

**State Licensing Board  
For  
General Contractors**

**GOVERNOR BOB RILEY**

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ALABAMA STATE  
LICENSING BOARD  
FOR GENERAL CONTRACTORS

The State Licensing Board for General Contractors was created through legislation enacted in 1935. The Board licenses and regulates commercial and industrial contractors in the major and specialty classifications that constitute the industry. Currently, there are more than 9,000 general contractors licensed to work in the state.

A five-member board, appointed by the Governor, directs administrative policy for the agency's operations. This board includes representatives of each major classification of license. Regular quarterly meetings are held in January, April, July and October.

The Board's offices are located in Montgomery, Alabama. The office receives and processes applications for new contractors' licenses, for additional classifications, for changes of license records, and for license renewals. The agency reviews and maintains records of disciplinary actions and provides support services. The office also provides the verified certificates of licensure or on nonlicensed status to be used in court or other actions.

The compliance and regulatory section of the agency investigates all consumer complaints concerning general contractors. All disciplinary actions resulting from these investigations are initiated by the Board. The Board's special investigators also focus on the unlicensed contractor who prospers at the expense of the consumers and legitimate businesses.

Finally, the agency maintains a staff of license specialists who are trained to answer inquiries concerning the licensing process and the current status of licensed general contractors. Interested parties may contact the licensing division to obtain the Board's licensing procedures, as well as to obtain information of the validity of a contractors' license. Information concerning complaint procedures and to obtain information on a complaint currently under investigation is also available. This information as well as how to order forms, applications and other publications may be obtained by calling 334-272-5030 or visiting our website at [www.genconbd.state.al.us](http://www.genconbd.state.al.us).

STATE OF ALABAMA  
LICENSING BOARD FOR GENERAL CONTRACTORS  
ADMINISTRATIVE CODE

CHAPTER 230-X-1

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**230-X-1-.01      Renewal Procedures.**

1. The license to engage in the business of general contracting in the State of Alabama expires during the month designated as each licensee's renewal month and shall become invalid on the last day of that month. All renewal applications for prime contractors and subcontractors are due thirty days prior to expiration.
2. A license may be renewed by completing the board's License Renewal form. All license renewals must be accompanied by the applicant's current financial statement or State Licensing Board for General Contractors Confidential Financial

Statement booklet. Correct submission of the renewal form, current financial statement or State Licensing Board for General Contractors Confidential Financial Statement booklet along with the required renewal fee to the board's office on or before the last day of the licensee's designated renewal month will renew a general contractor's license for the next year.

3. The board will grant an extension to Contractors unable to provide the requested financial information by the last day of their designated renewal month. Submission of the license renewal form, together with the payment of the renewal fee, received by the board at least thirty days prior to expiration of the license shall serve to extend the license for ninety days. Applicant receiving the extension must submit current financial information during that ninety-day period. Any applicant failing to do so shall be assessed a \$50 late penalty for license renewal after the ninety day period.
4. Renewal applications along with the required application fee and applicable late fee can be filed up to one year after the expiration of the license. All licensees not holding a current license for more than one year must file a new application for license.

**Authors:** Kathleen A. Brown, Joseph C. Rogers, Jr.

**Statutory Authority:** Code of Ala. 1975, §34-8-22, as amended by Act No. 91-197, Alabama Acts 1996, No. 96-640, Sec. 1 (Reg. Sess. 1991).

**History:** Filed July 2, 1992. **Repealed:** Filed January 6, 1995; effective February 10, 1995. **New Rule:** Filed August 22, 1996; effective September 26, 1996. **Amended:** Filed December 16, 1997; effective January 20, 1998. **Amended:** Filed April 28, 2005; effective June 2, 2005. **Amended:** Filed May 20, 2005; effective June 24, 2005. **Repealed and New Rule:** Filed August 26, 2005; effective September 30, 2005.

**Amended:** Filed February 19, 2008; Certified May 13, 2008.

**Ed. Note:** Previous Rule 230-X-1-.01 Failure to Renew filed September 16, 1982.

**Repealed:** Filed July 2, 1992.

### **230-X-1-.02            Requirements For Bid Limits.**

1. Minimum Net Worth/Working Capital. All applicants must have a net worth and working capital of at least \$10,000 as shown by the applicant's most recent financial statement (less than one year old) in order to qualify for the lowest bid limit classification. Except for licenses qualifying as "unlimited", an applicant's maximum bid limit shall be set by the formula of not more than ten times either the net worth or working capital, whichever is the lesser amount.
2. Lines of Credit to Increase Working Capital. Verification of a line of credit, from a state or federal chartered bank or savings association which has an office in Alabama, to the general contractor to increase working capital, must be submitted to the board in the format provided by the board. Lines of credit meeting board requirements will be added to the working capital shown in the contractor's financial statement.
3. Personal Financial Statements to Increase Net Worth or Working Capital. Contractors meeting the minimum requirements of 230-X-1-.02(a) REQUIREMENTS FOR BID LIMITS may submit a personal financial statement to increase their net worth or working capital. Any personal financial statement or parent company financial statement submitted for the purpose of increasing the bid limit of a license shall not include the value of the ownership which will not be considered. A personal financial statement with completed guarantee agreement as provided by the board may be used to increase the working capital

or net worth of a contractor to increase a bid limit by one step. All personal financial statements must be signed by both husband and wife and notarized. The following applies according to the entity holding the general contractors license:

- a. Sole Proprietor: A notarized guarantee agreement (signed by both husband and wife) with a personal financial statement prepared by a CPA will be considered to increase a bid limit by one step. Note: A sole proprietor may submit a personal financial statement only when personal items (home, furnishings, etc.) are not included on the applicant's business statement.
- b. Partnerships: A notarized guarantee agreement (signed by both husband and wife) and personal financial statement prepared by a CPA and submitted by any partner(s) will be considered to increase the bid limit of the partnership by one step.
- c. Corporations: A parent company's financial statement or a personal financial statement prepared by a CPA for a major stockholder(s) of the corporation may be submitted to increase the bid limit of the corporation by one step. All personal financial statements must be submitted with a notarized guarantee agreement (signed by both husband and wife). The guarantee agreement submitted with a parent company's financial statement must be signed by a majority stockholder of the parent company and notarized.

