

**CHARLES COUNTY BOARD OF ELECTRICAL EXAMINERS
AND SUPERVISORS**

RULES AND REGULATIONS

2010

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SECTION 1 - DEFINITIONS

Words and phrases used in this subtitle shall have their usual meaning except as defined below:

- (a) Board: Board of Electrical Examiners and Supervisors.
- (b) Electrical Work: The installation, repair, alteration, addition, maintenance or erection of all or part of any electrical wiring, fixture, appliance, apparatus, raceway or conduit which generates, transmits, transforms or utilizes electrical energy for light, heat, power or communication.
- (c) Master Electrician-General: An individual licensed to do electrical work.
- (d) Journeymen Electrician: An individual licensed to supervise on site electrical work under the supervision of a Master General.
- (e) Master Electrician-Restricted: An individual licensed to do only 1 or 2 of the following types of electrical work as specified on the license.
 - (1) Electrically operated heating equipment, including equipment utilizing oil or gas burners; temperature control wiring.
 - (2) Electrically operated air conditioning and refrigeration equipment; temperature control wiring.
 - (3) Electrically operated elevators, cranes, hoists and pumps.
 - (4) Electrical display signs.
 - (5) Alarm systems.
 - (6) Telephone and low-voltage, fiber optics, communications systems.

A Master Electrician- Restricted may install electrical wiring from the point of distribution to, and including, the equipment or appliance being installed.

SECTION 2 - BOARD OF ELECTRICAL EXAMINERS AND SUPERVISORS

(a) Establishment of Board:

(1) The Code of Charles County, Maryland, Chapter 41, entitled Electrical Apparatus and Wiring, established a Board to examine and license those who would install electrical wiring and apparatus in existing structures, buildings, outside displays or signs in new construction, alterations or repairs or electrical wiring in such uses. The “National Electrical Code” as published by the National Fire Protection Association has been adopted as the standard for such work.

(b) Purpose of the Board:

(1) The purpose of this Board is to enforce the Public Laws of Charles County entitled Electrical Apparatus and Wiring (Chapter 41 of the Code of Charles County, Maryland) and as may be amended and any additional rules and regulations so adopted by the County Commissioners.

(2) The Board shall also review all applications for the Master, Master-Restricted, Journeyman Electrical licenses and Homeowners permits administer and grade the examinations and issue new or renewed licenses as required.

(c) Meetings:

(1) The Board shall regularly meet the third Wednesday of each month in La Plata, Maryland. Special meetings will be held as frequently as the proper and efficient discharge of its business shall require. These special meetings will be held at a place and time designated by the Board.

(d) Jurisdiction of the Board:

(1) Except as provided in Chapter 41.2 of the Charles County Code, the jurisdiction of this Board shall be over the erection or repair of electric wires or conductors to be used for the transmission of electric current for electric light, heat and power; or mouldings, ducts, raceways or conduits for the reception or protection of such wires or conductors, or to any electrical machinery, apparatus, devices or fixtures to be used for electric light, heat, communications power purposes within the boundaries of Charles County, except for Federal Government owned property and transmission lines and apparatus owned by a public electric utility company or cooperative.

- (1) There is a Board of Electrical Examiners and Supervisors consisting of five (5) members.

(f) Terms:

To ensure continuity in the working of the Board:

- a. **Active Master General Members** - The initial term for one (1) member licensed pursuant to this subtitle (Master General) will be a four (4) year term and a six (6) year term for the second member.
Members may be appointed for an additional four (4) year terms.
Standard term will be four (4) years.
Members shall not serve more than two consecutive terms unless approved for additional terms by the Board of County Commissioners with input from the Board of Electrical Examiners and Supervisors.
- b. **General Public Member** - The member selected from the general public will be appointed for a four (4) year term and not serve more than two (2) consecutive terms unless approved for additional terms by the Board of County Commissioners with input from the Board of Electrical Examiners and Supervisors.
- c. **County Government and Electrical Utility Members** - The Board members from County Government and the electrical utility company shall not be subject to term limits.
The County Government and the electrical utility company Board members may change from time to time as staffing needs change.
Any change in County Government and the electrical utility company members shall be approved by the County Commissioners.

