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WAYS AND MEANS

HOUSE FILE 2741
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO HSB 700)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act establishing statewide licensure of electricians and
2 installers, providing for inspections, establishing fees, and
3 providing penalties.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2741

1 Section 1. NEW SECTION. 103.1 DEFINITIONS.

2 As used in this chapter, unless the context otherwise
3 requires:

4 1. "Apprentice electrician" means any person who as such
5 person's principal occupation is engaged in learning and
6 assisting in the installation, alteration, and repair of
7 electrical wiring, apparatus, and equipment as an employee of
8 a person licensed under this chapter, and who is licensed by
9 the board and is progressing toward completion of an
10 apprenticeship training program registered by the bureau of
11 apprenticeship and training of the United States department of
12 labor. For purposes of this chapter, persons who are not
13 engaged in the installation, alteration, or repair of
14 electrical wiring, apparatus, and equipment, either inside or
15 outside buildings, shall not be considered apprentice
16 electricians.

17 2. "Board" means the electrical examining board created
18 under section 103.2.

19 3. "Class A journeyman electrician" means a person having
20 the necessary qualifications, training, experience, and
21 technical knowledge to wire for or install electrical wiring,
22 apparatus, and equipment and to supervise apprentice
23 electricians and who is licensed by the board.

24 4. "Class A master electrician" means a person having the
25 necessary qualifications, training, experience, and technical
26 knowledge to properly plan, lay out, and supervise the
27 installation of electrical wiring, apparatus, and equipment
28 for light, heat, power, and other purposes and who is licensed
29 by the board.

30 5. "Class B journeyman electrician" means a person having
31 the necessary qualifications, training, experience, and
32 technical knowledge to wire for or install electrical wiring,
33 apparatus, and equipment who meets and is subject to the
34 restrictions of section 103.12.

35 6. "Class B master electrician" means a person having the

1 necessary qualifications, training, experience, and technical
2 knowledge to properly plan, lay out, and supervise the
3 installation of electrical wiring, apparatus, and equipment
4 who meets and is subject to the restrictions of section
5 103.10.

6 7. "Commercial installation" means an installation
7 intended for commerce, but does not include a residential
8 installation.

9 8. "Electrical contractor" means a person who is licensed
10 by the board as either a class A or class B master electrician
11 and who is also registered with the state of Iowa as a
12 contractor.

13 9. "Industrial installation" means an installation
14 intended for use in the manufacture or processing of products
15 involving systematic labor or habitual employment and includes
16 installations in which agricultural or other products are
17 habitually or customarily processed or stored for others,
18 either by buying or reselling on a fee basis.

19 10. "Inspector" means a person certified as an electrical
20 inspector upon such reasonable conditions as may be adopted by
21 the board. The board may permit more than one class of
22 electrical inspector.

23 11. "Life safety installer" means a person who is
24 certified at level two or higher by the national institute for
25 certification in engineering technology, who is qualified to
26 oversee the installation of life safety systems, including
27 fire alarm, security, and nurse call systems, and who is
28 licensed by the board.

29 12. "New electrical installation" means the installation
30 of electrical wiring, apparatus, and equipment for light,
31 heat, power, and other purposes.

32 13. "Public use building or facility" means any building
33 or facility designated for public use, including all property
34 owned and occupied or designated for use by the state of Iowa.

35 14. "Residential installation" means an installation

1 intended for a single-family or two-family residential
2 dwelling or a multifamily residential dwelling not larger than
3 a four-family dwelling.

4 15. "Routine maintenance" means the repair or replacement
5 of existing electrical apparatus or equipment of the same size
6 and type for which no changes in wiring are made.

7 16. "Special electrician" means a person having the
8 necessary qualifications, training, and experience in wiring
9 or installing special classes of electrical wiring, apparatus,
10 equipment, or installations which shall include irrigation
11 system wiring, air conditioning and refrigeration
12 installation, and sign installation and who is licensed by the
13 board.

14 17. "Unclassified person" means any person, other than an
15 apprentice electrician or other person licensed under this
16 chapter, who, as such person's principal occupation, is
17 engaged in learning and assisting in the installation,
18 alteration, and repair of electrical wiring, apparatus, and
19 equipment as an employee of a person licensed under this
20 chapter, and who is licensed by the board as an unclassified
21 person. For purposes of this chapter, persons who are not
22 engaged in the installation, alteration, or repair of
23 electrical wiring, apparatus, and equipment, either inside or
24 outside buildings, shall not be considered unclassified
25 persons.

26 Sec. 2. NEW SECTION. 103.2 ELECTRICAL EXAMINING BOARD
27 CREATED.

28 1. An electrical examining board is created within the
29 division of state fire marshal of the department of public
30 safety. The board shall consist of eleven voting members
31 appointed by the governor and subject to senate confirmation,
32 all of whom shall be residents of this state.

33 2. The members shall be as follows:

34 a. Two members shall be journeyman electricians, one a
35 member of an electrical workers union covered under a

1 collective bargaining agreement and one not a member of a
2 union.

3 b. Two members shall be master electricians or electrical
4 contractors, one of whom is a contractor signed to a
5 collective bargaining agreement or a master electrician
6 covered under a collective bargaining agreement and one of
7 whom is a nonunion contractor or a master electrician who is
8 not a member of a union.

9 c. One member shall be an electrical inspector.

10 d. Two members, one a union member covered under a
11 collective bargaining agreement and one a nonunion member,
12 shall not be a member of any of the aforementioned groups and
13 shall represent the general public.

14 e. One member shall be the state fire marshal or a
15 representative of the state fire marshal's office.

16 f. One member shall be a local building official employed
17 by a political subdivision to perform electrical inspections
18 for that political subdivision.

19 g. One member shall represent a public utility.

20 h. One member shall be an engineer licensed pursuant to
21 chapter 542B with a background in electrical engineering.

22 3. The public members of the board shall be allowed to
23 participate in administrative, clerical, or ministerial
24 functions incident to giving a licensure examination, but
25 shall not determine the content of the examination or
26 determine the correctness of the answers. Professional
27 associations or societies composed of licensed electricians
28 may recommend to the governor the names of potential board
29 members whose profession is representative of that association
30 or society. However, the governor is not bound by the
31 recommendations. A board member shall not be required to be a
32 member of any professional electrician association or society.

33 Sec. 3. NEW SECTION. 103.3 TERMS OF OFFICE -- EXPENSES
34 -- COUNSEL.

35 1. Appointments to the board, other than the state fire

1 marshal or a representative of the state fire marshal's
2 office, shall be for three-year terms and shall commence and
3 end as provided by section 69.19. The most recently appointed
4 state fire marshal, or a representative of the state fire
5 marshal's office, shall be appointed to the board on an
6 ongoing basis. Vacancies shall be filled for the unexpired
7 term by appointment of the governor and shall be subject to
8 senate confirmation. Members shall serve no more than three
9 terms or nine years, whichever is least.

10 2. Members of the board are entitled to receive all actual
11 expenses incurred in the discharge of their duties within the
12 limits of funds appropriated to the board. Each member of the
13 board may also be eligible to receive compensation as provided
14 in section 7E.6.

15 3. The board shall be entitled to the counsel and services
16 of the attorney general. The board may compel the attendance
17 of witnesses, pay witness fees and mileage, take testimony and
18 proofs, and administer oaths concerning any matter within its
19 jurisdiction.

20 Sec. 4. NEW SECTION. 103.4 ORGANIZATION OF THE BOARD.

21 The board shall elect annually from its members a
22 chairperson and a vice chairperson, and shall hire and provide
23 staff to assist the board in administering this chapter. An
24 executive secretary designated by the board shall report to
25 the state fire marshal for purposes of routine board
26 administrative functions, and shall report directly to the
27 board for purposes of execution of board policy such as
28 application of licensing criteria and processing of
29 applications. The board shall hold at least one meeting
30 annually at the location of the board's principal office, and
31 meetings shall be called at other times by the chairperson or
32 four members of the board. At any meeting of the board, a
33 majority of members constitutes a quorum.

34 Sec. 5. NEW SECTION. 103.5 OFFICIAL SEAL -- BYLAWS.

35 The board shall adopt and have an official seal which shall

1 be affixed to all certificates of licensure granted.

2 Sec. 6. NEW SECTION. 103.6 POWERS AND DUTIES.

3 The board shall:

4 1. Adopt rules pursuant to chapter 17A and in doing so
5 shall be governed by the minimum standards set forth in the
6 most current publication of the national electrical code
7 issued and adopted by the national fire protection
8 association, and amendments to the code, which code and
9 amendments shall be filed in the offices of the secretary of
10 state and the board and shall be a public record. The board
11 shall adopt rules reflecting updates to the code and
12 amendments to the code. The board shall promulgate and adopt
13 rules establishing wiring standards that protect public safety
14 and health and property and that apply to all electrical
15 wiring which is installed subject to this chapter.