**Author:** Cherie E. Colquett

**Statutory Authority:** Code of Ala. 1975, §34-8-22.

**History:** Filed July 2, 1992. **Amended:** Filed August 22, 1996; effective September 26, 1996. **Amended:** Filed December 16, 1997; effective January 20, 1998.

**Ed. Note:** Previous Rule 230-X-1-.02 Positive Net Worth filed September 16, 1982. **Repealed:** Filed July 2, 1992.

**230-X-1-.03**      **Company Continuing In Business After Death Of Sole Proprietor.** If a company is licensed as a sole proprietorship and the sole proprietor dies, the company can continue to operate long enough to finish work on hand. Before any new work commences, a new license must be obtained.

**Author:**

**Statutory Authority:** Code of Ala. 1975, §34-8-22.

**History:** Filed September 16, 1982.

**230-X-1-.04**      **Change In Form Of Operation.** If a licensee changes its method of operation, i.e. individual, partnership, or corporation, the licensee must file for a new license.

**Author:**

**Statutory Authority:** Code of Ala. 1975, §34-8-22.

**History:** Filed September 16, 1982.

**230-X-1-.05**      **Contractor/Lessee Must Have License.** A contractor may not be exempt from having a license just because he is building his own store in a shopping center, as this is leased property and he does not own the land.

**Author:**

**Statutory Authority:** Code of Ala. 1975, §34-8-22.

**History:** Filed September 16, 1982.

**230-X-1-.06**            **Joint Venture.** In cases of joint venture, all parties to the joint venture must be licensed at the time the bid is submitted and must have the same classification. Bid limits can be added together.

**Author:**

**Statutory Authority:** Code of Ala. 1975, §34-8-22.

**History:** Filed September 16, 1982.

**230-X-1-.07**            **Owner/Builder.** A person, firm or corporation which undertakes to construct a building or other improvements on his/her own real property is not required to be licensed as a general contractor if the person, firm or corporation's own forces (non-contractual) are used. An owner/builder may only let and/or award contracts for work in the amount of \$50,000.00 (\$5,000.00 for swimming pools) or greater to a properly licensed prime contractor

**Author:** Ralph E. Compagno

**Statutory Authority:** Code of Ala. 1975, §§34-8-1, 34-8-2, 34-8-7.

**History:** Filed July 2, 1992. **Amended:** Filed December 15, 1992.

**Amended:** Filed September 15, 1994; effective October 20, 1994.

**Amended:** Filed December 16, 1997; effective January 20, 1998.

**Ed. Note:** Previous Rule(s) 230-X--1.07 Contractor/Owner; Owner/Builder filed September 16, 1982.

**Repealed:** Filed July 2, 1992 amendment was in conflict with the General Contractors

**230-X-1-.08**            **Subsidiary Using Parent's Financial Statement.** A subsidiary is a separate legal entity from its parent company and cannot use a financial statement of its parent company other than to go one step higher in the bid limit classification. The subsidiary must first reach its bid limit on its own financial statement.

**Author:**

**Statutory Authority:** Code of Ala. 1975, §34-8-22.

**History:** Filed September 16, 1982.

**230-X-1-.09**            **Amount Of Contract.** In determining the amount of a contract, labor and materials cannot be separated. A contract cannot be divided into separate parts to evade the contractor's law. Any division of a contract into parts of less than \$50,000 when combined is \$50,000 or more, will be treated as one contract totaling the amount of these parts when combined.

**Author:**

**Statutory Authority:** Code of Ala. 1975, §34-8-22.

**History:** Filed September 16, 1982.

**Amended:** Filed December 16, 1997; effective January 20, 1998.

**230-X-1-.10**            **Construction Manager.**

1. In order to perform as a construction manager, a person must be licensed as a general contractor in the major classification under which he/she intends to perform as a construction manager and shall hold a sufficient bid limit equal to the value of the project.
2. An owner must utilize properly licensed prime contractors on any project involving a Construction Manager where the work would have to be performed by a licensed prime contractor in the absence of the Construction Manager.
3. The duties and responsibilities of the Construction Manager should be defined in the contract between the owner and the Construction Manager; provided however,

the contract between the owner and the Construction Manager must require that the Construction Manager supervise the construction of the project.

**Authors:** Kathleen A. Brown, Joseph C. Rogers, Jr.

**Statutory Authority:** Code of Ala. 1975, §34-8-2.

**History:** Filed September 16, 1982; October 19, 1992.

**Repealed:** October 19, 1992. **Amended:** Filed December 16, 1997; effective January 20, 1998. **Amended:** Filed May 20, 2006; effective June 24, 2005.

**230-X-1-11**            **Repair/Maintenance.** Repair and maintenance requires a license to comply with General Contractors Law as amended 1996 Regular Session of the Alabama Legislature.

**Author:** Cherie E. Colquett

**Statutory Authority:** Code of Ala. 1975, §34-8-22.

**History:** Filed September 16, 1982.

**Repealed and Replaced:** Filed August 22, 1996; effective September 26, 1996.

**230-X-1-12**            **Assembling Machinery.**        **(Repealed)**

**Author:**

**Statutory Authority:** Code of Ala. 1975, §34-8-22.

**History:** Filed September 16, 1982.

**Amended:** Filed August 1, 2006; effective September 5, 2006.

**230-X-1-13**            **Townhouses.** Townhouses are considered a single-family dwelling and are exempt from the contractors' law unless more than four (4) units are being built, then a general contractors license is required.