(g) Officers:

(1) **CHAIRMAN** - The Chairman is initially appointed by the Charles County Commissioners (the Commissioners). The Chairman shall serve two years and another member shall serve as Vice Chairman for two years as recommended by the Board and rotated with other Board members other than the Representative of the County Government. This rotation shall continue to provide continuity in the administration of the Board and take place on July 1st. The Chairman shall preside at all meetings of the Board and will have authority to sign and execute on behalf of the Board all licenses and other instruments approved in accordance with the Code of Charles County.

(2) **VICE CHAIRMAN:** The Vice Chairman shall be an active master general member as identified in section 2. (f) above. In the absence of the Chairman, the Vice Chairman shall preside at all meetings of the Board and will perform the duties of the Chairman. The Vice Chairman shall serve two years and then serve as Chairman for two years. This rotation shall continue to provide continuity in the administration of the Board and take place on July 1st.

(3) **SECRETARY** to the Board of Electrical Examiners and Supervisors: It shall be the duty of the Secretary to prepare agendas for meetings, take minutes and insure that all minutes of the previous meetings are approved, keep attendance records, as well as being responsible for the processing and maintenance of all electrical licenses issue by the Board. Be custodian of Board's records, inform the Commission of correspondence relating to business of the Commission and attend to such correspondence, as directed by the Chairman.

(h) Qualifications for Appointment:

- (1) All members shall be residents of Charles County with the exception of the Representative of the Charles County Government.
- (2) Two members shall be:
 - (i) Licensed pursuant to this subtitle (active Master General).
- (3) One member shall be a representative of the County Government.
- (4) One member shall be selected from the general public.
- (5) One member shall be a representative of a public electric utility company or cooperative.

(i) Additional secretarial help shall be added as needed (license renewals, etc.).

(j) Duties and Responsibilities:

- (1) The Board of Electrical Examiners and Supervisors shall make recommendations to the County Commissioners on all matters relating to electrical work in Charles County, including the conduct of electrical business.
- (2) The Board of Electrical Examiners and Supervisors shall make recommendations concerning rules and regulations for the issuance of licenses, the examination of applicants, the issuance of permits and the inspection of electrical work.
- (2) The Board of Electrical Examiners and Supervisors shall examine applications qualify those applicants entitled to receive a license.

(4) The Board may refuse, suspend or revoke a license pursuant to the provision of Section, "Refusal, Suspension or Revocation of Licenses." And Section, "Procedure for Hearing to Refuse, Suspend or Revoke License," of this subtitle.

(5) The County Commissioners may refer any matter related to the Board's function to the Board for its review and recommendation.

SECTION 3 - ADOPTION OF NATIONAL ELECTRICAL CODE

(a) Adoption of Code: The currently adopted edition of the NFPA 70 of the National Electrical Code, with the amendment(s) as listed in (b) below, is hereby adopted as the electrical code for Charles County, and shall be adopted April 1 (or as otherwise approved by the Board) of the year the current standard is issued (normally every 3 years). All electrical installations and electrical services related thereto shall conform to the electrical code and to the provisions of the Charles County Building Code. In the event any conflict exists between the Charles County Building Code and the Charles County Electrical Code, the code requiring the higher standard shall govern.

(b) Local Amendment (s) to National Electrical Code (NFPA Number 70) as set forth:

(1) Aluminum conductors are not allowed in sizes smaller than #6.

(2) Interior wiring connections to heat pumps, A/C units and electric heat must be done with copper conductors.

(3) Color coding of conductors is required.

(c) Administration:

(1) The Board of Electrical Examiners is the jurisdiction having authority over the electrical code.

(2) The County's contract inspection service may make day-to-day interpretations of the electrical code.

(3) Any disputes relative to interpretation of the electrical code shall be submitted to the Board of Electrical Examiners for a final decision.

SECTION 4 - LICENSE REQUIRED TO DO ELECTRICAL WORK

(a) Electrical Work Performed by an Individual: Except as exempted by (c) of this section, an individual may not do electrical work unless licensed to do so pursuant to this subtitle or unless under the supervision of an individual licensed to do so pursuant to this subtitle.

(b) Electrical Work Performed by a Firm or Corporation: Except as exempted by (c) of this section, a firm or corporation may not do electrical work unless its principal(s) are licensed to do so pursuant to this subtitle or unless it employs an individual licensed to do so.

