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CITY of NAPA

GENERAL CONTRACTOR STATE LICENSE (B)

State of California Department of Consumer Affairs
Contractor's State License Board

9835 Goethe Road, Sacramento, California
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December 29, 1997

Subject: Section 7057 of the Business and Professions Code Definition of a "B - General Building Contractor"

New legislation (Chapter 812, Polanco) has been enacted which changes the definition of what a "B" contractor can do effective January 1, 1998. This came about as a result of the California Appellate Court decision in Home Depot v, CSLB (41 Cal. App. 4th 1592) which invalidated the Contractors Board Rule that limited "B" contractors to projects that included at least three unrelated trades (except for framing and carpentry).

The "new" Section 7057 of the Business and Professions Code and an explanation of the new definition of a "B" contractor are attached.

Any questions you may have regarding this new law should be directed in writing to the License Classification Deputies at the above address.

Sincerely,

C. Lance Barnett, Ph.D.
Registrar

Attachment

cc: Linda L. Brooks
Licensing Deputy

All forms and handouts are available on www.cityofnapa.org

Explanation of Section 7057 of the Business and Professions Code
Definition of a "B - General Building Contractor"
Effective January 1, 1998

Sub-section (a) describes the broad definition of what a B - General Building Contractor is:

The main part of his/her business is to do or supervise all or any part of a project in connection with a structure that shelters people, animals or property and requires at least two unrelated building trades.

Sub-section (b) describes specifically the prime contracts or subcontracts a General Building Contractor may take:

1. Can take any prime contract or subcontract for a framing or carpentry project; or,
2. Can take any prime contract or subcontract that requires at least two unrelated building trades other than framing or carpentry (cannot count framing or carpentry as one of the two unrelated building trades); or,
3. Can take any prime contract or subcontract for any specialty project (even if less than two trades) for which the general building contractor also holds the required specialty classification; or,
4. Can take any prime contract for any specialty project (even if less than two trades), if the general building contractor subcontracts with a licensed specialty contractor who holds the required specialty classification.
5. **Cannot** take any subcontract (a subcontract is when the B does not have a direct contractual relationship with the owner of property) for any single trade project and then subcontract with a licensed specialty contractor who holds the required specialty classification.

Sub-section (c) prohibits a general building contractor from taking a contract for any project that includes work under either a C-16 (Fire Protection) or C-57 (Well Drilling) classification unless the general building contractor holds the appropriate specialty classification or subcontractor acts with an appropriately licensed specialty contractor.

General Building Contractor

"7057. (a) Except as provided in this section, a general building contractor is a contractor whose principal contracting business is in connection with any structure built, being built, or to be built, for the support, shelter, and enclosure of persons, animals, chattels, or movable property of any kind, requiring in its construction the use of at least two unrelated building trades or crafts, or to do or superintend the whole or any part thereof.

This does not include anyone who merely furnishes materials or supplies under Section 7045 without fabricating them into, or consuming them in the performance of the work of the general building contractor.

(b) A general building contractor may take a prime contract or a subcontract for a framing or carpentry project. However, a general building contractor shall not take a prime contract for any project involving trades other than framing or carpentry unless the prime contract requires at least two unrelated building trades or crafts other than framing or carpentry, or unless the general building contractor holds the appropriate specialty license or subcontracts with an appropriately licensed contractor to perform the work. A general building contractor shall not take a subcontract involving trades other than framing or carpentry, unless the subcontract requires at least two unrelated trades or crafts other than framing or carpentry, or unless the general building contractor holds the required specialty license. The general building contractor may not count framing or carpentry in calculating the two unrelated trades necessary in order for the general building contractor to be able to take a prime contract or subcontract for a project involving other trades.

(c) No general building contractor shall contract for any project that includes the "C-16" Fire Protection classification as provided for in Section 7026.12 or the "C-57" Well Drilling classification as provided for in Section 13750.5 of the Water Code, unless the general building contractor holds the specialty license, or subcontracts with the appropriately licensed specialty contractor. "

THE CALIFORNIA CONTRACTOR'S LICENSE

5. IN WHAT TRADE(S) MAY I OBTAIN A CLASS "C" SPECIALTY CONTRACTOR'S LICENSE?

You may obtain a license in any of the classifications listed below. For a detailed description of these classifications, consult the *CSLB Rules and Regulations* in this book. Read the section (board rule number) that corresponds to the classification in which you are interested.

<i>Classification Name:</i>	<i>Code</i>	<i>See Section</i>
Boiler, Hot Water Heating and Steam Fitting	C-4	832.04
Building Moving, Wrecking	C-21	832.21
Cabinet and Mill Work	C-6	832.06
Concrete	C-8	832.08
Drywall	C-9	832.09
Earthwork and Paving	C-12	832.12
Electrical (general)	C-10	832.10
Electrical Signs	C-45	832.45
Elevator Installation	C-11	832.11
Fencing	C-13	832.13
Fire Protection Engineering	C-16	832.16
Flooring and Floor Covering	C-15	832.15
General Manufactured Housing	C-47**	832.47
Glazing	C-17	832.17
Insulation and Acoustical	C-2	832.02
Landscaping	C-27	832.27
Lathing	C-26	832.26
Limited Specialty	C-61*	832.61
Masonry	C-29.	832.29
Ornamental Metals	C-23	832.23
Parking and Highway Improvement	C-32	832.32
Painting and Decorating	C-33	832.33
Pipeline	C-34	832.34
Plastering	C-35	832.35
Plumbing	C-36	832.36
Refrigeration	C-38	832.38
Roofing	C-39	832.39
Sanitation System	C-42	832.42
Sheet Metal	C-43	832.43
Solar	C-46**	832.46
Steel. Reinforcing	C-50	832.50
Steel. Structural	C-51	832.51
Swimming Pool	C-53	832.53
Tile (ceramic & mosaic)	C-54	832.54
Warm-Air Heating, Ventilating, and Air-Conditioning	C-20	832.20
Water Conditioning	C-55	832.55
Welding	C-60	832.60
Well-Drilling (Water)	C-57	832.57

For solar system work within the scope of Class A, Class B and Class C-61 (Swimming Pool Maintenance), see Section 832.62.

* C-61, Limited Specialty, is for a specialty contractor whose construction work requires a special skill not included in the other specialty classifications. If you apply for a C-61 classification, you must define on your application the particular work/skill to be performed.

** It is anticipated that licenses in these trades will be issued in 1985 after the administration of the newly-developed qualifying examinations.

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