**Author:**

**Statutory Authority:** Code of Ala. 1975, §34-8-22.

**History:** Filed September 16, 1982.

**230-X-1-14**            **Bidding As Licensed.** All contractors shall bid and perform work in the name which appears on the official records of the State Licensing Board for General Contractors for the current license.

**Author:**

**Statutory Authority:** Code of Ala. 1975, §34-8-22.

**History:** Filed September 16, 1982.

**230-X-1-15**            **Demolition Work.**        **(Repealed)**

**Author:**

**Statutory Authority:** Code of Ala. 1975, §

**History:** Filed September 16, 1982. **Repealed:** Filed July 2, 1992.

**230-X-1-16**            **Steel Buildings.** If the dealer delivers to the site and does no erection, he is considered a vendor. If he erects the building, he is considered a contractor.

**Author:**

**Statutory Authority:** Code of Ala. 1975, §34-8-22.

**History:** Filed September 16, 1982.

**230-X-1-17**            **Installation of Machinery And/Or Equipment.** A license is required for the installation of machinery or equipment that becomes affixed to a structure.

**Author:****Statutory Authority:** Code of Ala. 1975, §34-8-22.**History:** Filed September 16, 1982. **Amended:** Filed August 1, 2006; effective September 5, 2006.**Amended:** February 19, 2008; Certified May 13, 2008.

**230-X-1-18**            **Debarred Applicants.** No application will be considered by the Board while the applicant is debarred by the Federal Highway Administration.

**Author:****Statutory Authority:** Code of Ala. 1975, §34-8-22.**History:** Filed September 16, 1982.

**230-X-1-19**            **Filing Financial Statements By Prime Contractors.** A licensee who renews on or before the first day of their designated renewal month by submitting a renewal application and \$200 renewal fee, but does not submit current financial information, may be granted an extension of time for filing same until for a period of ninety days, but no longer. The board considers “current financial information” as being no more than one year old, prepared by a CPA, and submitted as required by the Board. If the required financial information is not received by the end of the ninety-day extension period, the applicant will be required to pay a \$50 late penalty prior to renewing the license. All licensees not holding a current license for more than one year must file a new application for license.

**Authors:** Kathleen A. Brown, Joseph C. Rogers, Jr.**Statutory Authority:** Code of Ala. 1975, §34-8-33.**History:** Filed September 16, 1982. **Amended:** Filed August 22, 1996;effective September 26, 1996. **Amended (Title only):** Filed December 16, 1997;effective January 20, 1998. **Amended:** Filed April 28, 2005; effective June 2, 2005.**Amended:** Filed May 20, 2005; effective June 24, 2005. **Repealed and New Rule:** Filed August 25, 2005; effective September 30, 2005.

**230-X-1-20**            **Application For License By Subsidiary.** Any application for a license by a subsidiary shall be considered as a new application and subject to all laws, rules and regulations governing same.

**Author:****Statutory Authority:** Code of Ala. 1975, §34-8-22.**History:** Filed September 16, 1982.

**230-X-1-21**            **Bankruptcy.** It shall be the responsibility of any contractor who, voluntarily or involuntarily, is subjected to any provision of the laws of bankruptcy, to notify this Board immediately and to make available to this Board any and all information pertinent thereto.

**Author:****Statutory Authority:** Code of Ala. 1975, §34-8-22.**History:** Filed September 16, 1982.

**230-X-1-22**            **Probation, Debarment, Etc.** Any contractor and/or any licensee, responsible managing employee of a licensee, officers of a licensee, or member of the executive staff of a licensee who is ordered by a competent court to pay fines, is sentenced to jail, placed on probation, is debarred and/or suspended by any state or by the Federal Highway Administration or other similar punishment in relation to illegal activities of contracting shall notify this Board immediately and make available any and all information pertinent thereto.

**Author:** Kathleen A. Brown

**Statutory Authority:** Code of Ala. 1975, §34-8-22.

**History:** Filed September 16, 1982. **Amended:** Filed: May 20, 2005; effective June 24, 2005.

**230-X-1-23**            **Reroofing.** Reroofing requires a license to comply with General Contractors Law as amended during the 1996 Regular Legislative Session.

**Author:** Cherie E. Colquett

**Statutory Authority:** Code of Ala. 1975, §34-8-22.

**History:** Filed September 16, 1982. **Repealed:** Filed July 2, 1992.

**New Rule:** Filed August 22, 1996; effective September 26, 1996.

**230-X-1-24**            **Carpet Installation.** Carpet installation requires a license to comply with General Contractors Law as amended during the 1996 Regular Legislative Session.

**Author:** Cherie E. Colquett

**Statutory Authority:** Code of Ala. 1975, §34-8-22.

**History:** Filed September 16, 1982. **Repealed:** Filed July 2, 1992.

**New Rule:** Filed August 22, 1996; effective September 26, 1996.

**230-X-1-25**            **Preparation Of Financial Statements.**        **(Repealed)**

**Author:**

**Statutory Authority:** Code of Ala. 1975, §34-8-22.

**History:** Filed September 16, 1982. **Repealed:** Filed December 16, 1997; effective January 20, 1998.

**230-X-1-26**            **Fifty-One Percent Regulation.**

1. Any project in the State of Alabama for construction, erection, modification, alteration or addition of or to any building, highway, sewer, grading, or any improvement or structure where the cost of the undertaking is \$50,000 or more (\$5,000 or more in the case of swimming pools) must be constructed by a contractor licensed by the Board. A general contractor may undertake to construct or superintend the construction of any project if 51% or more of the work as measured by the cost (labor, materials, tools, construction equipment cost and installed equipment) falls within the major classification, sub-classification or specific sub-classification in which the contractor is licensed. On any project where no major classification, sub-classification or specific sub-classification constitutes 51% or more of the work as measured by the cost (labor, materials, tools, construction equipment cost and installed equipment) the contractor may undertake to construct or superintend the construction of such project if the contractor is licensed in the major classification, sub-classification or specific sub-classification which constitutes the greatest part of the work on the project as measured by the cost (labor, materials, tools, construction equipment cost and installed equipment).
2. Notwithstanding the foregoing subsection, contractors holding licenses with Building Construction (BC) appearing thereon may undertake to construct or superintend the construction of any project even if 51% or more of the work as measured by the cost (labor, materials, tools, construction equipment cost and installed equipment) falls outside the major classification of Building Construction (BC) so long as such work is required to make the building usable for its intended purpose.

