

## **11 NCAC 08 .0912 SET-UP CONTRACTOR EXAMS**

- (a) **Definitions.** The definitions contained in G.S. 143-143.9 are incorporated into this Rule by reference. As used in this Rule, "qualifier" means an individual taking the examination on behalf of an applicant that is not an individual.
- (b) **Examination Required.** Each applicant for a set-up contractor's license shall pass a written examination administered by the Board before the Board will issue a license to the applicant. Every applicant shall pass the examination with a grade of at least 70 percent. An applicant who does not pass the examination shall be allowed to retake the examination.
- (c) **Time and Place of Examinations.** The Board shall administer examinations in its offices in Raleigh. The Board shall announce the time and place for each examination at least 10 days before the date of the examination.
- (d) **Application Process.** Each applicant shall complete an application on a form provided by the Board. If the applicant is not an individual, the applicant shall identify on the application any individuals who will take the examination for the applicant. In order to take an examination on a particular date, an applicant shall file a completed application no later than 30 days before the scheduled date of the examination.
- (e) **Person Taking Examination.** A qualifier shall be associated with the applicant, and shall be actively engaged in the work of the applicant for a minimum of 20 hours per week, or a majority of the hours operated by the applicant, whichever is less. Each licensee shall notify the Board in writing within 10 days after any qualifier no longer meets the preceding requirements. If one qualifier fails, and another passes, the license shall be granted to that applicant. An individual shall not serve as a qualifier for more than one license. The applicant may have more than one individual serve as a qualifier.
- (f) **General Requirements.** All applicants scheduled for an examination shall bring a form of identification with a current picture. No visitors shall be allowed in the testing room.
- (g) **Special Arrangements for the Disabled.** If an applicant has a disability which will require special arrangements to take an examination, the applicant shall request in writing that appropriate special arrangements be made. The Board shall make reasonable accommodations for applicants requesting assistance pursuant to this Rule.
- (h) **Cheating and Related Misconduct.** Applicants shall not cheat or attempt to cheat on an examination by any means, including both giving and receiving assistance, and shall not communicate in any manner for any purpose with any person other than staff members for the Board during an examination.
- (i) **Notification of Results.** The examination results shall be mailed to the applicant at the address on the application form within 30 days after the examination. Passing applicants shall receive only a grade of "pass."
- (j) **Review of Examinations.** Upon the applicant's written request, made within 30 days after the written notification of the examination results, an applicant who did not pass the examination shall be allowed to review his examination. The review shall be at the Board's offices, at a time schedule by the Board's staff. An applicant shall review his examination in the presence of a staff member of the Board and shall not be accompanied by any other individual at a review session. No other individual shall review an examination on behalf of the applicant. An applicant shall not be permitted to copy a question or answer contained in the examination report or alter an examination paper in any way. An applicant who has passed the examination shall not be permitted to review his examination. If the applicant is not an individual, the review of the examination shall be made by the applicant's qualifier.

*History Note:* Authority G.S. 143-143.10(b)(4); 143-143.11(h);  
Eff. April 1, 1999;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.