

Regulations of Connecticut State Agencies

TITLE 20. Professional & Occupational Licensing, Certification

Agency

Department of Consumer Protection

Subject

Registration of Major Contractors

Inclusive Sections

§§ 20-341gg-1—20-341gg-8

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Registration of Major Contractors

Sec. 20-341gg-1. Definitions as used in sections 20-341gg-1 to 20-341gg-7 of the regulations of connecticut state agencies

- (a) “Commissioner” means the Commissioner of Consumer Protection.
- (b) “Structural frame” means supporting members essential to the integrity of a structure, including, but not limited to, foundations, beams, columns, floor slabs, sheeting, shoring and underpinning.
- (c) “Person” means an individual, partnership, corporation, limited liability company or joint venture.
- (d) “Story” means that portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above.
- (e) “Management staff” means officers, directors or persons exercising control over, the overall or day to day operation of the business, particular construction projects or particular areas within the business such as estimating, accounting, accounts payable and payroll.

(Effective June 23, 1992; Amended September 27, 1997)

Sec. 20-341gg-2. Registration required

In order to safeguard life, health and property, no person shall engage in or offer to practice as a major contractor in the state, unless such person has secured a registration as provided in Section 20-341gg-3 of the Regulations of Connecticut State Agencies.

(Effective December 28, 1989; Amended September 27, 1997)

Sec. 20-341gg-3. Application

Any person seeking a registration as a major contractor shall apply to the commissioner on an application form provided by the commissioner.

- (a) Such application form shall be verified under oath and shall include:
 - (1) Name;
 - (2) Trade Name;
 - (3) Business Address;
 - (4) The categories of work that the applicant’s organization normally performs with its own forces;
 - (5) The names of the applicant’s management staff responsible for both overall and day to day operation of the applicant’s business;
 - (6) A statement whether the applicant’s organization, or any organization with which the applicant’s management staff has been affiliated or employed has ever failed to complete any work awarded to it during the period of such affiliation or employment;
 - (7) A statement whether there are any judgments, claims, arbitration proceedings or suits pending or outstanding against the applicant’s organization or, any organization with which the applicant’s management staff has been affiliated or employed, or any member of the applicant’s management staff individually, during the period of such affiliation or

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employment;

(8) A statement whether the applicant's organization, or any organization with which the applicant's management staff has been affiliated or employed, during the period of such affiliation or employment, or any member of the applicant's management staff individually, filed any law suits or requested arbitration with regard to construction contracts within the last five years;

(9) Construction projects in progress;

(10) Construction projects completed in the past five years; and

(11) Other information as the commissioner may require to determine qualifications of applicant.

(b) Accompanying the application shall be:

(1) Satisfactory credit references from trade and financial institutions;

(2) Three current references from persons familiar with the knowledge, skills and abilities of the applicant, relating to the performance of general contracting or major subcontracting services;

(3) Satisfactory evidence that the applicant has obtained and shall at all times maintain during the registration period general liability insurance for the safety and welfare of the public;

(4) A certificate of good standing less than 30 days old from the Secretary of the State, if a corporation;

(5) A certificate in good standing from the state in which it is incorporated, as well as a certificate of good standing less than 30 days old from the Secretary of the State, if a foreign corporation;

(6) A nonrefundable fee of Five Hundred Dollars (\$500.00) in a check made payable to the Treasurer, State of Connecticut at the date of application for a license;

(7) A certified copy of a trade name certificate from the town in which the business is primarily conducted, in accordance with Section 35-1 of the General Statutes; and

(8) A statement that the applicant, or a responsible member of a firm, partnership, corporation or joint venture, is familiar with statutes and regulations promulgated by the department of consumer protection pertaining to major contractors, specifically Section 20-341gg of the General Statutes and Section 20-341gg-1 through 20-341gg-7 of the Regulations of Connecticut State Agencies.

(Effective June 23, 1992; Amended September 27, 1997)

Sec. 20-341gg-4. Expiration and renewals

(a) The fee due at the time a lapsed registration is renewed shall be the renewal fee for each lapsed renewal period plus the renewal fee due during the year in which the application for reinstatement is made. The renewal fee for any fraction of a year shall be the full renewal fee. The registration shall be considered lapsed if not renewed within thirty days following the normal expiration date.

(b) Registrations not renewed within three years from the date of expiration can only be

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reinstated by filing a new application subject to the requirements for initial registration.

(c) Failure to receive a renewal application shall not exempt a major contractor from the obligation to renew.

(Effective January 3, 1995; Amended September 27, 1997)

Sec. 20-341gg-5. Denial of registration

(a) Upon receipt of a completed application and fee, the commissioner shall: (1) Issue and deliver to the applicant a registration to engage in the business for which the application was made; or (2) refuse to issue the registration.

(b) Upon refusal to issue or renew a registration the commissioner shall notify the applicant of the denial and of his right to request in writing a hearing within ten days from the date of receipt of the notice of denial.

(c) In the event the applicant requests in writing a hearing within such ten days, the commissioner shall give notice of the grounds for his refusal and shall conduct a hearing concerning such refusal in accordance with the provisions of chapter 54 of the general statutes concerning contested matters.

(d) In the event the commissioner's denial of a registration is sustained after such hearing, an applicant may make new application not less than one year after the date on which such denial was sustained.

(Effective December 28, 1989; Amended September 27, 1997)

Sec. 20-341gg-6. Powers and duties of the commissioner

(a) In addition to any other action permitted under the general statutes, the commissioner may upon a finding of any cause specified in Section 20-341gg-7 of the Regulations of Connecticut State Agencies: revoke or suspend a registration, issue a letter of reprimand to a registrant and send a copy of such letter to a complainant or to a state or local official; place a registrant on probationary status and require the registrant to report regularly to the commissioner on the matter which is the basis for probation, limit his practice to areas prescribed by the commissioner or, to continue or renew his education until he has attained a satisfactory level of competence in any area which is the basis for probation. The commissioner may discontinue, suspend or rescind any action taken under this subsection.

(b) The commissioner shall not take any action described in subsection (a) of this section except upon notice and hearing in accordance with chapter 54 of the general statutes.

(Effective June 23, 1992; Amended September 27, 1997)

Sec. 20-341gg-7. Prohibited acts

The commissioner may act in accordance with the provisions of subsection (a) of Section 20-341gg-6 of the Regulations of Connecticut State Agencies, in the case of a registrant who: (1) knowingly engages in fraud or material deception in order to obtain a registration, or doing so in order to aid another in obtaining a registration; (2) engages in conduct of a character likely to mislead, deceive or defraud the public or commissioner; (3) has been

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convicted of a felony; (4) illegally uses or transfers a registration issued by the commissioner; (5) performs grossly incompetent or negligent work; (6) knowingly makes false, misleading or deceptive representations to the public regarding work to be performed; (7) fails to remedy or abate violations of all applicable Occupational Safety and Health Codes, Fire Codes and Building Codes; (8) employs an unregistered major contractor; or (9) violates any provision of the general statutes or any regulation established thereunder relating to his profession or occupation.

(Effective June 23, 1992; Amended September 27, 1997)

Sec. 20-341gg-8. Repealed

Repealed June 23, 1992.