**Author:** Ralph E. Compagno

**Statutory Authority:** Code of Ala. 1975, §34-8-2 (i.e. the construction of a building); West Alabama Remodeling, Inc. v. Ireland, 412 So. 2d 766 (Ala. 1982).

**History:** Filed July 2, 1992. **Amended:** Filed March 5, 1993.

**Amended:** Filed September 15, 1994; effective October 20, 1994.

**Amended:** Filed December 16, 1997; effective January 20, 1998.

**Ed. Note:** Previous Rule 230-X-1-.26, Fifty-One

Percent of the Job; filed September 16, 1982. **Repealed:** Filed July 2, 1992; October 19, 1992. **Amended:** Filed March 5, 1993.

**Amended:** Filed August 1, 2006; effective September 5, 2006.

### **230-X-1-.27                    Major Classifications.**

1. All applicants must request classification(s) of their licenses within the following MAJOR CLASSIFICATIONS. (Applicants must provide a minimum of three projects completed for each sub-classification listed in order to qualify for that Major Classification. Applicants not qualifying for a Major Classification should request specific Sub-Classification(s) and/or Specialty Classifications for which their work experience will meet the minimum experience requirement.)
  - a. Building Construction: Shall include the construction of building structures, including modifications thereof or additions thereto, intended for use for shelter, protection, comfort or convenience. Building construction shall include the excavation and foundations for buildings and work incidental thereto.
  - b. Building Construction under Four Stories (BCU4): Shall include the construction of building structures, including modifications thereof, that do not exceed three stories in height, and any roof structure or component of such structure does not exceed fifty feet in height, which are intended for use for shelter, protection, comfort or convenience. BCU4 shall include the excavation and foundations for buildings and work incidental thereto for buildings less than three stories in height. BCU4 shall include interior nonstructural alterations and repairs to existing buildings exceeding three stories in height. In addition to the above BCU4 shall include the construction of building structures, including modifications thereof exceeding three stories in height on projects but only under the direction and supervision of a General contractor or Construction Manager licensed under Building Construction.
  - c. Highways & Streets: Shall include the construction of roads, streets, guardrails, fences, parkways, parking areas, bridges, grading, drainage and all other types incidental thereto.
  - d. Municipal & Utility: Shall include clearing, grubbing, paving, curbs, gutters, walks, alleys, driveways, sewer projects, water projects, gas projects, electric projects, telephone projects and work incidental thereto.
  - e. Heavy and Railroad Construction: Shall include the construction of railroads, bridges, foundations, pile driving, cofferdams, tunnels, drainage projects, irrigation projects, hydro-electric development, transmission lines, pipe lines, marine construction, runways and any other work incidental to the above types.
  - f. Specialty Construction: Is defined as any work in connection with construction, erection, alteration, modifications or additions requiring special skills and/or trades or crafts for any particular part of the work, and work incidental thereto.
2. **(BC) Building Construction:**  
Shall include the construction of building structures, including modifications thereof or additions thereto, intended for use for shelter, protection, comfort or convenience.

Building construction shall include the excavation and foundations for buildings and work incidental thereto.

a. **(BC-S) Specialty Construction**

Any of the following special skills and/or trades or crafts may be requested in lieu of the major classification of Building Construction.

1. **SITWORK**
  - Earthwork
  - Fencing
  - Other
2. **CONCRETE**
  - Foundations
  - Structural Concrete Erection
  - Reinforcing Steel
  - Precast & Prestressed Concrete Installation
  - Other
3. **MASONRY**
  - Restoration
  - Other
4. **METAL**
  - Structural & Miscellaneous Steel Erection
  - Ornamental & Miscellaneous Metal
  - Metal Studs
  - Other
5. **CARPENTRY**
  - Framing
  - Millwork & Finish Carpentry
  - Other
6. **MOISTURE PROTECTON**
  - Roofing & Sheet Metal
  - Sheet Metal & Metal Siding
  - Metal building erection
  - Insulation
  - Exterior Insulation & Finish Systems
  - Sprayed on Fire Proofing
  - Joint Sealers
  - Other
7. **DOORS, WINDOWS & GLASS**
  - Glass Windows & Doors
  - Specialty Door & Hardware
  - Glazed Curtain Wall
  - Other
8. **FINISHES**
  - Painting & Wall Coverings
  - Special Coatings & Waterproofing
  - Sandblasting
  - Terrazzo
  - Hard Tile & Stone
  - Carpet & Resilient Tile
  - Lath & Plaster

Drywall & Metal Studs  
Acoustical Treatments & Insulation  
Other

9. **SPECIALTY**

Building Accessories  
Other

10. **EQUIPMENT**

Kitchen Equipment  
Theater & Stage  
Millwright  
Other

11. **FURNISHINGS**

Furniture Installation  
Millwork & Casework  
Window Treatments  
Auditorium & Theater Seating  
Bleachers  
Other

12. **SPECIAL CONSTRUCTION**

Pre-engineered Metal buildings  
Conveying  
Elevators & Escalators  
Handicap Lifts  
Other

13. **OTHER**

Building Maintenance Repair  
Remodeling & Alteration

3. **(BCU4) Building Construction under Four Stories:**

Shall include the construction of building structures, including modifications thereof that do not exceed three stories in height, and any roof structure or component of such structure that does not exceed fifty feet in height, which are intended for use for shelter, protection, comfort or convenience. BCU4 shall include the excavation and foundations for buildings and work incidental thereto for buildings less than three stories in height. BCU4 shall include interior nonstructural alterations and repairs to existing buildings exceeding three stories in height. In addition to the above BCU4 shall include the construction of building structures, including modifications thereof exceeding three stories in height on projects but only under the direction and supervision of a General contractor or Construction Manager licensed under Building Construction.

