

and salesman is received by the Commission. At the time of termination of the appointment or employment of a salesman, the contractor shall notify the Commission in writing of the same.

(c) Before any individual accepts an appointment or employment as a salesman from any contractor, he shall disclose to each contractor the names of every other contractor with whom he is currently employed or engaged.

256. Exceptions to License Requirements.

No contractor's or salesman's license shall be required of any person when acting in the particular capacity or particular type of transaction set forth in this section:

(1) An individual who performs labor or services for a contractor for wages or salary and who does not act in the capacity of salesman for the contractor.

(2) A plumber, electrician, architect or any other such person who is required by State or local law to attain standards of competency or experience as a prerequisite to engaging in such craft or profession, and who is acting exclusively within the scope of the craft or profession for which he is currently licensed pursuant to such other law; and the salesman in regard to such a transaction.

(3) Any home improvement, where the aggregate contract price for all labor, materials and other items is less than ~~\$200.00~~ \$300.00. This exemption does not apply where the work is only part of a larger or major operation, whether undertaken by the same or a different contractor, or in which a division of the operation is made in contracts of amounts less than ~~\$200.00~~ \$300.00 for the purpose of evasion of this provision or otherwise.

(4) Any retail clerk, clerical or other employee of a licensed contractor, ~~other than a telephone solicitor, as to a transaction on the premises of the contractor, who does not directly engage in the selling, offering or negotiation of a home improvement contract with an owner.~~; AND ANY SOLICITOR FOR A CONTRACTOR WHO MAKES CONTACT WITH AN OWNER BY TELEPHONE ONLY.

257. General Qualifications for License

For the protection of the people of this State, the Commission shall not grant nor continue the license of any person to engage in the home improvement business in this State as contractor or salesman where the Commission finds that:

(1) The person, and or the management personnel of the person are untrustworthy or not of good character, or are so lacking in home improvement training, experience, or financial capacity that there is no reasonable evidence of ability to perform as a contractor or salesman; or

(2) The person is affiliated directly or indirectly through ownership, control, management or otherwise with any person or persons whose licenses as contractors or salesmen have been revoked or are currently suspended; or