

Document: O.C.G.A. § 43-14-13

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Official Code of Georgia Annotated TITLE 43 Professions And Businesses (Chs. 1 – 51) CHAPTER 14 Electrical Contractors, Plumbers, Conditioned Air Contractors, Low-voltage Contractors, and Utility Contractors (§§ 43-14-1 – 43-14-18)

43-14-13. Applicability of chapter.

(a) This chapter shall apply to all installations, alterations, and repairs of plumbing, air-conditioning and heating, or electrical or low-voltage wiring or utility systems within or on public or private buildings, structures, or premises except as otherwise provided in this Code section.

(b) Any person who holds a license issued under this chapter may engage in the business of plumbing, electrical contracting, conditioned air contracting, low-voltage contracting, or utility contracting but only as prescribed by the license, throughout the state; and except as provided in Code Section 43-14-12, no municipality or county may require such person to comply with any additional licensing requirements imposed by such municipality or county.

(c) This chapter shall not apply to the installation, alteration, or repair of plumbing, air-conditioning and heating, utility systems, or electrical services, except low-voltage wiring services, up to and including the meters where such work is performed by and is an integral part of the system owned or operated by a public service corporation, an electrical, water, or gas department of any municipality in this state, a railroad company, a pipeline company, or a mining company in the exercise of its normal function as such.

(d) This chapter shall not prohibit an individual from installing, altering, or repairing plumbing fixtures, air-conditioning and heating, air-conditioning and heating fixtures, utility systems, or electrical or low-voltage wiring services in a residential dwelling owned or occupied by such individual; provided, however, that all such work must be done in conformity with all other provisions of this chapter, the rules and regulations of the board, and any applicable county or municipal resolutions, ordinances, codes, or inspection requirements.

(e) This chapter shall not prohibit an individual employed on the maintenance staff of a facility owned by the state or by a county, municipality, or other political subdivision from installing, altering, or repairing plumbing, plumbing fixtures, air-conditioning and heating fixtures, utility systems, or electrical or low-voltage wiring services when such work is an integral part of the maintenance requirements of the facility; provided, however, that all such work must be done in conformity with all other provisions of this chapter and the orders, rules, and regulations of the board.

(f) This chapter shall not prohibit any person from installing, altering, or repairing plumbing, plumbing fixtures, air-conditioning and heating fixtures, utility systems, or electrical or low-voltage wiring services in a farm or ranch service building or as an integral part of any irrigation system on a farm or ranch when such system is not located within 30 feet of any dwelling or any building devoted to animal husbandry. Nothing in this subsection shall be construed to limit the application of any resolution, ordinance, code, or inspection requirements of a county or municipality relating to such connections.

(g) This chapter shall not apply to low-voltage wiring performed by public utilities, except that such portion of the business of those public utilities which involves the installation, alteration, repair, or service of telecommunication systems for profit shall be covered under this chapter.

(h) This chapter shall not apply to the installation, construction, or maintenance of power systems or telecommunication systems for the generation or distribution of electric current constructed under the National Electrical Safety Code, which regulates the safety requirements of utilities; but the interior wiring regulated by the National Electrical Safety Code would not be exempt and must be done by an electrical contractor except as otherwise provided by law.

(i) This chapter shall not apply to any technician employed by a municipal or county-franchised community antenna television (CATV) system or a municipally owned community antenna television system in the performance of work on the system.

(j) This chapter shall not apply to regular full-time employees of an institution, manufacturer, or business who perform plumbing, electrical, low-voltage wiring, utility contracting, or conditioned air contracting when working on the premises of that employer.

(k) This chapter shall not apply to persons licensed as manufactured or mobile home installers by the state fire marshal when:

(1) Coupling the electrical connection from the service entrance panel outside the manufactured housing to the distribution panel board inside the manufactured housing;

(2) Connecting the exterior sewer outlets to the above-ground sewer system; or

(3) Connecting the exterior water line to the above-ground water system.

(l) Any person qualified by the Department of Transportation to perform work for the department shall not be required to be licensed under Code Section 43-14-8.2 or certified under Code Sections 43-14-8.3 and 43-14-8.4 in order to perform work for the department. Any person qualified by the Department of Transportation to perform work for the department shall not be required to be licensed under Code Section 43-14-8.2 or certified under Code Sections 43-14-8.3 and 43-14-8.4 in order to perform work for a county, municipality, authority, or other political subdivision when such work is of the same nature as that for which the person is qualified when performing department work; provided, however, that such

work is not performed on a utility system as defined in paragraph (17) of Code Section 43-14-2 for which the person receives compensation.

(m) This chapter shall not prohibit any person from installing, altering, or repairing the plumbing component of a lawn sprinkler system from a backflow preventer which was installed by a licensed plumber; provided, however, that all such work must be done in conformity with all other provisions of this chapter, the rules and regulations of the board, and ordinances of the county or municipality.