4. **(HS) Highways & Streets:**

Shall include the construction of roads, streets, guardrails, fences, parkways, parking areas, bridges, grading, drainage and all other types incidental thereto.

a. **(HS-S) Specialty Construction:**

Any of the following specialties may be requested in lieu of the major classification of Highways & Streets:

1. Guardrails
2. Fencing
3. Bridges
4. Earthwork
5. Drainage and Culvert

6. Hot and Cold Asphalt Plant Mix Paving
  7. Asphalt Surface Treatment
  8. Concrete Pavement
  9. Base and Soil Stabilization
  10. Erosion Control / Mowing
  11. Grassing
  12. Grinding, Grooving or Milling
  13. Traffic Control and Safety
  14. Painting, Sandblasting, and Bridge Repair
  15. Steel (all classes)
  16. Other
5. **(MU) Municipal & Utility:**  
Shall include clearing, grubbing, grading, paving, curbs, gutters, walks, alleys, driveways, sewer projects, water projects, gas projects, electric projects, telephone projects, and work incidental thereto.
- a. **MU-(S) Specialty Construction:**  
Any of the following specialties may be requested in lieu of the major classification of Municipal & Utility:
1. Sewer Projects
  2. Water Projects
  3. Gas and Oil Projects
  4. Power Projects and Plants
  5. Telecommunication Projects
  6. Clearing and Grubbing
  7. Site Work Grading
  8. Drainage and Culvert
  9. Paving and Asphalt
  10. Concrete
  11. Pipelines
  12. Guniting
  13. Facilities
  14. Other
6. **(H/RR) Heavy / Railroad:**  
Shall include the construction of railroads, bridges, foundations, pile driving, cofferdams, tunnels, drainage projects, irrigation projects, hydro-electric developments, transmission lines, pipe lines, marine construction and runways.
- a. **(H/RR-S) Specialty Construction:**  
Any of the following specialties may be requested in lieu of the major classification of Heavy/Railroad:
1. Foundations, Piling, and Cofferdams
  2. Retaining Walls
  3. Tunnels
  4. Drainage, Irrigation, and Flood Control Projects and Dams
  5. Marine Construction
  6. Industrial Projects
  7. Oil and Gas Field Projects
  8. Dredging
  9. Guniting
  10. Slurry Walls
  11. Membrane Liners
  12. Runways
  13. Other

**7. Specialty Construction:****a. (SP) Swimming Pools**

Construction, repair or renovate and work incidental thereto.

**b. (M) Mechanical**

Applicants may request a specialty of Mechanical or may request specific sub classifications such as:

1. Heating, Ventilating & Air Conditioning
2. Plumbing
3. Refrigeration
4. Fire Protection Systems
5. Pollution Control
6. Industrial Pipe Work and Insulation
7. Boiler and Refractory Construction Maintenance and Repair
8. Other

**c. (E) Electrical**

Applicants may request a specialty of Electrical or may request specific sub classifications such as:

1. High Voltage (120 and up)
2. Low Voltage
3. Substations
4. Other

**d. (D) Demolition****e. (EV) Environmental**

Applicants may request a specialty of Environmental or may request specific sub classifications such as:

1. Environmental Remediation
2. Abatement
3. Reclamation
4. POL Dispensing System
5. Landfills

**f. (SC) Other Specialties**

1. Golf Course
2. Tennis Courts
3. Running Tracks
4. Landscaping
5. Fencing
6. Sprinkler Systems
7. Outdoor Advertising Signs
8. Cell Towers
9. House Moving
10. Others

**Ed Note:** Prime Contractors may be assigned classifications from the list of Major Classifications and/or Specialty Construction Classifications. Subcontractors will receive classification(s) from the Specialty Construction List.

**Authors:** Board 2005, Kathleen A. Brown, Joseph C. Rogers, Jr.

**Statutory Authority:** Code of Ala. 1975, §34-8-2.

**History:** Filed July 2, 1992. **Repealed and Replaced:** Filed November 16, 1993; effective December 21, 1993. **Amended:** Filed May 20, 2005; effective June 24, 2005.

**230-X-1-.28**                    **Classification Of License.**    **(Repealed)**

**Author:** Ralph E. Compagno

**Statutory Authority:** Code of Ala. 1975, §3-4-82.

**History:** Filed July 2, 1992. **Amended:** Filed December 15, 1992.

**Repealed:** Filed November 16, 1993; effective December 21, 1993.

**230-X-1-.29**                    **Re-Identification Of Contractors.**    The Board will require any contractor presently licensed (but not in accordance with the foregoing classification of licenses) to re-identify the type or types of contracts on which he/she wishes to continue to perform, and the Board shall classify contractors according to the type or types of contract on which they may perform in accordance with the provisions of these regulations. Contractors who wish to perform or continue to perform various types of work will not be licensed or renewed to perform that work unless they properly complete the re-identification form to be supplied by the Board and unless they meet all other requirements for licensure or renewal to perform the type of work for which they seek licensure or renewal.