16 2. Revoke, suspend, or refuse to renew any license granted
17 pursuant to this chapter when the licensee:

18 a. Fails or refuses to pay any examination, license, or
19 renewal fee required by law.

20 b. Is an electrical contractor and fails or refuses to
21 provide and keep in force a public liability insurance policy
22 as required by the board.

23 c. Violates any political subdivision's inspection
24 ordinances.

25 The board may, in its discretion, revoke, suspend, or
26 refuse to renew any license granted pursuant to this chapter
27 when the licensee violates any provision of the national
28 electrical code as adopted pursuant to subsection 1, this
29 chapter, or any rule adopted pursuant to this chapter.

30 3. Adopt rules for continuing education requirements for
31 each classification of licensure established pursuant to this
32 chapter, and adopt all rules, not inconsistent with the law,
33 necessary for the proper performance of the duties of the
34 board.

35 4. Provide for the amount and collection of fees for

1 inspection and other services.

2 Sec. 7. NEW SECTION. 103.7 ELECTRICIAN AND INSTALLER
3 LICENSING AND INSPECTION FUND.

4 An electrician and installer licensing and inspection fund
5 is created in the state treasury as a separate fund under the
6 control of the board. All licensing, examination, renewal,
7 and inspection fees shall be deposited into the fund and
8 retained by and for the use of the board. Expenditures from
9 the fund shall be approved by the sole authority of the board.
10 Amounts deposited into the fund shall be considered repayment
11 receipts as defined in section 8.2. Notwithstanding section
12 8.33, any balance in the fund on June 30 of each fiscal year
13 shall not revert to the general fund of the state, but shall
14 remain available for the purposes of this chapter in
15 subsequent fiscal years. Notwithstanding section 12C.7,
16 subsection 2, interest or earnings on moneys deposited in the
17 fund shall be credited to the fund.

18 Sec. 8. NEW SECTION. 103.8 PLAN, LAY OUT, OR SUPERVISE
19 CERTAIN ACTIVITIES -- LICENSE REQUIRED -- EXCEPTIONS.

20 Except as provided in sections 103.13 and 103.14, no person
21 shall, for another, plan, lay out, or supervise the
22 installation of wiring, apparatus, or equipment for electrical
23 light, heat, power, and other purposes unless the person is
24 licensed by the board as an electrical contractor, a class A
25 master electrician, or a class B master electrician.

26 Sec. 9. NEW SECTION. 103.9 ELECTRICAL CONTRACTOR
27 LICENSE.

28 1. An applicant for an electrical contractor license shall
29 either be or employ a licensed class A or class B master
30 electrician, and be registered with the state of Iowa as a
31 contractor.

32 2. A contractor who holds a class B master electrician
33 license shall be licensed subject to the restrictions of
34 section 103.10.

35 Sec. 10. NEW SECTION. 103.10 CLASS A MASTER ELECTRICIAN

1 LICENSE -- QUALIFICATIONS -- CLASS B MASTER ELECTRICIAN

2 LICENSE.

3 1. An applicant for a class A master electrician license
4 shall have at least one year's experience, acceptable to the
5 board, as a licensed class A or class B journeyman
6 electrician.

7 2. In addition, an applicant shall obtain a score of at
8 least seventy-five percent on an examination prescribed and
9 administered by the board based upon the most recent national
10 electrical code adopted pursuant to section 103.6 and upon
11 electrical theory.

12 3. a. An applicant who can provide proof acceptable to
13 the board that the applicant has been working in the
14 electrical business and involved in planning for, laying out,
15 supervising, and installing electrical wiring, apparatus, or
16 equipment for light, heat, and power prior to 1990 may be
17 granted a class B master electrician license without taking an
18 examination. An applicant who is issued a class B master
19 electrician license pursuant to this section shall not be
20 authorized to plan, lay out, or supervise the installation of
21 electrical wiring, apparatus, and equipment in a political
22 subdivision which, prior to or after the effective date of
23 this section of this Act, establishes licensing standards
24 which preclude such work by class B master electricians in the
25 political subdivision. The board shall adopt rules
26 establishing procedures relating to the restriction of a class
27 B master electrician license pursuant to this subsection.

28 b. A class B master electrician may become licensed as a
29 class A master electrician upon successful passage of the
30 examination prescribed in subsection 2.

31 4. A person licensed to plan, lay out, or supervise the
32 installation of electrical wiring, apparatus, or equipment for
33 light, heat, power, and other purposes and supervise
34 apprentice electricians by a political subdivision preceding
35 the effective date of this section of this Act pursuant to a

1 supervised written examination, and who is currently engaged
2 in the electrical contracting industry, shall be issued an
3 applicable statewide license corresponding to that licensure
4 as a class A master electrician or electrical contractor. The
5 board shall adopt by rule certain criteria for city
6 examination standards satisfactory to fulfill this
7 requirement.

8 Sec. 11. NEW SECTION. 103.11 WIRING OR INSTALLING --
9 SUPERVISING APPRENTICES LICENSE REQUIRED -- QUALIFICATIONS.

10 1. Except as provided in section 103.13, no person shall,
11 for another, wire for or install electrical wiring, apparatus,
12 or equipment, or supervise an apprentice electrician or
13 unclassified person, unless the person is licensed by the
14 board as an electrical contractor, a class A master
15 electrician, a class B master electrician, or a life safety
16 installer, or is licensed as a class A journeyman electrician,
17 a class B journeyman electrician, or a life safety installer
18 and is employed by an electrical contractor, a class A master
19 electrician, a class B master electrician, or a life safety
20 installer.

21 2. For purposes of this section, the holder of a life
22 safety installer license shall only supervise those
23 apprentices engaged in the installation of fire alarm
24 equipment and apparatus operating at fifty volts or less.

25 Sec. 12. NEW SECTION. 103.12 CLASS A JOURNEYMAN
26 ELECTRICIAN LICENSE QUALIFICATIONS -- CLASS B JOURNEYMAN
27 ELECTRICIAN LICENSE.

28 1. An applicant for a class A journeyman electrician
29 license shall have successfully completed an apprenticeship
30 training program registered by the bureau of apprenticeship
31 and training of the United States department of labor in
32 accordance with the standards established by that department.
33 An applicant may petition the board to receive a waiver of
34 this requirement. The board shall determine a level of on-
35 the-job experience as an unclassified person sufficient to

1 qualify for a waiver.

2 2. In addition, an applicant shall obtain a score of at
3 least seventy-five percent on an examination prescribed and
4 administered by the board based upon the most recent national
5 electrical code adopted pursuant to section 103.6 and upon
6 electrical theory.

7 3. a. An applicant who can provide proof acceptable to
8 the board that the applicant has been employed as a journeyman
9 electrician since 1990 may be granted a class B journeyman
10 electrician license without taking an examination. An
11 applicant who is issued a class B journeyman electrician
12 license pursuant to this section shall not be authorized to
13 wire for or install electrical wiring, apparatus, and
14 equipment in a political subdivision which, prior to or after
15 the effective date of this section of this Act, establishes
16 licensing standards which preclude such work by class B
17 journeyman electricians in the political subdivision. The
18 board shall adopt rules establishing procedures relating to
19 the restriction of a class B journeyman electrician license
20 pursuant to this subsection.

21 b. A class B journeyman electrician may become licensed as
22 a class A journeyman electrician upon successful passage of
23 the examination prescribed in subsection 2.

24 4. A person licensed to wire for or install electrical
25 wiring, apparatus, or equipment or supervise an apprentice
26 electrician by a political subdivision preceding the effective
27 date of this section of this Act pursuant to a supervised
28 written examination, and who is currently engaged in the
29 electrical contracting industry with at least four years'
30 experience, shall be issued an applicable statewide license
31 corresponding to that licensure as a class A journeyman
32 electrician or a class B journeyman electrician. The board
33 shall adopt by rule certain criteria for city examination
34 standards satisfactory to fulfill this requirement.

35 Sec. 13. NEW SECTION. 103.13 SPECIAL ELECTRICIAN LICENSE

1 -- QUALIFICATIONS.

2 The board shall by rule provide for the issuance of special
3 electrician licenses authorizing the licensee to engage in a
4 limited class or classes of electrical work, which class or
5 classes shall be specified on the license. Each licensee
6 shall have experience, acceptable to the board, in each such
7 limited class of work for which the person is licensed.

8 Sec. 14. NEW SECTION. 103.14 LIFE SAFETY INSTALLER
9 LICENSE.

10 1. A person not otherwise licensed pursuant to this
11 chapter shall not plan, lay out, or install electrical wiring,
12 apparatus, and equipment for components of life safety
13 systems. A person authorized to plan, lay out, or install
14 electrical wiring, apparatus, and equipment for components of
15 life safety systems that operate at fifty volts or less by a
16 political subdivision on the effective date of this section of
17 this Act shall be issued an applicable statewide license
18 corresponding to that authorization as a life safety
19 installer.

