

Electricians Penalties and Sanctions

Texas Occupations Code, Chapter 1305

Texas Occupations Code, Chapter 1806

Texas Occupations Code, Chapter 51

16 Texas Administration Code, Chapter 60

16 Texas Administration Code, Chapter 73

Class A

Penalty Range: \$500 to \$2,000

Administrative Violations

Violation	Statute/Rule
Failed to notify the Department when a new licensee of record is assigned	73.51(a)(1), 73.52(a)(1), 73.54(a)(1)
Failed to notify the Department within 30 days that the licensee of record is no longer employed	73.51(a)(1), 73.52(a)(1), 73.54(a)(1)

Advertising Violations

Violation	Statute/Rule
Failed to include contractor name and license number in advertising	73.51(e), 73.52(e), 73.54(d), 73.70(g)

Public Notice Violations

Violation	Statute/Rule
Failed to permanently affix license number and business name in conspicuous place on both sides of each vehicle	1305.166(b)(2)
Failed to display business name and contractor license number on each vehicle used in the conduct of electrical work	1305.166(a), 73.51(d), 73.52(d), 73.54(c)
Failed to display license number and business name on each vehicle in characters at least two inches high and in color that contrasts with background	1305.166(b)(1), 73.51(d), 73.52(d), 73.54(c)
Failed to include name, address, phone number and license number of contractor on all proposals, invoices, and written contracts	73.51(f), 73.52(f), 73.54(e)
Failed to include Department information on all proposals, invoices and written contracts	73.51(f), 73.52(f), 73.54(e)

Violation	Statute/Rule
Failed to conspicuously state the name and license number of the electrical contractor who will perform the installation in an agreement for sale or lease of a residential solar energy system that includes installation	1806.155(a)(2)
Failed to include a provision that any required permits or approvals will be obtained in a residential solar energy system sale or lease agreement that includes installation	1806.155(a)(3)
Failed to include a Right to Cancel provision in an agreement for sale or lease of a residential solar energy system that involves a third-party lender	1806.155(c)

Class B

Penalty: \$1,000 to \$3,500 and/or up to 1-year full suspension

Records Violations

Violation	Statute/Rule
Failed to maintain employee records and records of all work performed for four years	73.51(a)(2), 73.52(a)(2), 73.54(a)(2)

Insurance Violations

Violation	Statute/Rule
Failed to maintain the minimum general liability insurance	73.40(a)
Failed to provide a certificate of insurance to the Department upon request	73.40(b)
Failed to provide name of insurance carrier, policy number, name, address, and telephone number of agent to a customer upon request	73.40(d)
Failed to obtain insurance from an appropriate company	73.40(e)

Unlicensed Violations

Violation	Statute/Rule
Performed or offered to perform electrical work with an expired license	73.22(b), 73.23(d)
Provided instruction in a career and technology education program in an institute of higher learning with an expired master electrician, journeyman electrician, or residential wireman license.	1305.1575(e)

Improper Use of a License Violations

Violation	Statute/Rule
Used a license number not assigned to the contractor by the Department	73.22(d), 73.51(h), 73.52(h), 73.54(g)
Used a license belonging to another person	73.22(h)
Licensee allowed another person to use his license	73.22(h)

Class C

Penalty: \$2,000 to \$5,000 and/or plus one-year probated suspension up to revocation

Administrative Violations

Violation	Statute/Rule
Altered a license	73.22(f)
Failed to provide to the Department documentation of on-the-job training for an applicant	73.26(b)

Quality of Work Violations

Violation	Statute/Rule
Within a municipality, performed electrical work that was not in compliance with all applicable local ordinances	1305.201(d), 73.53, 73.60(a)
In an unincorporated area of the state, performed non-exempt electrical work that was not in compliance with the National Electrical Code adopted by the Department	1305.201(e), 73.53, 73.60(a), 73.100
Performed electrical work and failed to provide safe and proper installation and service	73.51(b)(1), 73.52(b)(1), 73.54(b)(1)
Performed electrical work and failed to assure electro-mechanical integrity of the work	73.51(b)(1), 73.52(b)(1), 73.54(b)(1)
Failed to supervise all licensees to assure compliance with applicable statutes, rules, and standards of conduct	73.51(g), 73.52(g), 73.54(f)
Failed to exercise reasonable judgment and skill	73.60(a)
Performed or offered to perform services for which the licensee was not qualified by education or experience	73.70(c)