**Author:** Ralph E. Compagno

**Statutory Authority:** Code of Ala. 1975, §34-8-2.

**History:** Filed July 2, 1992.

**230-X-1-.30**                    **Written Examination.**                    **(Repealed)**

**Author:** Ralph E. Compagno

**Statutory Authority:** Code of Ala. 1975, §§34-8-2, 34-8-3.

**History:** Filed July 2, 1992. **Repealed:** Filed November 16, 1993; effective December 21, 1993.

**230-X-1-.31**                    **Audit/Review/Compilation Of Financial Statements**

**Submitted By Prime Contractors.** The Board does not require an audited financial statement. Applicants must employ a CPA or Licensed Public Accountant who is neither directly or indirectly connected with the Contractors business. Financial statements will be accepted if they are audited, reviewed or compiled by CPA or PA approved by the Board.

**Author:** Ralph E. Compagno

**Statutory Authority:** Code of Ala. 1975, §34-8-1.

**History:** Filed July 2, 1992. **Repealed:** Filed November 16, 1993; effective December 21, 1993. **Amended (Title Only):** Filed December 16, 1997; effective January 20, 1998.

**230-X-1-.32**                    **Certificate Of Insurance.**

**Author:** Kathleen A. Brown, Joseph C. Rogers, Jr.

**Statutory Authority:** Code of Ala. 1975, §34-8-1. **History:** Filed July 2, 1992.

**Repealed:** Filed April 28, 2005; effective June 2, 2005.

**230-X-1-.33**                    **Applicant's Burden To Supply All Information; Inactive Applications.**

It is the burden of each applicant to supply all information to the Board which is necessary for the Board to consider the application. In the case of references whose names are furnished by the applicant, it is the burden of the applicant to see that its references respond in a timely fashion directly to the Board. Any application pending for a year or more without being completed will be

considered inactive. An applicant whose application is inactive will be so notified by the Board. When an application becomes inactive, the applicant must complete a new application and submit the same together with another application fee in order to be considered for licensure by the Board.

**Author:** Ralph E. Compagno

**Statutory Authority:** Code of Ala. 1975, §34-8-2.

**History:** Filed July 2, 1992.

**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 and/or oral. Each applicant may be charged an examination fee for each written and/or oral 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 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 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 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 written power of attorney.
  - e. in the event that the qualifying agent in (a), (b) or (c) above leaves the employment of the business, or his or her employment status changes, written notice must be given within (10) 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 shall issue to the applicant a certificate authorizing the applicant to operate as a contractor in this state. The board shall state the construction classifications in which the applicant is qualified to engage in as a contractor and for each classification shall list the monetary limitations thereon as determined by the board.
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. The Board will provide notice of the time, place and fees to be charged for each examination. 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 on the experience shown on the application.

#### 10. RECIPROCITY

- a. Other States: Any applicant applying for a license 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.

**Author:** Cherie E. Colquett

**Statutory Authority:** Code of Ala. 1975, §34-8-2; 34-8-3.

**History:** New Rule: Filed April 28, 2005; effective June 2, 2005.

**Amended:** Filed May 20, 2005; effective June 24, 2005.

**Repealed and New Rule:** Filed August 25, 2005; effective September 30, 2005.

**Amended:** Filed August 1, 2006; effective September 5, 2006.

**Amended:** Filed February 19, 2008; Certified May 13, 2008.

#### **230-X-1-.35                    Testing Requirements.**

1. An application for license must be filed with the board prior to exam registration. Applicants meeting prequalification are referred to the testing vendor.
2. Candidates must schedule their exams to meet deadlines for board meeting agenda 15 days prior to meeting.
3. Score information will be related to candidates as Pass or Fail.
4. Candidates will be required to bring to the test site one government issued photo bearing ID as proof of identity.
5. Candidate photos taken by the testing vendor at the beginning of the testing session will appear on the score reports provided to the board.
6. Candidates shall be allowed to use reference books while testing.
7. All exams will be given on computer, except for those where ADA dictates the use of a paper-based test.

8. Testing vendor will offer exam reviews, giving candidates the opportunity to see questions missed on the exam. Fees for exam reviews are the same as for testing.

**Author:** Licensing Board for General Contractors

**Statutory Authority:** Code of Ala. 1975, §§34-8-2, 34-8-3.

**History: New Rule:** Filed April 28, 2005; effective June 2, 2005.

**230-X-1-.36                    Qualifying Party.**

1. Ownership Of License.

A license for which a person becomes the qualifying party belongs to the entity of the licensee, as: a corporate license belongs to the corporation, a partnership license belongs to the partnership and an individual license belongs to the individual regardless of the status of the qualifying party of the entity.

2. Authorized To Take Examination.

The qualifying party(s) authorized to take the examination are: any individual contractor, co-partner or any corporate officer. Each qualifying party shall execute an affidavit furnished by the board at the time he registers for the examination stating his association and giving his social security number. If requested, he shall be prepared to show evidence of his eligibility. The qualifying party shall list all prior affiliations with a licensed contractor(s) and shall disclose whether or not any sanctions have been levied against such contractor(s). The qualifying party shall also state his and/or the contractor's involvement in such sanction.

3. Disassociation of a Qualifying Party:

- a. When the qualifying party terminates employment with the licensee, the State Licensing Board for General Contractors must be notified in writing, by the licensee, within 30 days of the disassociation and another party must qualify within 60 days of the disassociation or licensee will be subject to citation, suspension or revocation of license
- b. Failure to notify the board of the disassociation of a qualifying party constitutes a violation.