20 2. On or after the effective date of this section of this
21 Act, any person to be licensed as a life safety installer to
22 plan, lay out, and install electrical wiring, apparatus, and
23 equipment for components of life safety systems shall have at
24 least two years' experience, acceptable to the board, in
25 planning, laying out, and installing life safety systems.

26 3. In addition to the requirements of subsections 1 and 2,
27 an applicant for a life safety installer license shall obtain
28 a score of at least seventy-five percent on a level two or
29 higher examination prescribed and administered by the board
30 based on the most recent national institute for certification
31 in engineering technology requirements.

32 4. A person licensed as a class A or class B master
33 electrician, or a class A or class B journeyman electrician,
34 who has not successfully passed the examination prescribed in
35 subsection 3 shall be authorized to install electrical wiring,

1 apparatus, and equipment for components of life safety systems
2 if their work is approved by a person who is licensed as a
3 life safety installer.

4 Sec. 15. NEW SECTION. 103.15 APPRENTICE ELECTRICIAN --
5 UNCLASSIFIED PERSON.

6 1. A person shall be licensed by the board and pay a
7 licensing fee to work as an apprentice electrician while
8 participating in an apprenticeship training program registered
9 by the bureau of apprenticeship and training of the United
10 States department of labor in accordance with the standards
11 established by that department. A person is eligible for
12 licensure as an apprentice electrician for only one
13 apprenticeship, which shall be limited to six years from the
14 date of licensure, unless extended by the board upon a finding
15 that a hardship existed which prevented completion of the
16 apprenticeship program. Such licensure shall entitle the
17 licensee to act as an apprentice to an electrical contractor,
18 a class A master electrician, a class B master electrician, a
19 class A journeyman electrician, or a class B journeyman
20 electrician as provided in subsection 3.

21 2. A person shall be licensed as an unclassified person by
22 the board to perform electrical work if the work is performed
23 under the personal supervision of a person actually licensed
24 to perform such work and the licensed and unclassified persons
25 are employed by the same employer. After one hundred
26 continuous days of employment as a nonlicensed unclassified
27 person, the unclassified person must receive a license from
28 the board. Licensed persons shall not permit unclassified
29 persons to perform electrical work except under the personal
30 supervision of a person actually licensed to perform such
31 work. Unclassified persons shall not supervise the
32 performance of electrical work or make assignments of
33 electrical work to unclassified persons. Electrical
34 contractors employing unclassified persons performing
35 electrical work shall maintain records establishing compliance

1 with this section, which shall designate all unclassified
2 persons performing electrical work.

3 3. Apprentice electricians and unclassified persons shall
4 do no electrical wiring except under the direct personal on-
5 the-job supervision and control and in the immediate presence
6 of a licensee pursuant to this chapter. Such supervision
7 shall include both on-the-job training and related classroom
8 training as approved by the board. The licensee may employ or
9 supervise apprentice electricians and unclassified persons at
10 a ratio not to exceed three apprentice electricians and
11 unclassified persons to one licensee, except that such ratio
12 and the other requirements of this section shall not apply to
13 apprenticeship classroom training.

14 4. For purposes of this section, "the direct personal on-
15 the-job supervision and control and in the immediate presence
16 of a licensee" shall mean the licensee and the apprentice
17 electrician or unclassified person shall be working at the
18 same project location but shall not require that the licensee
19 and apprentice electrician or unclassified person be within
20 sight of one another at all times.

21 5. An apprentice electrician shall not install, alter, or
22 repair electrical equipment except as provided in this
23 section, and the licensee employing or supervising an
24 apprentice electrician shall not authorize or permit such
25 actions by the apprentice electrician.

26 Sec. 16. NEW SECTION. 103.16 LICENSE EXAMINATIONS.

27 1. Examinations for licensure shall be given as often as
28 deemed necessary by the board, but no less than one time per
29 month. The scope of the examinations and the methods of
30 procedure shall be prescribed by the board. The examinations
31 given by the board shall be the experior assessment
32 examination, or a successor examination approved by the board,
33 or an examination prepared by a third-party testing service
34 which is substantially equivalent to the experior assessment
35 examination, or a successor examination approved by the board.

1 2. An examination may be given by representatives of the
2 board. As soon as practicable after the close of each
3 examination, a report shall be filed in the office of the
4 secretary of the board by the board. The report shall show
5 the action of the board upon each application and the
6 secretary of the board shall notify each applicant of the
7 result of the applicant's examination. Applicants who fail
8 the examination once shall be allowed to take the examination
9 at the next scheduled time. Thereafter, the applicant shall
10 be allowed to take the examination at the discretion of the
11 board. An applicant who has failed the examination may
12 request, in writing, information from the board concerning the
13 applicant's examination grade and subject areas or questions
14 which the applicant failed to answer correctly, except that if
15 the board administers a uniform, standardized examination, the
16 board shall only be required to provide the examination grade
17 and such other information concerning the applicant's
18 examination results which are available to the board.

19 Sec. 17. NEW SECTION. 103.17 DISCLOSURE OF CONFIDENTIAL
20 INFORMATION -- CRIMINAL PENALTY.

21 A member of the board shall not disclose information
22 relating to the following:

- 23 1. Criminal history or prior misconduct of an applicant.
- 24 2. Information relating to the contents of an examination.
- 25 3. Information relating to examination results other than
26 a final score except for information about the results of an
27 examination given to the person who took the examination.

28 A member of the board who willfully communicates or seeks
29 to communicate such information, and any person who willfully
30 requests, obtains, or seeks to obtain such information, is
31 guilty of a simple misdemeanor.

32 Sec. 18. NEW SECTION. 103.18 LICENSE RENEWAL --
33 CONTINUING EDUCATION.

34 In order to renew a class A master electrician, class B
35 master electrician, class A journeyman electrician, or class B

1 journeyman electrician license issued pursuant to this
2 chapter, the licensee shall be required to complete eighteen
3 contact hours of continuing education courses approved by the
4 board during the three-year period for which a license is
5 granted. The contact hours shall include a minimum of six
6 contact hours studying the national electrical code described
7 in section 103.6, and the remaining contact hours may include
8 study of electrical circuit theory, blueprint reading,
9 transformer and motor theory, electrical circuits and devices,
10 control systems, programmable controllers, and microcomputers
11 or any other study of electrical-related material that is
12 approved by the board. Any additional hours studying the
13 national electrical code shall be acceptable. For purposes of
14 this section, "contact hour" means fifty minutes of classroom
15 attendance at an approved course under a qualified instructor
16 approved by the board.

17 Sec. 19. NEW SECTION. 103.19 LICENSES -- EXPIRATION --
18 APPLICATION -- FEES.

19 Licenses issued pursuant to this chapter shall expire every
20 three years, with the exception of licenses for apprentice
21 electricians and unclassified persons, which shall expire on
22 an annual basis. All license applications shall include the
23 applicant's social security number. The board shall establish
24 the fees to be payable for examination and license issuance
25 and renewal in amounts not to exceed the following:

26 1. For examinations:

27 a. Class A master electrician, one hundred twenty-five
28 dollars.

29 b. Class A journeyman electrician, sixty dollars.

30 c. Life safety installer, sixty dollars.

31 2. For each year of the three-year license period for
32 issuance and renewal:

33 a. Electrical contractor, one hundred twenty-five dollars.

34 b. Class A master electrician, class B master electrician,
35 one hundred twenty-five dollars.

1 c. Class A journeyman electrician, class B journeyman
2 electrician, life safety installer, or special electrician,
3 twenty-five dollars.

4 3. For apprentice electricians, twenty dollars.

5 The holder of an expired license may renew the license for
6 a period of three months from the date of expiration upon
7 payment of the license fee plus ten percent of the renewal fee
8 for each month or portion thereof past the expiration date.
9 All holders of licenses expired for more than three months
10 shall apply for a new license.

11 Sec. 20. NEW SECTION. 103.20 DEATH OF LICENSEE --
12 REPRESENTATIVE TO CARRY ON BUSINESS -- INSURANCE REQUIRED.

13 Upon the death of an electrical contractor, a class A
14 master electrician, a class B master electrician, or a life
15 safety installer, the board may permit a representative to
16 carry on the business of the decedent for a period not to
17 exceed six months for the purpose of completing work under
18 contract to comply with this chapter. Such representative
19 shall furnish all public liability and property damage
20 insurance required by the board.

21 Sec. 21. NEW SECTION. 103.21 LICENSES WITHOUT
22 EXAMINATION -- RECIPROCITY WITH OTHER STATES.

23 1. To the extent that any other state which provides for
24 the licensing of electricians provides for similar action, the
25 board may grant licenses, without examination, of the same
26 grade and class to an electrician who has been licensed by
27 such other state for at least one year, upon payment by the
28 applicant of the required fee, and upon the board being
29 furnished with proof that the qualifications of the applicant
30 are equal to the qualifications of holders of similar licenses
31 in this state.

