

Opinion No. 57-278

October 29, 1959

BY: OPINION OF FRED M. STANDLEY, Attorney General Fred M. Calkins, Jr.,
Assistant Attorney General

TO: Mr. Robert L. Thompson Engineer State Electrical Administrative Board, 1824
Lomas Blvd., N.E., Albuquerque, New Mexico

QUESTION

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May an individual or corporation operating two or more electrical contracting firms, having different firm names, operate under one license?

CONCLUSION

No.

OPINION

ANALYSIS

Section 67-19-8, N.M.S.A., 1953 Compilation, in part provides as follows:

"(A) No person, firm, partnership or corporation shall engage in the business of electrical contractor in political subdivisions to which this act (67-19-1 to 67-19-19) applies, unless such person, firm, partnership or corporation shall have received a license from the board as such. Each application for an electrical contractor's license shall be made in writing on forms prescribed and furnished by the board, stating the names and places of business of the applicant, the name of the representative of the applicant that will supervise the work to be done under said license, and shall be accompanied by the prescribed examination fee. The designated representative of such applicant shall be examined by the board to determine this knowledge of the orders, rules and regulations governing the installation of electrical wiring issued under authority of this act. Each license issued in accordance with the provisions of this act shall state the name of the person, firm, partnership or corporation licensed, who shall be known as the holder of the license, and shall also state the name of the person who has passed the examination and is designated as supervisor of the work to be done under the license. The person designated as supervisor may be a person in the employ of the holder of the license; or, if the holder is a person, may be the holder himself; or, if the holder is a corporation, may be an officer of the corporation. **The same person shall not be designated as supervisor in more than one (1) electrical contractor's**

license issued to different persons, firms, partnerships or corporations. . . ."
(Emphasis added.)

The above language, we believe, is clear and self-explanatory. It requires that each person, firm or corporation engaged in the business of selling his services as an electrical contractor, shall obtain a license from the Board in accordance with the above section. We concede that the various firms may have a common ownership and could quite possibly be under the control of the same management, but in the case where two or more electrical contracting firms having different firm names are operated, we believe a separate license should be issued for each firm.

It is our intention that this opinion be limited to the instant case and should not be unduly broadened. We believe that it is proper for an individual or corporation to operate in various locations under one license and one firm name, but we do not believe an individual or corporation holding one license should be allowed to use the license to cover the operations of two or more companies having different firm names.