**Author:** Licensing Board for General Contractors

**Statutory Authority:** Code of Ala. 1975, §§34-8-2, 34-8-3.

**History: New Rule:** Filed April 28, 2005; effective June 2, 2005.

**230-X-1-.38                    Rules to Implement Staggered License Renewal Schedule for Prime Contractors.**

1. In order to implement a staggered license renewal schedule during calendar year 2004 each licensee (Prime Contractors) licensed during the 2003 calendar year shall renew their license by submitting their renewal application and prorated fee as setout below by December 31, 2003 or their license will expire.
2. Companies beginning with I, J, K or L shall pay \$50.00 by December 31, 2003 for the renewal of their license until March 2004 and will thereafter renew in March of each year.
3. Companies beginning with M or N shall pay \$67.00 by December 31, 2003 for the renewal of their license until April 2004 and will thereafter renew in April of each year.

4. Companies beginning with O, P, Q or R shall pay \$83.00 by December 31, 2003 for the renewal of their license until May 2004 and will thereafter renew in May of each year.
5. Companies beginning with S shall pay \$100.00 by December 31, 2003 for the renewal of their license until June 2004 and will thereafter renew in June of each year.
6. Companies beginning with T, U, V, W, X, Y or Z shall pay \$117.00 by December 31, 2003 for the renewal of their license until July 2004 and will thereafter renew in July of each year.
7. Companies beginning with G or H shall pay \$133.00 by December 31, 2003 for the renewal of their license until August 2004 and will thereafter renew in August of each year.
8. Companies beginning with D, E or F shall pay \$150.00 by December 31, 2003 for the renewal of their license until September 2004 and will thereafter renew in September of each year.
9. Companies beginning with C shall pay \$167.00 by December 31, 2003 for the renewal of their license until October 2004 and will thereafter renew in October of each year.
10. Companies beginning with B shall pay \$183.00 by December 31, 2003 for the renewal of their license until November 2004 and will thereafter renew in November of each year.
11. Companies beginning with A shall pay \$200.00 by December 31, 2003 for the renewal of their license until December 2004 and will thereafter renew in December of each year.
12. Beginning calendar year 2004 and each year thereafter, during each licensee's designated renewal month each licensee shall submit to the Board their renewal form, renewal application fee (\$200.00) and a current financial booklet. The financial booklet cannot be based on information accumulated more than one year prior to the date of renewal.

**Author:** Licensing Board for General Contractors

**Statutory Authority:** Code of Ala. 1975, §34-8-2 as amended by Acts 1992, No.97-197; Acts 1996, No. 96-640; and Acts 2003. **History: New Rule:** Filed April 28, 2005; effective June 2, 2005.

**230-X-1-.39                      Rules to Implement Staggered License Renewal Schedule for Sub-Contractors.**

1. In order to implement a staggered license renewal schedule during calendar year 2004 each licensee (Subcontractors) licensed during the 2003 calendar year shall renew their license by submitting their renewal application and prorated fee as setout below by December 31, 2003 or their license will expire.
2. Companies beginning with I, J, K or L shall pay \$25.00 by December 31, 2003 for the renewal of their license until March 2004 and will thereafter renew in March of each year.
3. Companies beginning with M or N shall pay \$33.00 by December 31, 2003 for the renewal of their license until April 2004 and will thereafter renew in April of each year.

4. Companies beginning with O, P, Q or R shall pay \$42.00 by December 31, 2003 for the renewal of their license until May 2004 and will thereafter renew in May of each year.
5. Companies beginning with S shall pay \$50.00 by December 31, 2003 for the renewal of their license until June 2004 and will thereafter renew in June of each year.
6. Companies beginning with T, U, V, W, X, Y or Z shall pay \$58.00 by December 31, 2003 for the renewal of their license until July 2004 and will thereafter renew in July of each year.
7. Companies beginning with G or H shall pay \$67.00 by December 31, 2003 for the renewal of their license until August 2004 and will thereafter renew in August of each year.
8. Companies beginning with D, E or F shall pay \$75.00 by December 31, 2003 for the renewal of their license until September 2004 and will thereafter renew in September of each year.
9. Companies beginning with C shall pay \$83.00 by December 31, 2003 for the renewal of their license until October 2004 and will thereafter renew in October of each year.
10. Companies beginning with B shall pay \$92.00 by December 31, 2003 for the renewal of their license until November 2004 and will thereafter renew in November of each year.
11. Companies beginning with A shall pay \$100.00 by December 31, 2003 for the renewal of their license until December 2004 and will thereafter renew in December of each year.
12. Beginning calendar year 2004 and each year thereafter, during each licensee's designated renewal month each licensee shall submit to the Board their renewal form, renewal application fee (\$100.00) and a current financial booklet. The financial booklet cannot be based on information accumulated more than one year prior to the date of renewal.

**Author:** Licensing Board for General Contractors

**Statutory Authority:** Code of Ala. 1975, §34-8-2.

**History: New Rule:** Filed April 28, 2005; effective June 2, 2005.

**230-X-1- .40            Reciprocity For License.** A license may be issued based on reciprocity to any applicant holding a current license in another state recognized by this Board as a reciprocity state, who has had a license for the past three consecutive year period from the current application date, is free of official disciplinary actions taken against them during the three year consecutive period of licensure, and is requesting a comparable classification from this Board as is held in the reciprocity state. If a license is issued based on reciprocity the applicant may have the trade portion of the examination waived upon written certification from that state in which the applicant is licensed. The proposed qualified individual for the applicant shall be the same individual who is duly qualified for the license currently issued to the applicant by the reciprocal state licensing board. Applicants for license based on reciprocity must comply with all other Alabama licensing requirements including the passing of the business law portion of the examination.

**Authors:** Kathleen A. Brown, Joseph C. Rogers, Jr.

**Statutory Authority:** Code of Ala. 1975, §34-8-2

as Amended by Acts 1992, No 91-197; Acts 1996, No. 96-640; and Acts 2003.