32 2. A temporary ninety-day license may be granted to a
33 person licensed in another state, territory, or possession of
34 the United States, or the District of Columbia, as prescribed
35 by rule, provided that before practicing within this state the

1 person shall have applied for temporary licensure, have taken
2 an equivalent test in their state and have verifiable work
3 experience, and shall have paid the fee to be established by
4 the board by rule. An applicant who does not meet one or more
5 of these requirements may petition the board for reciprocity.

6 Sec. 22. NEW SECTION. 103.22 CHAPTER INAPPLICABILITY.

7 The provisions of this chapter shall not:

8 1. Apply to a person licensed as an engineer pursuant to
9 chapter 542B or registered as an architect pursuant to chapter
10 544A providing consultations and developing plans concerning
11 electrical installations who is exclusively engaged in the
12 practice of the person's profession.

13 2. Require employees of municipal corporations, electric
14 membership or cooperative associations, public utility
15 corporations, rural water associations or districts,
16 railroads, telecommunications companies, franchised cable
17 television operators, or commercial or industrial companies
18 performing manufacturing, installation, and repair work for
19 such employer to hold licenses while acting within the scope
20 of their employment.

21 3. Require any person doing work for which a license would
22 otherwise be required under this chapter to hold a license
23 issued under this chapter if the person is the holder of a
24 valid license issued by any political subdivision, so long as
25 the person makes electrical installations only in the
26 jurisdictional limits of such political subdivision and such
27 license issued by the political subdivision meets the
28 requirements of this chapter.

29 4. Apply to the installation, maintenance, repair, or
30 alteration of vertical transportation or passenger conveyors,
31 elevators, moving walks, dumbwaiters, stagelifts, manlifts, or
32 appurtenances thereto beyond the terminals of the controllers.
33 The licensing of elevator contractors or constructors shall
34 not be considered a part of the licensing requirements of this
35 chapter.

1 5. Require a license of any person who engages any
2 electrical appliance where approved electrical outlets are
3 already installed.

4 6. Prohibit an owner of property from performing work on
5 the owner's principal residence, if such residence is an
6 existing dwelling rather than new construction and is not
7 larger than a single-family dwelling, or farm property,
8 excluding commercial or industrial installations or
9 installations in public use buildings or facilities, or
10 require such owner to be licensed under this chapter. In
11 order to qualify for inapplicability pursuant to this
12 subsection, a residence shall qualify for the homestead tax
13 exemption.

14 7. Require that any person be a member of a labor union in
15 order to be licensed.

16 8. Apply to a person who is qualified pursuant to
17 administrative rules relating to the storage and handling of
18 liquefied petroleum gases while engaged in installing,
19 servicing, testing, replacing, or maintaining propane gas
20 utilization equipment, or gas piping systems of which the
21 equipment is a part, and related or connected accessory
22 systems or equipment necessary to the operation of the
23 equipment.

24 9. Apply to a person who meets the requirements for a well
25 contractor pursuant to administrative rules while engaged in
26 installing, servicing, testing, replacing, or maintaining a
27 well or well equipment, or piping systems of which the
28 equipment is a part, and related or connected accessory
29 systems or equipment necessary to the operation of the
30 equipment.

31 Sec. 23. NEW SECTION. 103.23 ELECTRICAL INSTALLATIONS --
32 SUBJECT TO INSPECTION.

33 The inspection and enforcement provisions of this chapter
34 shall apply to the following:

35 1. All new electrical installations for commercial or

1 industrial applications, including installations both inside
2 and outside of buildings, and for public use buildings and
3 facilities and any installation at the request of the owner.

4 2. All new electrical installations for residential
5 applications in excess of single-family residential
6 applications.

7 3. All new electrical installations for single-family
8 residential applications requiring new electrical service
9 equipment.

10 4. Existing electrical installations observed during
11 inspection which constitute an electrical hazard. Existing
12 installations shall not be deemed to constitute an electrical
13 hazard if the wiring when originally installed was installed
14 in accordance with the electrical code in force at the time of
15 installation and has been maintained in that condition.

16 Sec. 24. NEW SECTION. 103.24 STATE INSPECTION --
17 INAPPLICABILITY IN CERTAIN POLITICAL SUBDIVISIONS --
18 ELECTRICAL INSPECTORS -- CERTIFICATE OF QUALIFICATION.

19 1. No person other than the holder of an electrical
20 inspector's certificate of qualification shall be appointed to
21 act as an electrical inspector and to enforce this chapter as
22 an electrical inspector and to enforce this chapter or any
23 applicable resolution or ordinance within the inspector's
24 jurisdiction. The board shall establish by rule standards for
25 the certification and decertification of state electrical
26 inspectors, and certified electrical inspector continuing
27 education requirements.

28 2. State inspection shall not apply within the
29 jurisdiction of any political subdivision which, pursuant to
30 section 103.29, provides by resolution or ordinance standards
31 of electrical wiring and its installation that are not less
32 than those prescribed by the board or by this chapter and
33 which further provides by resolution or ordinance for the
34 inspection of electrical installations within the limits of
35 such subdivision by a certified electrical inspector. A copy

1 of the certificate of each electrical inspector shall be
2 provided to the board by the political subdivision issuing the
3 certificate.

4 3. State inspection shall not apply to routine
5 maintenance.

6 Sec. 25. NEW SECTION. 103.25 REQUEST FOR INSPECTION --
7 FEES.

8 At or before commencement of any installation required to
9 be inspected by the board, the licensee or owner making such
10 installation shall submit to the state fire marshal's office a
11 request for inspection. The board shall prescribe the methods
12 by which the request may be submitted, which may include
13 electronic submission or through a form prescribed by the
14 board that can be submitted either through the mail or by a
15 fax transmission. The board shall also prescribe methods by
16 which inspection fees can be paid, which may include
17 electronic methods of payment. If the board or the state fire
18 marshal's office becomes aware that a person has failed to
19 file a necessary request for inspection, the board or the
20 state fire marshal's office shall send a written notification
21 by certified mail that the request must be filed within
22 fourteen days. Any person filing a late request for
23 inspection shall pay a delinquency fee in an amount to be
24 determined by the board. Failure to file a late request
25 within fourteen days shall be subject to a civil penalty to be
26 determined by the board by rule.

27 Sec. 26. NEW SECTION. 103.26 CONDEMNATION --
28 DISCONNECTION -- OPPORTUNITY TO CORRECT NONCOMPLIANCE.

29 If the inspector finds that any installation or portion of
30 an installation is not in compliance with accepted standards
31 of construction for safety to health and property, based upon
32 minimum standards set forth in the local electrical code or
33 the national electrical code adopted by the board pursuant to
34 section 103.6, the inspector shall by written order condemn
35 the installation or noncomplying portion or order service to

1 such installation disconnected and shall send a copy of such
2 order to the board and the electrical utility supplying power
3 involved. If the installation or the noncomplying portion is
4 such as to seriously and proximately endanger human health or
5 property, the order of the inspector when approved by the
6 inspector's superior shall require immediate condemnation and
7 disconnection by the applicant. In all other cases, the order
8 of the inspector shall establish a reasonable period of time
9 for the installation to be brought into compliance with
10 accepted standards of construction for safety to health and
11 property prior to the effective date established in such order
12 for condemnation or disconnection.

13 Sec. 27. NEW SECTION. 103.27 CONDEMNATION OR
14 DISCONNECTION ORDER -- SERVICE.

15 1. A copy of each condemnation or disconnection order
16 shall be served personally or by regular mail upon the
17 property owner at the property owner's last known address, the
18 licensee making the installation, and such other persons as
19 the board by rule may direct.

20 2. The electrical utility supplying power shall be served
21 with a copy of any order which requires immediate
22 disconnection or prohibits energizing an installation.

23 Sec. 28. NEW SECTION. 103.28 CERTIFICATE OF SAFE
24 OPERATION -- DISMISSAL OF CONDEMNATION OR DISCONNECTION ORDER.

25 1. No electrical installation subject to inspection by the
26 board shall be newly connected or reconnected for use until
27 the electrical inspector has filed with the electrical utility
28 supplying power a certificate stating that the electrical
29 inspector has approved such energization.

30 2. If the electrical inspector determines that an
31 electrical installation subject to inspection by the board is
32 not in compliance with accepted standards of construction for
33 safety to health and property, based upon minimum standards
34 adopted by the board pursuant to this chapter, the inspector
35 shall issue a correction order. A correction order made

1 pursuant to this section shall be served personally or by
2 United States mail only upon the licensee making the
3 installation. The correction order shall order the licensee
4 to make the installation comply with the standards, noting
5 specifically what changes are required. The order shall
6 specify a date, not more than seventeen calendar days from the
7 date of the order, when a new inspection shall be made. When
8 the installation is brought into compliance to the
9 satisfaction of the inspector, the inspector shall file with
10 the electrical utility supplying power a certificate stating
11 that the electrical inspector has approved energization.