(c) Exemptions: In addition to those exemptions provided in 41 of the Charles County Code, the following individuals, firms or corporations are exempt from the licensing requirements of this subtitle:

(1) Utility Companies: Utility companies regulated by the Public Service Commission of Maryland or contractors working for utility companies when doing electrical work on equipment owned and maintained by the utility company on its own premises or customer premises.

(2) Radio and T.V.: Radio and television transmitting stations, licensed and commissioned by the Federal Communications Commission's regulations.

(3) Federal or State employees or their agents: Employees of the United States Government or employees of the State of Maryland only when engaged in the performance of their official duties. Contractors or servicemen engaged by the United States Government or by the State of Maryland to do electrical work on Federal or State-owned premises or equipment.

(4) Homeowners, Minor Repairs: Single-family homeowners engaged in the repair or replacement of portable appliances, lighting fixtures, fuses, lamps or sockets or the making of other minor repairs at existing outlets in the homeowner's residence.

(5) Homeowners, Changes to Wiring: Single-family homeowners making changes to wiring in the homeowner's residence. Before making such changes, the homeowner shall obtain a Homeowner Permit from the Board of Electrical Examiners and shall file an application for inspections with the Codes, Permits and Inspection Services.

SECTION 5 - QUALIFICATION FOR MASTER ELECTRICIAN- GENERAL LICENSE

The Board of Electrical Examiners shall grant a Master Electrician-General license to an individual who:

- (a) Is at least 21 years of age; and
- (b) Certifies under penalty of perjury to having insurance pursuant to Section 14, “Indemnity and Insurance,” and
- (c) Pays the applicable fees; and
- (d)
 - (1) Holds a current statewide Master Electrician license; or
 - (2) Hold a current Master Electrician-General license from a Maryland jurisdiction which has equivalent examination and qualifying procedures to those required in Charles County and which grants reciprocity to Charles County licensees. The individual shall have no current record of violations in the jurisdiction where licensed. If the individual obtained the license by examination, the individual shall have held it for at least 1 year. If the individual obtained the license without examination, the individual shall have held it for at least 2 years; or
 - (3) Meets the following requirements:
 - (i) Has been regularly and principally engaged in electrical work for at least under the direction and supervision of a Master Electrician-General or similarly qualified government electrician. The Board of Electrical Examiners may accept up to 6,000 hours of formal study or training in electrical work in lieu of 6,000 hours of practical experience if the study or training has provided comparable experience and training to the practical experience; and
 - (ii) Has correctly answered at least 70 % of the questions on the examination given by the Board of Electrical Examiners to determine the individual’s knowledge and skill in electrical work; and
 - (iii) Satisfies the Board as to his/her character, experience and training.

SECTION 6 - QUALIFICATION FOR MASTER ELECTRICIAN-RESTRICTED LICENSE

The Board of Electrical Examiners shall grant a Master Electrician-Restricted license to an individual who:

- (a) Is at least 21 years of age; and
 - (b) Pays the applicable fees; and
 - (c) (1) Holds a current Master Electrician-Restricted license (with identical restrictions) from a Maryland jurisdiction which has equivalent examination and qualifying procedures to those required in Charles County and which grants reciprocity to Charles County licensees. The individual shall have no current record of violations in the jurisdiction where licensed. If the individual obtained the license by examination, the individual shall have held it for at least 1 year. If the individual obtained the license without examination, the individual shall have held it for at least 2 years; or
- (2) Meets the following requirements:
- (i) Has been regularly and principally engaged in restricted type(s) or electrical work for at least 4,000 hours under the direction and supervision of a Master Electrician-General, Master Electrician-Restricted or similarly qualified government electrician or has a combination of study and experience equivalent to this experience.
 - (ii) Has correctly answered at least 70% of the questions on examinations given by the Board of Electrical Examiners to determine the individual's knowledge and skill in 1 or 2 restricted type(s) of electrical work; and
 - (iii) Satisfies the board as to his/her character, experience and training.

SECTION 7 - QUALIFICATION FOR JOURNEYMAN LICENSE

The Board of Electrical Examiners shall grant a Journeyman license to an individual who:

- (a) Pays the applicable fees; and
- (b) (1) Holds a current Journeyman license (with identical restrictions) from a Maryland jurisdiction which has equivalent examination and qualifying procedures to those required in Charles County and which grants reciprocity to Charles County licensees.