**History: New Rule:** Filed April 28, 2005; effective June 2, 2005.

**Amended:** Filed May 20, 2005; effective June 24, 2005.

**Repealed and New Rule:** Filed August 25, 2005; effective September 30, 2005.

**230-X-1-.41**            **Method of Payment for Fees.** All payments for new license fees, renewal fees, violation fees, or any other fee to the Contractor's Board shall be cashier's check, certified check, or money order. They all shall be made payable to the Alabama Licensing Board for General Contractors. Cash shall be used for payment but only if brought to the Board's office. Personal or company checks shall not be received for payment and shall be returned to sender.

**Author:** Licensing Board for General Contractors

**Statutory Authority:** Code of Ala. 1975, §34-8-2.

**History: New Rule:** Filed April 28, 2005; effective June 2, 2005.

STATE OF ALABAMA  
LICENSING BOARD FOR GENERAL CONTRACTORS  
ADMINISTRATIVE CODE

CHAPTER 230-X-2  
DESCRIPTION OF ORGANIZATION

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**230-X-2-.01**            **Description of Organization.** In order to safeguard life, health, and property, and to promote the general public welfare by requiring that only properly qualified persons be permitted to engage in general contracting, there shall be a State Licensing Board For General Contractors consisting of five (5) members who shall be appointed by the Governor. The general responsibility of these members is to review applications filed by those desiring to be licensed as general contractors in the State of Alabama. The Board, by law, is required to meet at least four (4) times per year, i.e., January, April, July, and October, for the purpose of transacting such business as may properly come before it. The Board may have special meetings. The public may obtain information, make submissions or requests by contacting the Executive Secretary of the Board, 2525 Fairlane Drive, Montgomery, Alabama 36116.

**Author:** Licensing Board for General Contractors

**Statutory Authority:** Code of Ala. 1975, §34-8-22.

**History:** Filed November 12, 1982. **Amended:** Filed May 20, 2005; effective June 24, 2004.

**230-X-2-.02**            **Forms.** The forms listed herein are the forms used by the State Licensing Board for General Contractors:

- a. Application.
- b. Confidential financial statement, equipment questionnaire and experience questionnaire.
- c. Forms sent to banks, contractors, architects, suppliers, etc., for references on behalf of the applicant.
- d. Renewal Application.

**Author:**

**Statutory Authority:** Code of Ala. 1975, §34-8-22.

**History:** Filed November 12, 1982.

**230-X-2-.03**            **Petition For Adoption of Rules.**

1. Any person who wishes to propose that the Board adopt, repeal, or amend any rule may do so on the form prescribed by the Board and supplied by the Executive Secretary.
2. The Board shall meet and consider any petition for adoption, repeal or amendment within sixty (60) days of its submission.

**Author:****Statutory Authority:** Code of Ala. 1975, §34-8-22.**History:** Filed November 12, 1982.**230-X-2-.04****Notice.**

1. The Board shall give at least thirty-five (35) days' notice of any proposed action on any rule by publication in the **Alabama Administrative Monthly** in compliance with the Alabama Administrative Procedure Act, **Code of Ala. 1975**, §41-22-5 (a) (1).
2. Any person who wishes to receive notice by mail of all proposed actions on rules may do so by requesting such notice from the Executive Secretary and pay an annual charge of \$50.00 to cover costs of the mailings. All annual subscriptions begin October 1 and expire September 30.

**Author:****Statutory Authority:** Code of Ala. 1975, §34-8-22.**History:** Filed November 12, 1982.**230-X-2-.05**

**Public Hearings.** The Board shall permit all interested persons reasonable opportunity to submit data, views or arguments concerning any proposed rule action. Data, views or arguments submitted in writing must be received by the Executive Secretary at least seven (7) days before the date specified in the notice as the day of the public hearing. Those persons wishing to appear before the Board to present data, views or arguments orally must submit a request to appear before the Board to the Executive, and such request must be received by the Executive Secretary at least seven (7) days before the scheduled public hearing.

**Author:****Statutory Authority:** Code of Ala. 1975, §34-8-22.**History:** Filed November 12, 1982.**230-X-2-.06**

**Board Decision.** The Board shall fully consider all written and oral submissions concerning every proposed rule action. Upon adoption of a rule, the Board, if conflicting views are submitted on the proposed rule, shall issue a concise statement of the principal reasons for and against its adoption, incorporating therein its reasons for overruling any considerations urged against its adoption.

**Author:****Statutory Authority:** Code of Ala. 1975, §34-8-22.**History:** Filed November 12, 1982.**230-X-2-.07**

**Emergency Rules.** In the event the Board finds that an immediate danger to the public health, safety or welfare requires adoption of a rule upon fewer than thirty-five (35) days' notice or the action is required by or to comply with a federal statute or regulation which requires adoption of a rule upon fewer than thirty-five (35) days' notice, the Board may adopt an emergency rule under the provisions of the Administrative Procedure Act, Code of Ala. 1975, §41-22-5(b).

**Author:****Statutory Authority:** Code of Ala. 1975, §34-8-22.

**History:** Filed November 12, 1982.

**230-X-2-.08                    Petition of Person Seeking Declaratory Ruling.**

1. The Board may issue declaratory rulings to any person substantially affected by a rule with respect to the validity of the rule, or with respect to the applicability to any person, property, or state of facts of any rule or statute enforceable by the Board, or with respect to the meaning and scope of any order of the Board. Such ruling shall be issued provided:
  - a. The petitioner shows that he/she is substantially affected by the rule in question
  - b. Sufficient facts are supplied in the request to permit the Board to make a valid determination, and
  - c. The request arises from an actual question or controversy.
2. A request for declaratory ruling must be in writing and must specifically state that is a "request for declaratory ruling."
3. Such rulings will be made in accordance with the Alabama Administrative Procedure Act, Code of Ala. 1975, §41-22-11.

**Author:**

**Statutory Authority:** Code of Ala. 1975, §34-8-22.

**History:** Filed November 12, 1982.