12 3. An electrical utility supplier may refuse service
13 without liability for such refusal until the provisions of
14 this section have been met.

15 Sec. 29. NEW SECTION. 103.29 POLITICAL SUBDIVISION
16 INSPECTIONS -- AUTHORITY OF POLITICAL SUBDIVISION.

17 1. A political subdivision performing electrical
18 inspections prior to December 31, 2006, shall continue to
19 perform such inspections. After December 31, 2011, a
20 political subdivision may choose to discontinue performing its
21 own inspections and permit the board to have jurisdiction over
22 inspections in the political subdivision. If a political
23 subdivision seeks to discontinue its own inspections prior to
24 December 31, 2011, the political subdivision shall petition
25 the board. If a unanimous vote of the board finds that a
26 political subdivision's inspections are inadequate by reason
27 of misfeasance, malfeasance, or nonfeasance, the board may
28 suspend or revoke the political subdivision's authority to
29 perform its own inspections. A political subdivision not
30 performing electrical inspections prior to December 31, 2006,
31 may make provision for inspection of electrical installations
32 within its jurisdiction, in which case it shall keep on file
33 with the board copies of its current inspection ordinances or
34 resolutions and electrical codes.

35 2. A political subdivision that performs electrical

1 inspections may set appropriate permit fees to pay for such
2 inspections. A political subdivision shall not require any
3 person holding a license from the board to pay any license fee
4 or take any examination if the person holds a current license
5 issued by the board which is of a classification equal to or
6 greater than the classification needed to do the work
7 proposed. Any such political subdivision may provide a
8 requirement that each person doing electrical work within the
9 jurisdiction of such political subdivision have on file with
10 the political subdivision a copy of the current license issued
11 by the board or such other evidence of such license as may be
12 provided by the board.

13 Sec. 30. NEW SECTION. 103.30 INSPECTIONS NOT REQUIRED.

14 Nothing in this chapter shall be construed to require the
15 work of employees of municipal corporations, railroads,
16 electric membership or cooperative associations, public
17 utility corporations, rural water associations or districts,
18 or telecommunications systems to be inspected while acting
19 within the scope of their employment.

20 Sec. 31. NEW SECTION. 103.31 SUPPLIER OF ELECTRICAL
21 SERVICE -- LIABILITY.

22 Upon inspection and approval by any certified inspector,
23 all liability upon any supplier of electrical service for
24 subsequent damage or loss arising from any installation shall
25 be terminated, except for any acts of gross negligence by such
26 supplier.

27 Sec. 32. NEW SECTION. 103.32 STATE INSPECTION
28 PROCEDURES.

29 1. An inspection shall be made within three business days
30 of the submission of a request for an inspection as provided
31 in section 103.25. When necessary, circuits may be energized
32 by the authorized installer prior to inspection but the
33 installation shall remain subject to condemnation and
34 disconnection.

35 2. Where wiring is to be concealed, the inspector must be

1 notified within a reasonable time to complete rough-in
2 inspections prior to concealment, exclusive of Saturdays,
3 Sundays, and holidays. If wiring is concealed before rough-in
4 inspections without adequate notice having been given to the
5 inspector, the person responsible for having enclosed the
6 wiring shall be responsible for all costs resulting from
7 uncovering and replacing the cover material.

8 3. State inspection procedures and policies shall be
9 established by the board. The state fire marshal, or the
10 state fire marshal's designee, shall enforce the procedures
11 and policies, and enforce the provisions of the national
12 electrical code adopted by the board.

13 4. Except when an inspection reveals that an installation
14 or portion of an installation is not in compliance with
15 accepted standards of construction for safety to health and
16 property, based upon minimum standards set forth in the local
17 electrical code or the national electrical code adopted by the
18 board pursuant to section 103.6, such that an order of
19 condemnation or disconnection is warranted pursuant to section
20 103.26, an inspector shall not add to, modify, or amend a
21 construction plan as originally approved by the state fire
22 marshal in the course of conducting an inspection. The state
23 fire marshal shall establish by rule procedures to ensure the
24 uniform and consistent application and enforcement of the
25 national electrical code by each individual performing
26 inspections pursuant to this chapter.

27 Sec. 33. NEW SECTION. 103.33 STATE INSPECTION FEES.

28 1. All state electrical inspection fees shall be due and
29 payable to the board at or before commencement of the
30 installation and shall be forwarded with the request for
31 inspection. Inspection fees provided in this section shall
32 not apply within the jurisdiction of any political subdivision
33 if the political subdivision has adopted an ordinance or
34 resolution pursuant to this chapter.

35 2. The board shall establish the fees for inspections in

1 amounts not to exceed:

2 a. For each separate inspection of an installation,
3 replacement, alteration, or repair, twenty-five dollars.

4 b. For services, change of services, temporary services,
5 additions, alterations, or repairs on either primary or
6 secondary services as follows:

7 (1) Zero to one hundred ampere capacity, twenty-five
8 dollars plus five dollars per branch circuit or feeder.

9 (2) One hundred one to two hundred ampere capacity,
10 thirty-five dollars plus five dollars per branch circuit or
11 feeder.

12 (3) For each additional one hundred ampere capacity or
13 fraction thereof, twenty dollars plus five dollars per branch
14 circuit or feeder.

15 c. For field irrigation system inspections, sixty dollars
16 for each unit inspected.

17 d. For the first reinspection required as a result of a
18 correction order, fifty dollars; a second reinspection
19 required as a result of noncompliance with the same correction
20 order, seventy-five dollars; and subsequent reinspections
21 associated with the same correction order, one hundred dollars
22 for each reinspection.

23 3. When an inspection is requested by an owner, the
24 minimum fee shall be thirty dollars plus five dollars per
25 branch circuit or feeder. The fee for fire and accident
26 inspections shall be computed at the rate of forty-seven
27 dollars per hour, and mileage and other expenses shall be
28 reimbursed as provided by the office of the state fire
29 marshal.

30 4. For installations requiring more than six months in the
31 process of construction and in excess of three hundred dollars
32 total inspection fees, the persons responsible for the
33 installation may, after a minimum filing fee of one hundred
34 dollars, pay a prorated fee for each month and submit it with
35 an order for payment initiated by the electrical inspector.

1 Sec. 34. NEW SECTION. 103.34 CONDEMNATION OR
2 DISCONNECTION ORDERS -- APPEALS -- DISPOSITION OF ORDERS
3 PENDING APPEAL.

4 1. Any person aggrieved by a condemnation or disconnection
5 order issued by the state fire marshal's office may appeal
6 from the order by filing a written notice of appeal with the
7 board within ten days after the date the order was served upon
8 the owner or within ten days after the order was filed with
9 the board, whichever is later.

10 2. Upon receipt of the notice of appeal from a
11 condemnation or disconnection order because the electrical
12 installation is proximately dangerous to health or property,
13 the order appealed from shall not be stayed unless
14 countermanded by the board.

15 3. Upon receipt of notice of appeal from a condemnation or
16 disconnection order because the electrical installation is not
17 in compliance with accepted standards of construction for
18 safety to health and property, the order appealed from shall
19 be stayed until final decision of the board and the board
20 shall notify the property owner and the electrical contractor,
21 class A master electrician, class B master electrician, fire
22 alarm installer, or special electrician making the
23 installation. The power supplier shall also be notified in
24 those instances in which the order has been served on such
25 supplier.

26 Sec. 35. NEW SECTION. 103.35 APPEAL PROCEDURES.

27 1. Upon receipt of a notice of appeal, the chairperson or
28 executive secretary of the board may designate a hearing
29 officer from among the board members to hear the appeal or may
30 set the matter for hearing before the full board at its next
31 regular meeting. A majority of the board shall make the
32 decision.

33 2. Upon receiving the notice of appeal, the board shall
34 notify all persons served with the order appealed from. Such
35 persons may join in the hearing and give testimony in their

1 own behalf. The board shall set the hearing date on a date
2 not more than fourteen days after receipt of the notice of
3 appeal unless otherwise agreed by the interested parties and
4 the board.

5 Sec. 36. NEW SECTION. 103.36 SUSPENSION, REVOCATION, OR
6 REPRIMAND.

7 The board, by a simple majority vote of the entire board,
8 may suspend for a period not exceeding two years, or revoke
9 the certificate of licensure of, or reprimand any licensee who
10 is found guilty of any of the following acts or offenses:

11 1. Fraud in procuring a certificate of licensure.

12 2. Professional incompetency.

13 3. Knowingly making misleading, deceptive, untrue, or
14 fraudulent representations in the practice of the licensee's
15 profession or engaging in unethical conduct or practice
16 harmful to the public. Proof of actual injury need not be
17 established.

18 4. Habitual intoxication or addiction to the use of drugs.

