It is the responsibility of the currently licensed contractor to provide verification that there is no change in the employment status of the qualifying party for the original license.

(c) A licensed firm making application for a subsidiary license for the same classification(s) as those in which the licensed firm has qualified may be exempt from examination, provided that the qualifying party on record with the Board for the licensed firm making application for a subsidiary license is the same as that of the parent company. It is further provided that any subsidiaries qualifying under the terms of this section shall not be permitted to assume the position of a parent company or firm for the purpose of forming additional subsidiaries.

(d) A qualifying party making application for a license as an individual, stockholder, or principal owner may be exempt from taking another examination for which he/she has previously taken and passed, subject to the approval of the Board.

(e) In the event that the principals in a partnership, firm or corporation should separate or dissolve, each individual or the remaining entity may apply to the Board for license in the new name(s) without having to pass an examination so long as all requirements for licensure are otherwise met.

(f) An applicant requesting license in a specific sub-classification where there is no technical written examination shall be examined by the Board from three or more written references from contractors, engineers, architects, or qualified persons determined by the Board.

(10) RECIPROCITY

(a) Other States: Any applicant applying for a license or license amendment who desires that the trade examination portion of these rules and regulations be waived shall cause the state licensing board for general contractors of the state in which he is licensed in good standing to certify in writing that such board will grant the same waiver of such laws of that state to general contractors licensed by this Board. In addition, each board shall identify the qualifying party or parties that successfully completed the examination.

(b) Other Boards in Alabama: If an applicant for license as a contractor is licensed by another regulatory board in this state in the same classification, sub classification or specialty classification as that for which the applicant seeks license from this Board, the Board may waive examination requirement if it is determined in its discretion that the examination given by the other board meets the requirements which would be tested by this Board’s examination.

(11) Any applicant caught cheating or assisting another to cheat on the license examination shall be prohibited from completing the exam or if the exam is completed the results will not be accepted by the Board. Only after a period of six months will the applicant

be allowed to reapply and sit for the examination again. If an applicant is caught cheating and or assisting another to cheat more than once he/she will be required to appear before the Board before further applications will be considered.

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