(2) Meets the following requirements:

(i) You must show 8,000 hours experience in the trade, 2,000 hours of which you supervised or were actively in charge of electrical installation work under the supervision of a Master General.

(ii) Has correctly answered at least 70% of the questions on examinations given by the Board of Electrical Examiners to determine the individual's knowledge and skill in 1 or 2 restricted type(s) of electrical work; and

(iii) Satisfies the Board as to his/her character, experience and training.

SECTION 8 - LICENSE APPLICATION

(a) Individuals shall apply for license issuance, renewal, reactivation or reinstatement to the Board of Electrical Examiners using an application form prescribed by the Board. The application forms shall be available from the Board of Electrical Examiners. Accompanying the application shall be:

(1) Applicable fees, including the application fee; and

(2) Evidence of any current and valid licenses required for the granting renewal or reinstatement of a license; and

(3) Name and address of individual to be licensed; and

(4) Name, address and telephone number of firm or corporation for which licensee works; and

(5) Evidence of experience signed by a current licensed Master Electrician (if possible); and

(6) Character references, if required; and

(7) Evidence of successful study or training in electrical work; if required.

(b) State License: If you have been granted an active statewide electrician's license, you are eligible for a Charles County license immediately (there is no waiting period), if you comply with the following requirements:

(1) You must fill out our signature card and application form, submit a Xerox or photo static copy of your active statewide license, and a copy of your driver's license for identification purposes.

(2) Section 535(a) of the Statewide Licensing Bill requires that within 60 days of the issuance of a statewide license, the applicant shall hold a license in the jurisdiction of the state in which he resides or the jurisdiction of the state in which the applicant's principal business office is located.

SECTION 9 - LICENSE EXAMINATIONS

- (a) When Examinations are administered: Examinations shall be administered a minimum of twice a year, during March and September, or more frequently as determined by the Board. The Board of electrical examiners shall set the exact date(s). Special examinations may be administered at any time by the Board at its discretion.

The Homeowners Permit Exam will be given monthly. The Board shall set the exact dates for tests. Homeowners cannot wire swimming pools, piers, detached outbuildings and /or associated electrical work. Work shall not be performed on panel board, main distribution panel, circuit breaker panel, fuse box or the like while energized. No service change work shall be done under a Homeowners Permit license.

- (b) Application for Examination: Application for licenses shall be filled with the Board 45 days preceding the date of examination. The applicant shall pay the application/examination fee.

(c) Board Decision: Promptly after an examination and, in no event, longer than 45 days after an examination, the Board shall make a decision as to the qualifications of the applicant and as to whether the license will be granted.

(d) Notice of Board Decision: The Board shall mail the applicant notice of its decision whether or not to grant a license.

(e) Reexamination: An applicant who fails to pass an examination may take a reexamination at the next regularly scheduled examinations. The applicant shall pay an additional examination fee and submit a written application at least 45 days prior to the examination.

SECTION 10- DURATION OF LICENSES

(a) Master Electrician Licenses: Master Electrician licenses expire on June 30 in each **even** numbered year and are renewable for 2 years upon payment of the renewal fees.

(b) Master Electrician-Restricted Licenses: Master Electrician- Restricted licenses expire on June 30 in each even numbered year and are renewable for 2 years upon payment of the renewal fee.

(c) Journeyman Licenses- Journeyman licenses will expire June 30 in each odd numbered year and are renewable for 2 years upon the payment of the renewal fee.

(d) Restoration of Expired License: If a license expires because of failure to renew, the license may be restored upon payment of the renewal fee plus a restoration fee. Master Electrician-General licenses, Master Electrician-Restricted and Journeyman licenses may be restored within a 90-day period after expiration. If an expired license is not renewed within the restoration period, a renewal may not be issued. The individual holding the expired license may be issued a license only upon compliance with the requirements for issuance of a license to a new applicant. At the option of the Board because of circumstances indicating that the licensee continued to perform electrical work while the license had expired the Board may elect to request the applicant to pay for previous renewal fees for terms missed.

(e) Inactive Licenses: A licensee who holds a current valid license may go on inactive status, during which time the licensee may not do electrical work. The licensee may renew an inactive license for 2 years upon payment of an inactive renewal fee. If the licensee returns to an active status during the licensing period, the license may be reactivated upon payment of the appropriate fee. The holder of an inactive license is not required to carry insurance.