19 5. Conviction of a felony under the laws of the United
20 States, this state, any other state, territory, or possession
21 of the United States, the District of Columbia, or any foreign
22 country. A copy of the record of conviction or plea of guilty
23 is conclusive evidence of such conviction.

24 6. Revocation or suspension of licensure, or other
25 disciplinary action by the licensing authority of another
26 state, territory, or possession of the United States, the
27 District of Columbia, or any foreign country. A certified
28 copy of the record or order of suspension, revocation, or
29 other disciplinary action is prima facie evidence of such
30 fact.

31 7. Fraud in representations as to skill or ability.

32 8. Use of untruthful or improbable statements in
33 advertisements.

34 9. Willful or repeated violations of this chapter.

35 Sec. 37. NEW SECTION. 103.37 PROCEDURE.

1 Proceedings for any action under section 103.36 shall be
2 commenced by filing with the board written charges against the
3 accused. Upon the filing of charges, the board shall conduct
4 an investigation into the charges. The board shall designate
5 a time and place for a hearing, and shall notify the accused
6 of this action and furnish the accused a copy of all charges
7 at least thirty days prior to the date of the hearing. The
8 accused has the right to appear personally or by counsel, to
9 cross-examine witnesses, or to produce witnesses in defense.

10 Sec. 38. NEW SECTION. 103.38 INJUNCTION.

11 Any person who is not legally authorized to practice in
12 this state according to this chapter, who practices, or in
13 connection with the person's name, uses any designation
14 tending to imply or designate the person as authorized to
15 practice in this state according to this chapter, may be
16 restrained by permanent injunction.

17 Sec. 39. NEW SECTION. 103.39 CRIMINAL VIOLATIONS.

18 A person who violates a permanent injunction issued
19 pursuant to section 103.38 or presents or attempts to file as
20 the person's own the certificate of licensure of another, or
21 who gives false or forged evidence of any kind to the board in
22 obtaining a certificate of licensure, or who falsely
23 impersonates another practitioner of like or different name,
24 or who uses or attempts to use a revoked certificate of
25 licensure, is guilty of a fraudulent practice under chapter
26 714.

27 Sec. 40. NEW SECTION. 103.40 CIVIL PENALTY.

28 1. In addition to any other penalties provided for in this
29 chapter, the board may by order impose a civil penalty upon a
30 person who is not licensed under this chapter and who does any
31 of the following:

32 a. Is employed in a capacity in which the person engages
33 in or offers to engage in the activities authorized pursuant
34 to this chapter.

35 b. Uses or employs the words "electrical contractor" or

1 "class A master electrician", "class B master electrician",
2 "class A journeyman electrician", "class B journeyman
3 electrician", or "life safety installer", or implies
4 authorization to provide or offer those services, or otherwise
5 uses or advertises any title, word, figure, sign, card,
6 advertisement, or other symbol or description tending to
7 convey the impression that the person is an "electrical
8 contractor", "class A master electrician", "class B master
9 electrician", "class A journeyman electrician", "class B
10 journeyman electrician", or "life safety installer".

11 c. Gives false or forged evidence of any kind to the board
12 or any member of the board in obtaining or attempting to
13 obtain a certificate of licensure.

14 d. Falsely impersonates any individual licensed pursuant
15 to this chapter.

16 e. Uses or attempts to use an expired, suspended, revoked,
17 or nonexistent certificate of licensure.

18 f. Knowingly aids or abets an unlicensed person who
19 engages in any activity identified in this subsection.

20 2. A civil penalty imposed shall not exceed one thousand
21 dollars for each offense. Each day of a continued violation
22 constitutes a separate offense, except that offenses resulting
23 from the same or common facts or circumstances shall be
24 considered a single offense.

25 3. In determining the amount of a civil penalty to be
26 imposed, the board may consider any of the following:

27 a. Whether the amount imposed will be a substantial
28 economic deterrent to the violation.

29 b. The circumstances leading to the violation.

30 c. The severity of the violation and the risk of harm to
31 the public.

32 d. The economic benefits gained by the violator as a
33 result of noncompliance.

34 e. The interest of the public.

35 4. Before issuing an order under this section, the board

1 shall provide the person written notice and the opportunity to
2 request a hearing on the record. The hearing must be
3 requested within thirty days of the issuance of the notice and
4 shall be conducted in the same manner as provided in section
5 103.37.

6 5. The board, in connection with a proceeding under this
7 section, may issue subpoenas to compel the attendance and
8 testimony of witnesses and the disclosure of evidence, and may
9 request the attorney general to bring an action to enforce the
10 subpoena.

11 6. A person aggrieved by the imposition of a civil penalty
12 under this section may seek judicial review in accordance with
13 section 17A.19.

14 7. If a person fails to pay a civil penalty within thirty
15 days after entry of an order under subsection 1, or if the
16 order is stayed pending an appeal within ten days after the
17 court enters a final judgment in favor of the board, the board
18 shall notify the attorney general. The attorney general may
19 commence an action to recover the amount of the penalty,
20 including reasonable attorney fees and costs.

21 8. An action to enforce an order under this section may be
22 joined with an action for an injunction.

23 Sec. 41. EFFECTIVE DATES. Sections 1 through 5, section
24 6, subsections 1 and 6, and section 17, being deemed of
25 immediate importance, take effect upon enactment. Sections 23
26 through 35 of this Act take effect January 1, 2008. The
27 remaining sections and subsections of this Act take effect
28 January 1, 2007.

29 EXPLANATION

30 This bill provides for a statewide system of licensure for
31 electricians and life safety installers, provisions regarding
32 electrical inspections, and specifies related licensing and
33 inspection fees. The new statewide licensure system
34 supplements current licensure of electricians on a city-by-
35 city basis, permitting electricians to practice on a

1 statewide, as well as local, basis.

2 The bill provides for the creation of an 11-member
3 electrical examining board within the state fire marshal
4 division of the department of public safety.

5 The bill establishes several powers and duties relating to
6 the activities of the board. The board shall be authorized to
7 adopt rules to administer the chapter, and in so doing shall
8 be governed by the minimum standards set forth in the national
9 electrical code issued and adopted by the national fire
10 protection association. The rules shall establish wiring
11 standards that protect public safety and health and property
12 and that apply to all electrical wiring installed pursuant to
13 the chapter. Additional powers and duties of the board
14 include the ability to revoke, suspend, or refuse to renew any
15 license under specified circumstances, to adopt rules for
16 continuing education requirements, and to specify fee levels
17 and collection procedures.

18 The bill creates an electrician and installer licensing and
19 inspection fund in the state treasury as a separate fund under
20 the control of the board. The bill provides that all
21 licensing, registration, examination, renewal, and inspection
22 fees deposited or paid into the fund are appropriated and made
23 available to the board, and that the balance shall not revert
24 to the general fund.

25 The bill provides that in order to, for another, plan, lay
26 out, or supervise the installation of electrical wiring,
27 apparatus, or equipment for light, heat, or power, an
28 individual must be licensed by the board as an electrical
29 contractor, a class A master electrician, or a class B master
30 electrician, as defined in the bill. The bill provides that
31 an applicant for an electrical contractor license shall either
32 be or employ a licensed class A or class B master electrician,
33 and be registered with the state of Iowa as a contractor.

34 The bill provides that an applicant for a class A master
35 electrician license shall have at least one year's experience,

1 acceptable to the board, as a licensed class A or class B
2 journeyman electrician, and obtain a score of at least 75
3 percent on an examination prescribed and administered by the
4 board. An applicant who establishes that they have been
5 working in the electrical business and involved in planning
6 for, laying out, supervising, and installing electrical
7 wiring, apparatus, or equipment for light, heat, and power
8 prior to 1990 may be granted a class B master electrician
9 license without being tested, valid unless a political
10 subdivision establishes standards not permitting such work by
11 a class B master electrician. Additionally, the bill states
12 that a person licensed to plan, lay out, or supervise the
13 installation of electrical wiring, apparatus, or equipment for
14 light, heat, power, and other purposes by a political
15 subdivision preceding the effective date of the applicable
16 section of the bill pursuant to a supervised written
17 examination and who is currently engaged in the electrical
18 contracting industry, shall be issued an applicable
19 corresponding statewide license with the board adopting by
20 rule criteria for political subdivision examination standards.

21 The bill provides that a person shall not, for another,
22 wire for or install electrical wiring, apparatus, or
23 equipment, or supervise an apprentice electrician or
24 unclassified person, unless licensed by the board as an
25 electrical contractor, a class A master electrician, a class B
26 master electrician, or a life safety installer, or is licensed
27 as a class A or B journeyman electrician or life safety
28 installer and employed by an electrical contractor, class A or
29 B master electrician, or a life safety installer as defined in
30 the bill.

