

## **Emergency Rule Requires All Contractors to Register with Wisconsin Department of Commerce**

On Monday March 2, 2009 the Wisconsin Department of Commerce issued an Emergency Administrative Rule that will require all building contractors (see definition below) to obtain a "Building Contractor Registration" credential **by July 1, 2009** unless they are otherwise registered with the department by having any of the following:

- A dwelling contractor certification
- A dwelling contractor – restricted certification
- A manufactured home manufacturer license
- A manufactured home dealer license
- A manufactured home installer license
- An electrical contractor certification
- An electrical contractor – restricted certification
- An HVAC contractor registration
- An elevator contractor license

(A person or entity that works only on real estate or property they own or lease is exempt from registration)

If you do not currently have or obtain one of the above nine credentials with the department and you fit the definition of Building Contractor you need to get a Building Contractor Registration by July 1, 2009.

### **Definition of Building Contractor:**

Comm 5.30 Building contractor. (1) GENERAL. (a) Except as provided in par. (b), no person or entity may engage in the construction business or offer to engage in the construction business that affects public buildings, places of employment and one- and 2-family dwellings, public swimming pools, and water attractions unless the person or entity holds a registration issued by the department as a registered building contractor.

### **Qualifications for Registration:**

The person applying for a building contractor registration shall be the owner of the construction business, a partner in the construction business applying on behalf of a partnership, or the chairman of the board or chief executive officer applying on behalf of the construction corporation.

### **Responsibilities:**

- Include their registration number on all construction bids and contracts.
- Not contract with another person or entity to engage in construction business activities unless the person or entity holds a credential.
- Not commence a construction business activity until a permit is issued for the construction for any project that requires a uniform building permit.

- Not commence a construction business activity until a permit is issued for the construction for any project that requires a municipal building permit involving a public building, a place of employment or a one- or 2- family dwelling.
- Not commence a construction business activity until plan approval has been obtained.

For more information on the rule click here:

<http://commerce.wi.gov/SB/SB-BuildingContractorProgram.html>

ABC of Wisconsin had been working with the Department of Commerce on the development of this rule as it was moving forward in the “normal process”. We had no warning or indication that the rule would be issued as an Emergency Rule. We will be working to inform ABC of Wisconsin members on the implication of this new rule.

If you have any questions, contact ABC of Wisconsin Vice President John Mielke at 608-244-5883 or at [jmielke@abcwi.org](mailto:jmielke@abcwi.org).