(f) Notification When Licensee Changes Employer: A licensee shall notify the County contract inspection service and the Board of Electrical Examiners when ever the licensee changes employer or company. A company or firm operating on a license held by an employee or principal shall notify the bureau if the employee or principal leaves.

(g) The Board shall maintain a file for 7 years after the license expires.

SECTION 11 - FEES FOR LICENSES

The County Commissioners, upon recommendation of the Board of Electrical Examiners, shall set the fees to be charged for electrical licenses and license examinations. The County Commissioners shall adopt by resolution a schedule of fees for licenses, which schedule shall remain in effect until the effective date of any revised schedule adopted by the County Commissioners.

SECTION 12 - REFUSAL, SUSPENSION OR REVOCATION OF LICENSES

The Board of Electrical Examiners may refuse, suspend or revoke a license, after hearing, for any of the following causes:

(a) Obtaining a license by false or fraudulent representation.

(b) Transferring the authority granted by the license to another individual.

(c) Engaging in unfair or deceptive trade practices as defined in the Commercial Law article of the Annotated Code of Maryland.

(d) Willfully or deliberately disregarding and violating the building code, electrical code or laws of the County.

(e) Aiding or abetting an individual, firm or corporation to evade the provisions of this subtitle.

(f) Failing to adequately train and control persons selling or estimating electrical work performed under a licensee's supervision.

(g) Performing or permitting the performance of defective or dangerous work.

(h) Except as otherwise provided, failing to file an application for inspection prior to beginning any electrical work. An emergency is excluded from this provision and permit must be filed within 5 days.

(i) Failing to correct work in violation of this subtitle within 30 days.

(j) Violating any provisions of this subtitle.

(k) A Journeyman cannot represent himself as a contractor.

SECTION 13 - PROCEDURE FOR HEARING TO REFUSE, SUSPEND OR REVOKE LICENSE

(a) Notice to Applicant or Licensee: The applicant or licensee shall be given written notice by certified mail that the Board of Electrical Examiners proposes to refuse, suspend or revoke the license after hearing. The notice shall give the reasons for the proposed refusal, suspension or revocation. The notice shall give the date and place of hearing.

(b) Right to Hearing: Legal Representation; Witnesses: The applicant or licensee shall have the right to a hearing. The applicant or licensee shall have the right to be represented by legal counsel. The applicant or licensee shall have the right to call witnesses.

(c) Record: The County shall record a transcription of the hearing that will be maintained as part of the record.

(d) Decision: The County shall give the applicant or licensee written notice by mail of its decision within 30 days of the hearing.

(e) Right to Judicial Review: The applicant or licensee shall have the right to judicial review in accordance with the Maryland Rules of Procedure.

SECTION 14 - INDEMNITY AND INSURANCE

(a) Indemnity: The holder of an electrical license shall indemnify and hold Charles County harmless from and against all liability and expenses, including attorney fees, howsoever arising or incurred, for damage to property or injury to or death of any person arising out of or attributable to the performance of the licensee in Charles County.

(b) Insurance Required to Obtain License: The Board of Electrical Examiners shall not issue, renew, restore, or reactivate a license unless the individual to be licensed certifies under penalties of perjury to having the insurance required pursuant to this section. Holders of a current, active, valid Maryland Master Electrician license need not certify.

(c) Notification: The certificate of insurance shall provide that Charles County be given (with no qualification) at least 10 days written notice prior to cancellation, intention not to renew, or material change in provisions.

(d) Limits are per State requirements contained in

SECTION 15 - INSPECTIONS; FEES

(a) Filing Application for Inspection:

(1) Application required prior to start of work: Except as provided in, no electrical installation, alteration or repair shall be made until an application for inspection has been filed with the County's contract inspection service. The application shall be valid for 6 months from the date of filing and may be extended at the request of the applicant.

(b) Cut-In Certificates: No cut-in certificates shall be issued to the utility company unless the application is made by the holder of a Master Electrician license and only after all requirements of this subtitle are fulfilled.

(c) Purpose of Inspections: All inspections conducted by the County or County's contract inspection service are performed for the protection and promotion of public safety, health and welfare. The inspections are made solely for the public benefit and are not to be construed as providing any warranty of construction to individual members of the public.