31 The bill provides that an applicant for a class A
32 journeyman electrician license shall have successfully
33 completed an apprenticeship training program and have obtained
34 a score of at least 75 percent on an examination prescribed
35 and administered by the board. An applicant who can provide

1 proof that they have been employed as a journeyman electrician
2 since 1990 can be granted a class B journeyman electrician
3 license without being tested subject to political subdivision
4 restrictions similar to those applicable for class B master
5 electricians. The bill provides that a person licensed to
6 wire for or install electrical wiring, electrical apparatus,
7 or electrical equipment or supervise an apprentice electrician
8 by a political subdivision preceding the effective date of the
9 applicable section of the bill pursuant to a supervised
10 written examination, and who is currently engaged in the
11 electrical contracting industry with at least four years'
12 experience, shall be issued an applicable corresponding
13 statewide license, with the board adopting rules for criteria
14 for city examination standards.

15 The bill provides for a special electrician license
16 authorizing the licensee to engage in a limited class or
17 classes of electrical work. Additionally, the bill provides
18 for the licensing of a life safety installer. The bill
19 provides that a person authorized to plan, lay out, or install
20 electrical wiring, electrical apparatus, and electrical
21 equipment for components of life safety systems that operate
22 at 50 volts or less by a political subdivision on the
23 applicable section of the bill's effective date shall be
24 issued an applicable statewide license corresponding to that
25 authorization, and that on or after the effective date of the
26 applicable section of the bill, a person licensed as a life
27 safety installer to plan, lay out, and install electrical
28 wiring, electrical apparatus, and electrical equipment for
29 components of life safety systems shall have at least two
30 years' experience, acceptable to the board, in planning,
31 laying out, and installing life safety systems. Additionally,
32 the bill specifies that an applicant for a life safety
33 installer license shall obtain a score of at least 75 percent
34 on an examination prescribed and administered by the board.
35 The bill provides that a person licensed as a class A or class

1 B master electrician, or a class A or class B journeyman
2 electrician, who has not successfully passed the examination
3 shall be authorized to install electrical wiring, apparatus,
4 and equipment for components of life safety systems if their
5 work is approved by a person who is licensed as a life safety
6 installer.

7 The bill additionally includes provisions pertaining to
8 apprentice electricians and unclassified persons employed by
9 licensees. The bill provides that a person shall be licensed
10 to work as an apprentice electrician while participating in an
11 apprenticeship training program, and that a person is eligible
12 as an apprentice electrician for only one apprenticeship,
13 which shall be limited to six years from the date of licensure
14 unless extended for hardship. A person shall be licensed as
15 an unclassified person to perform electrical work if the work
16 is performed under the personal supervision of a person
17 actually licensed to perform such work and the licensed and
18 unclassified persons are employed by the same employer. The
19 bill provides that apprentice electricians and unclassified
20 persons shall do no electrical wiring except under the direct
21 personal on-the-job supervision and control in specified
22 ratios in the immediate presence of a licensee pursuant to the
23 bill. The bill provides that an unlicensed unclassified
24 person must obtain licensure as an unclassified person within
25 100 days of continuous employment.

26 The bill specifies the types of licensing examinations and
27 specifies examination frequencies and procedures. The bill
28 provides a criminal penalty of a simple misdemeanor for a
29 board member who discloses listed confidential information
30 relating to applicants and examinations.

31 The bill provides that with respect to class A master
32 electricians, class B master electricians, class A journeyman
33 electricians, and class B journeyman electricians, licenses
34 shall expire every three years, and specifies examination,
35 issuance, and renewal fees for the various classifications of

1 licensure. The bill also provides that to renew a license,
2 the licensee shall be required to complete 18 contact hours of
3 continuing education courses approved by the board per three-
4 year of licensure. The contact hours shall include a minimum
5 of six contact hours studying the national electrical code.
6 With respect to apprentice electricians and unclassified
7 persons, the bill provides that licenses shall expire
8 annually.

9 The bill provides for the continuation of business by a
10 licensee by a representative for a period of six months
11 following the licensee's death, and provides for reciprocity
12 and temporary licensure. The bill contains a chapter
13 inapplicability section, including inapplicability to a person
14 licensed as an engineer or architect providing consultations
15 and developing plans concerning electrical installations while
16 exclusively engaged in the practice of their profession, and
17 employees of specified entities while acting within the scope
18 of their employment. The bill provides that persons who hold
19 a valid license issued by any political subdivision are not
20 required to obtain state licensure, so long as they make
21 electrical installations only in the jurisdictional limits of
22 that political subdivision and the license issued by the
23 political subdivision meets the requirements of the bill.
24 Further, the bill's provisions shall not apply to vertical
25 transportation or passenger conveyors, elevators, moving
26 walks, dumbwaiters, stagelifts, manlifts, or appurtenances,
27 shall not require a license of any person who engages any
28 electrical appliance where approved electrical outlets are
29 already installed, prohibit an owner of property from
30 performing work on the owner's principal residence under
31 specified circumstances, or require that any person be a
32 member of a labor union in order to be licensed. Additionally,
33 the bill is inapplicable to persons qualified pursuant to
34 administrative rules relating to the storage and handling of
35 liquefied petroleum gases while engaged in specified

1 activities, and to persons meeting administrative rule
2 requirements for well contractors while engaged in specified
3 tasks.

4 The bill specifies inspection procedures and requirements
5 applicable to all new electrical installations for commercial
6 or industrial applications, including installations both
7 inside and outside of buildings, and for public use buildings
8 and facilities and any installation at the request of the
9 owner, all new electrical installations for residential
10 applications in excess of single-family residential
11 applications, all new electrical installations for single-
12 family residential applications requiring new electrical
13 service equipment, and existing electrical installations
14 observed during inspection which constitute an electrical
15 hazard, with the caveat that existing installations shall not
16 be deemed to constitute an electrical hazard if the wiring
17 when originally installed was installed in accordance with the
18 electrical code in force at the time of installation and has
19 been maintained in that condition.

20 The bill provides that state inspection shall not apply
21 within the jurisdiction of any political subdivision which
22 provides by resolution or ordinance standards of electrical
23 wiring and its installation that are not less than those
24 prescribed by the board or by the Code chapter established by
25 the bill and which further provides by resolution or ordinance
26 for the inspection of electrical installations within the
27 limits of such subdivision by a certified electrical
28 inspector. The bill provides that only the holder of an
29 electrical inspector's certificate of qualification shall be
30 appointed to act as electrical inspector, and provides that
31 the board shall establish by rule standards for the
32 certification and decertification of state electrical
33 inspectors, and certified electrical inspector continuing
34 education requirements.

35 The bill specifies procedures relating to a request for

1 inspection at or before commencement of any installation
2 required to be inspected, and provides penalties for the
3 failure to do so. The bill provides that if an inspector
4 finds that any installation or portion of an installation is
5 not in compliance with accepted standards of construction for
6 safety to health and property, the inspector may issue written
7 condemnation orders, or orders for disconnection, with the
8 immediacy of such orders and opportunities to remedy the
9 noncompliance varying with the extent to which the
10 noncompliance is found to be a serious and proximate danger to
11 human health and property. The bill provides that before an
12 electrical installation subject to inspection is either newly
13 connected or reconnected, there must be filed with the
14 electrical utility supplying power a certificate by the
15 inspector stating that the conditions of the installation are
16 safe for energization. The bill specifies additional
17 procedures relating to inspections for new installations, and
18 provides that when an installation is brought into compliance
19 to the satisfaction of the inspector, the inspector shall file
20 with the electrical utility supplying power a certificate
21 stating that the electrical inspector has approved
22 energization.

23 The bill provides that all political subdivisions
24 performing electrical inspections prior to December 31, 2006,
25 shall continue performing them. The bill states that after
26 December 31, 2011, a political subdivision may choose to
27 discontinue performing its own inspections and permit the
28 board to have jurisdiction over inspections. A political
29 subdivision may petition the board to discontinue performing
30 its own inspections prior to December 31, 2011, and authority
31 may be revoked by the board if by unanimous vote the board
32 finds just cause as specified in the bill. The bill also
33 provides that a political subdivision not performing
34 electrical inspections prior to December 31, 2006, may make
35 provision for inspection of electrical installations within

1 its jurisdiction. The bill provides that a political
2 subdivision that performs electrical inspections may set
3 appropriate permit fees, and that a political subdivision
4 shall not require payment of any license fee or the taking of
5 any examination if a person holds a current license issued by
6 the board which is of a classification equal to or greater
7 than the classification needed to do the work proposed.
8 However, a political subdivision may require the filing of a
9 copy of the current license issued by the board or such other
10 evidence of such license.

11 The bill specifies instances where inspections shall not be
12 required, specifies state inspection procedures, establishes
13 inspection and reinspection fees, and provides that such fees
14 shall not apply within the jurisdiction of any political
15 subdivision if the has adopted an ordinance or resolution as
16 previously explained regarding conducting its own inspections.
17 The bill states that except when an inspection reveals that an
18 order of condemnation or disconnection is warranted, an
19 inspector shall not add to, modify, or amend a construction
20 plan as originally approved by the state fire marshal in the
21 course of conducting an inspection, and that the national
22 electrical code shall be uniformly and consistently applied
23 and enforced by all inspectors. The bill additionally
24 provides that the state fire marshal, or the state fire
25 marshal's designee, shall enforce the procedures and policies
26 determined by the board, and the provisions of the national
27 electrical code adopted by the board.

