

State of New Hampshire
OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION
DIVISION OF TECHNICAL PROFESSIONS

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INFORMATIONAL BULLETIN

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Licensing Requirements for Installation of Underground Electrical Conduits

It has been brought to the attention of the Electricians' Board that many installations of underground conduits for the purpose of routing conductors for heat, light or power are being installed by individuals who are not licensed with the NH Electricians' Board as required by RSA 319-C, the statute that governs electrical installations in the State of New Hampshire.

RSA 319-C:1 Electricians. – No electrical installation shall be made for compensation, unless made by an electrician or other person licensed by the Electricians' Board, except as provided in this chapter.

There are 13 exceptions in RSA 319-C that allow for “other than licensed electricians” to perform electrical installations in the State of NH. Exception (I) is listed below this paragraph and appears to be the source of the confusion or misinterpretation regarding the installation of underground conduits to be used by utility companies. The majority of these underground electrical installations installed by unlicensed individuals and contractors do not fall under this exception. The utility companies have stated to the Board that in most cases, they do not acquire ownership of these conduits until after the conductors are installed and the system is energized. In addition, there are times when the utility company never takes ownership of these conduits. These installations do not fall under the jurisdiction of The Public Utilities Commission until the utility takes ownership and therefore the licensing requirements of RSA 319-C apply.

319-C:3 Exceptions. – This chapter shall not apply to the following:

I. Any person, or any affiliate or employee of such person, under the jurisdiction of the Public Utilities Commission of this state, or the Federal Communications Commission, or the Interstate Commerce Commission, or any employee of such person, for the purpose of making electrical installations in the course of such employment.

Exception (X) is listed below this paragraph and applies to the installation of public street lighting and traffic lights. This exception does not apply to the installation of conduits for any privately owned parking lot or street lighting.

319-C:3 Exceptions. – This chapter shall not apply to the following:

X. Any electrical work and equipment employed in connection with the construction, installation, operation, repair or maintenance of any public highway, including traffic devices thereon by employees of any unit of government having a responsibility for the highway; or an independent contractor employed by any unit of government installing, constructing or maintaining any conduit or piping for an electrical system associated with a highway.

Please be aware: Unlicensed individuals who are found performing electrical installations may be prosecuted in a court of law

RSA 319-C:15 Violations; Penalty; Homeowner's Exception. –

I. A person shall be guilty of a misdemeanor, if a natural person, or a felony if any another person, who:

(a) Makes electrical installations without being licensed under this chapter, except as provided in paragraph II;

To access RSA 319-C in its entirety, you can go to the Electricians' Board website at <https://www.oplc.nh.gov/electricians/index.htm> and click on the link for "Laws and Rules". If you have any further questions, please do not hesitate to contact the NH Electricians' Board office at electricians@oplc.nh.gov.