(d) Inspections: The County's inspection service shall inspect during business hours:

(1) All electrical installations, alterations or repairs for which an application for inspection is required;

(2) All electrical work about which complaints have been filed in writing with the Board of Electrical Examiners.

(e) Finding of Defective or Dangerous Installation:

(1) Make necessary correction: Upon finding a defect or dangerous installation, alteration or repair, the County or County's inspection services shall notify the owner or occupant of the premises and the licensee by registered mail, return receipt requested, to make necessary corrections within 5 days of receipt of the notification.

(2) Conditions hazardous to life or property: Upon finding a defective or dangerous installation, alteration or repair which is hazardous to life or property, the Board of Electrical Examiners may issue a cease-and-desist order, upon notice to the owner or occupant of the premises by registered mail, return receipt requested. If the hazardous condition is not corrected, within the time specified, the Board of Electrical Examiners shall request the electrical utility to cut off service immediately to the premises until the hazard is corrected.

(f) Penalties: Any person, firm or corporation which does not comply with the provision of this section shall be subject to a cease-and-desist order, in addition to other penalties provided by this subtitle.

(g) Fees: Fees shall be charged to cover the inspection effort, plan review effort, administrative effort, and overhead involved in the inspection of any electrical installation as determined by the County Commissioners.

SECTION 16 - RULES AND REGULATIONS

(a) All correspondence that requires Board action shall be made in writing to the Board.

(b) No license shall be granted to any company, firm or corporation.

(c) A company, firm or corporation may be represented by more than one duly licensed Master Electrician at any one time.

(d) No duly licensed Electrician shall represent more than one firm, company, or corporation at any one time.

(e) Should any person holding a Master Electrician license desire to shelf his or her license with the Board shall, upon written request and payment of license fees, be granted. Any licensed Electrician whose license is shelved with the Board, and so notified the Board in writing, his or her license shall be returned to him or her, provided he or she has not violated the rules of the Board.

(f) A licensed Electrician holding a license, shelved with the Board, shall be granted a renewal of said license provided application and fee for renewal is made to the Board before May 1 of the said year.

(g) All electrical inspections in Charles County shall be done by the County or the County's contract inspection service.

(h) The electrical inspector shall notify the Board in writing of any outstanding violations not cured in the time frame specified by the inspector. The Board, upon receipt of notification from the inspector of any violations not cured in the time frame specified by the inspector, shall take appropriate action according to Section 12 and the Board may deny future permits until all violations are cured.

(i) The Board shall, by written notice to the Inspection Agency and the local power company, give the names of all new, renewed, revoked or shelved licenses issued by said Board.

(j) In the event of death of a master electrician holding the license for a firm, company or corporation, the survivors shall make written application to the Board for a temporary license. The Board may issue a 365 day temporary license to a qualified member so designated to represent the firm, company or corporation upon a successful oral exam given by at least 2 members of the Board. This 365 day temporary license shall only be used to complete the work already in progress within Charles County. In order for the firm, company, or corporation to contract for new electrical work within Charles County, its representative must complete an application for examination and obtain a grade of at least 70% or obtain license by reciprocity. The Board will have the authority to waive or amend this rule as individual circumstances may require.

(k) No licensed contractor, licensed with this Board shall file for an inspection permit on any electrical work not personally supervised or contracted by him. Penalty for violation of this rule may cause revocation or suspension of the current license of said Master or Master-Restricted Electrician.

(l) All persons holding a Master General or Master Restricted Electrician license shall display same in a conspicuous place in the office of place of business of the licensee. The licensee shall also display on the licensee's business vehicle the license number and the name which they are trading.

(m) A licensee with a Master General or Master Restricted license shall not change licensee business name or "trading as" more than one time during a twelve-month period.

(n) A licensee may not begin work on another licensee's project unless all required changes have been made including a release from the current licensee in writing to the Board. The Board may at its option allow another licensee to take over the work and be responsible for the total project.

(o) A licensed Master Electrician may not use his license of Master Electrician merely as a front to permit a person not licensed as a Master Electrician in Charles County to engage in the business of Master Electrician in Charles County or to perform any of the kinds of work which a Master Electrician may perform.

(p) The Board may refuse to allow a Master Electrician to pull any future permits for cause.

(q) A Journeyman shall not represent himself as a Master Electrician and shall not do contracting work.