Standard of Conduct Violations

Violation	Statute/Rule
Misrepresented the need for services, services to be provided, or services that have been provided	73.51(b)(2), 73.52(b)(2), 73.54(b)(2)
Made a fraudulent promise or false statement to influence, persuade, or induce contracting of services	73.51(b)(3), 73.52(b)(3), 73.54(b)(3)
Engaged in acts or practices that constitute dishonesty, misrepresentation, or fraud	73.60(b), 73.60(d)(3)
Engaged in acts or practices that constitute threats, coercion, or extortion	73.60(b)
Engaged in acts intending to evade the Act, rules, or standards adopted by the Commission	73.60(d)(1)
Furnished inaccurate, deceitful, or misleading information to the Department, a consumer, or other person	73.60(d)(2)
Failed to accurately and truthfully represent to client or employer the licensee's qualifications to perform the services to be rendered	73.70(b)
Evaded responsibility to a client or employer	73.70(d)
Agreed to perform services when significant financial or other interests were in conflict with obligation to render faithful discharge of services	73.70(e)(1)
Agreed to perform services when significant financial or other interests would impair independent judgment in rendering services	73.70(e)(2)
Failed to withdraw from employment when it became apparent that it was impossible to faithfully discharge duty and services owed the client or employer	73.70(f)
Failed to give reasonable notice of necessity of withdrawing from employment or services	73.70(f)
Engaged in advertising that was false, misleading, or deceptive	73.70(g)
Misrepresented the amount or extent of prior education or experience	73.70(h)
Held self out as being engaged in partnership or association with a person when the partnership or association did not exist	73.70(i)
Failed to cancel an agreement for the sale or lease of a residential solar energy system without penalty or further obligation as required by statute	1806.156

Unlicensed Violations

Violation	Statute/Rule
Performed or offered to perform electrical work without the appropriate license	1305.151, 1305.1575(d)
Provided instruction in a career and technology education program in an institute of higher learning without a master electrician, journeyman electrician, or residential wireman license.	1305.1575(e)
Designed an electrical system without the appropriate license	73.51(c), 73.52(c)
Subcontracted the design of an electrical system to an unlicensed person	73.51(c), 73.52(c)
Failed to ensure all electrical work was performed by licensed individuals	73.51(b)(4), 73.52(b)(4), 73.54(b)(4)
Failed to provide all electrical work through a licensed contractor	73.70(a)

Class D

Penalty: \$5,000 and/or revocation

Violation	Statute/Rule
Failed to comply with previous order of Commission or Executive Director	1305.251(2), 51.353(a), 60.23(a)(5)
Violated examination security requirements	60.54(a), 73.22(c)
Obtained or attempted to obtain a license by fraud or false representations	60.23(a)(1), 73.22(c)
Failed to pay the Department for a dishonored payment	60.82
Falsified any document submitted to the Department or Commission	60.23(a)(2), 73.22(c)
Permitted the use or display of a license by a person not authorized by law to use that license	60.23(a)(3)
Failed to cooperate with investigation of complaint	60.203(a)
Failed to make available to the Department all records, notices, or other documents requested	60.203(b), 73.51(a)(2), 73.52(a)(2), 73.54(a)(2)
Interfered with an investigation or threatened or intimidated a Department employee in connection with an investigation	60.203(c)
Failed to cooperate with an inspection	60.222
Restricted License holder failed to abide by conditions imposed on licensee	51.357(d), 73.71(a)

Violation	Statute/Rule
Restricted license supervisor failed to use reasonable care to ensure that the restricted license holder complies with conditions imposed on licensee	51.357(d), 73.71(b)