(n) Any person who contracts with a licensed conditioned air contractor as part of a conditioned air contract to install, alter, or repair duct systems, control systems, or insulation is not required to hold a license from the Division of Conditioned Air Contractors. The conditioned air contractor must retain responsibility for completion of the contract, including any subcontracted work. Any person who contracts with a licensed conditioned air contractor to perform a complete installation, alteration, or repair of a conditioned air system must hold a valid license from the Division of Conditioned Air Contractors. Any person who contracts to perform for or on behalf of a conditioned air contractor to install, alter, or repair electrical, low-voltage, or plumbing components of a conditioned air system must hold a valid license from the appropriate division of the board.

(o) This chapter shall not prohibit any propane dealer who is properly insured as required by law and who holds a liquefied petroleum gas license issued by the Safety Fire Commissioner from installing, repairing, or servicing a propane system or the gas piping or components of such system; provided, however, that such propane dealers shall be prohibited from performing the installation of conditioned air systems or forced air heating systems unless licensed to do so under this chapter.

(p) This chapter shall not apply to any employee or authorized agent of a regulated gas utility or municipal owned gas utility while in the course and scope of such employment.

(q) Any utility contractor holding a valid utility contractor's license under this chapter shall be authorized to bid for and perform work on any utility system in this state without obtaining a license under Chapter 41 of this title. It shall be unlawful for the owner of a utility system or anyone soliciting work to be performed on a utility system to refuse to allow a utility contractor holding a valid utility contractor's license under this chapter to bid for or perform work on a utility system on the basis that such contractor does not hold a license under Chapter 41 of this title.

History

Ga. L. 1980, p. 1299, § 16; Ga. L. 1981, p. 845, § 1; Ga. L. 1981, p. 1703, § 7; Ga. L. 1983, p. 424, § 1; Ga. L. 1984, p. 1129, § 8; Ga. L. 1989, p. 1756, § 8; Ga. L. 1993, p. 1339, § 11; Ga. L. 1994, p. 383, § 7; Ga. L. 1994, p. 662, § 2; Ga. L. 2003, p. 419, § 3; Ga. L. 2010, p. 211, § 1/SB 339; Ga. L. 2015, p. 5, § 43/HB 90.

▼ Annotations

Notes

The 2015 amendment, effective March 13, 2015, part of an Act to revise, modernize, and correct the Code, substituted "conditioned air contracting" for "conditioned air work" in subsection (j).

Editor's notes.

Former Code Section 43-14-13 was repealed by Ga. L. 1993, p. 1339, § 10, effective April 15, 1993, and was based on Ga. L. 1968, p. 308, § 22; Ga. L. 1980, p. 1299, § 14; Ga. L. 1981, Ex. Sess., p. 8; and Ga. L. 1983, p. 424, § 1.

Ga. L. 1993, p. 1339, § 11, effective April 15, 1993, renumbered former Code Section 43-14-15 as present Code Section 43-14-13.

JUDICIAL DECISIONS

Septic tank installation, maintenance, or repair is not included within the definition of "plumbing" in O.C.G.A. § 43-14-2 and, as a result, state law does not preempt counties from enacting regulations that specify the qualifications of persons who install septic tanks. *DeKalb County Bd. of Health v. Lee*, 266 Ga. 507, 467 S.E.2d 564, 1996 Ga. LEXIS 108 (1996).

Opinion Notes

OPINIONS OF THE ATTORNEY GENERAL

Editor's notes.

In light of the similarity of the statutory provisions, opinions under Ga. L. 1949, p. 1622 are included in the annotations for this Code section.

Employees of state and the state's political subdivisions

are not required to be licensed as electrical contractors even though providing services similar to those otherwise provided by electrical contractors for the state or the state's political subdivisions. 1974 Op. Att'y Gen. No. 74-152 (decided under Ga. L. 1949, p. 1622).

Licensing exemption contained in O.C.G.A. § 43-14-13(d),

while permitting individuals to install or repair plumbing, air conditioning, heating, electrical wiring or low voltage wiring on single-family dwellings which an individual owns or occupies, does not permit such owners or occupiers to employ unlicensed persons to perform these activities. Similarly, the exemption contained in O.C.G.A. § 43-14-16(d) [repealed] only allows the unlicensed employees of a general building contractor to perform work upon the business premises of the general contractor and not upon any other property the contractor may own. 1988 Op. Att'y Gen. 88-29.

Local licensing requirements for journeymen electricians prohibited. —

O.C.G.A. Ch. 14, T. 43 prohibits a municipality or county from establishing licensing requirements for journeyman electricians or collecting fees for such licenses. 1987 Op. Att'y Gen. No. 87-3

(decided prior to 1993 amendment of O.C.G.A. § 43-14-12).

Research References & Practice Aids

Hierarchy Notes:

O.C.G.A. Title 43

O.C.G.A. Title 43, Ch. 14

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