

Opinion No. 43-4411

November 17, 1943

BY: EDWARD P. CHASE, Attorney General

TO: Mr. J. Wilbur Jones, Engineer, New Mexico Electrical Administrative Board, P. O. Box 386, Albuquerque, New Mexico

We are in receipt of your letter of November 16, 1943, in which you make the statement that "We have, throughout the State, several electrical service and repair shops engaged in the business of repairing and rebuilding electrical appliances, devices, fixtures, motors and equipment for the use of consuming electrical energy."

In view of these facts, you ask our opinion as to whether the persons so engaged are electrical contractors.

Section 51-2202 of the N.M. 1941 Compilation provides, in part, as follows:

"(A) 'Electrical contractor' shall mean and include any person, firm, partnership or corporation engaged in the business of, or holding themselves out to the public as being engaged in the business of installing or repairing, or contracting to install or repair any electrical wiring, conduits, devices, fixtures, equipment, or other electrical materials for carrying, using or consuming electrical energy for which a permit is required by section 11 (section 51-2210)."

In view of this statute, it is my opinion that such persons as mentioned in your letter are electrical contractors, since the language used in your letter is almost identical with that of the statute quoted.

It may be that I have misconstrued just what question you had in mind. If I have done so, please feel free to write for a further opinion setting out specifically your question.

By ROBERT W. WARD,

Assistant Attorney General