28 The bill provides for an appeal process, and provides
29 suspension, revocation, reprimand, and penalty provisions.

30 Provisions of the bill relating primarily to definitions
31 and the establishment of the electrician examining board take
32 effect upon enactment. Provisions relating primarily to
33 establishing the various categories of licensure take effect
34 January 1, 2007. Provisions relating primarily to inspections
35 take effect January 1, 2008.

Fiscal Services Division
Legislative Services Agency
Fiscal Note

HF 2741 - Electrician Licensing (LSB 5777 HV)

Analyst: Jennifer Acton (Phone: [515] 281-7846) (jennifer.acton@legis.state.ia.us)

Fiscal Note Version - New

Description

House File 2741 provides for a statewide system of licensure for electricians and life safety installers, provisions regarding electrical inspections, and specifies related licensing and inspection fees. The new statewide licensure system supplements current licensure of electricians on a city-by-city basis, permitting electricians to practice on a statewide, as well as local basis. The Bill creates an 11-member board within the State Fire Marshal's Office. The Bill creates an Electrician and Installer Licensing and Inspection Fund where all licensing, registration, examination, inspections, and renewal fees are deposited and made available to the Board. The balance does not revert to the General Fund. Provisions of the Bill dealing with the Board take effect upon enactment. Provisions of the Bill relating to licensure take effect on January 1, 2007. Provisions of the Bill relating to inspections take effect on January 1, 2008.

Background

House File 2741 is similar to current Nebraska legislation. According to the Census Bureau, Nebraska has approximately 1.7 million people whereas Iowa's population is approximately 2.9 million. Similarly, Nebraska has approximately 666,000 total households and 723,000 total housing units whereas Iowa has approximately 1.2 million total households and 1.1 million total housing units. The State of Nebraska has 15 electrical inspectors and one supervisor who perform approximately 10,000 inspections annually or 2.5 inspections per day. The overall operating budget is approximately \$1.5 million, of which approximately \$1.1 million is for salaries and benefits. The software Nebraska uses for licensing and permits was originally designed for the State of North Dakota and cost approximately \$45,000 (depending on how many licenses are purchased).

Licensing and Inspection Program Expense Assumptions

1. The estimated number of personnel required to implement an inspection program is 37.0 FTE positions which includes 30.0 FTE positions for inspectors, 2.0 FTE positions for supervisors, 1.0 FTE position for a Bureau Chief, and 3.0 FTE positions for administrative staff. The estimated personnel cost for inspections would be \$2.0 million. The inspection function does not begin until FY 2008, however, due to a lag in hiring and training personnel, these costs will be reduced by half for FY 2008, or \$1.0 million. The Program will not generate sufficient revenue to hire and train these personnel in the last half of FY 2007.
2. The number of personnel required to implement a licensure program is 4.0 FTE positions at an estimated cost of \$206,000. Due to a lag in hiring and training personnel, these costs will be reduced by half for FY 2007, or \$103,000.
3. Other recurring costs for these two programs would be approximately \$187,000. This would include rent, printing, training, travel, and postage. These costs are pro-rated between the two fiscal years due to hiring lags.
4. The Bill also establishes an 11-member board, which is estimated to meet six times a year at \$100 per board member per meeting for a total cost estimate of \$6,600. This includes \$50 per day in per diem expenses and actual expenses. The costs for FY 2007 are estimated to be half since the appointment of the Board would need to occur.

5. The total one-time costs (including software, computers, and vehicles) is approximately \$937,000. Since the licensure starts in FY 2007 and the inspections start in FY 2008 and there will be a lag in hiring for both groups, the one-time costs are pro-rated across three fiscal years.
6. The estimate assumes a 4.5% merit increase and 2.0% cost-of-living increase per year for personnel costs.

Licensing and Inspection Program Revenue Assumptions Licensure

The Bill establishes eight licensing categories with a maximum annual fee for each category, which can be adjusted by the Board through Administrative Rules. The fee amounts are for each year of a three-year license period or triple the amount reflected in the Bill, except for apprentice licenses which expire annually.

<u>License Type</u>	<u>Maximum Fee Amount Per Year</u>
Electrical Contractor	\$125
Class A Master	\$125
Class B Master	\$125
Class A Journeyman	\$25
Class B Journeyman	\$25
Life Safety Installer	\$25
Special Electrician	\$25
Apprentice	\$20

According to the Department of Workforce Development, there are 6,280 potential electricians. Of the 6,280, the Department of Public Safety estimates 30.0% would be eligible for a Master License (1,884), 60.0% would be eligible for a Journeyman License (3,768), and 10.0% would be eligible for an Apprentice License (628).

According to Division of Labor, there are 250 potential Electrical Contractors.

The number of Special Electricians or those people who perform electrical work on the side are estimated to be 750 people.

The estimate assumes that 250 electricians will also be licensed as Life Safety Installers.

The total number of licenses estimated to be authorized in one year is 7,530. This assumes that current inspections taking place in local jurisdictions will continue and some people may opt not to receive a State license.

For a three-year licensure period, the revenue generated is estimated to be \$1.2 million. Due to a lag, the revenue for the first year is approximately \$600,000. Applications for an apprentice license are annual. The revenue generated is estimated to be \$13,000. Due to a lag, the revenue for the first year is approximately \$6,500.

Inspections

- a. The estimated number of inspections annually is 20,000.
- b. The estimated annual revenue from inspections is \$4.1 million. In FY 2008, the revenue is estimated to be \$2.0 million due to a lag in start up in inspections.
- c. Each separate inspection of an installation, replacement, or repair is \$25. There will be approximately 2,000 (5.0%) separate inspections.
- d. An inspection on zero to 100 amps is \$25 plus \$5 per branch circuit. The estimate assumes that 30.0% of the inspections (12,000) will be for this amperage. The average of 15 branch circuits per permit up to 100 amps is \$75.
- e. An inspection on 100 to 200 amps is \$25 plus \$5 per branch circuit. The estimate assumes that 50.0% of the inspections (20,000) will be for this amperage. The average of 40 branch circuits per permit up to 200 amps is \$200.

- f. An inspection on anything over 200 amps is \$20 plus \$5 per branch circuit. The estimate assumes that 10.0% of the inspections (4,000) will be for this amperage. The average of 100 branch circuits per permit over 200 amps is \$500.
- g. Of the total number of inspections, the estimate assumes that 5.0% or 1,000 will be re-inspected. The fees for re-inspection range from \$50 to \$100.

Examinations

1. Of the 6,280 electricians, it is assumed that 940 electricians would take the exam for a Class A Master electrician, 1,900 electricians would take the exam for a Class A Journeyman, and 250 electricians would take the exam for a Life Safety Installer.
2. The examination fees for a Class A Master Electrician is \$125, for a Class A Journeyman is \$60, and for a Life Safety Installer is \$60.
3. The estimated revenue from the initial licensure is \$247,000. In FY 2008, the revenue is estimated to be \$124,000 due to a lag in start up costs.

Correctional Impact

The correctional impact for the simple misdemeanor penalty on a board member disclosing confidential information is not anticipated to be significant.

Fiscal Impact

Electrician Licensing and Inspection Program

Revenues	FY 2007	FY 2008	FY 2009	FY 2010
Licensure Revenue	\$ 607,000	\$ 607,000	\$ 43,000	\$ 650,000
Inspection Revenue	0	2,000,000	4,100,000	4,100,000
Exam Revenue	124,000	124,000	6,000	6,000
Fund Carryforward	0	528,300	1,462,700	2,662,900
Total	\$ 731,000	\$ 3,259,300	\$ 5,611,700	\$ 7,418,900
Expenses				
Inspection Personnel Costs	\$ 0	\$ 1,000,000	\$ 2,100,000	\$ 2,221,900
Licensure Personnel Costs	103,000	212,000	266,200	241,000
Board Costs	3,300	6,600	6,600	6,600
Other Recurring Costs	16,400	110,000	187,000	187,000
One-Time Program Costs	80,000	468,000	389,000	0
Total	\$ 202,700	\$ 1,796,600	\$ 2,948,800	\$ 2,656,500
Net Revenue Per Fiscal Year	\$ 528,300	\$ 1,462,700	\$ 2,662,900	\$ 4,762,400

At the end of four years, the Electrician and Installer Licensing and Inspection Fund will have a balance of approximately \$4.8 million, if the Board maintains the maximum fee structure established in HF 2741. Expenditures from the Fund are approved by the sole authority of the Board.

If a start-up appropriation were authorized in FY 2007, the first year expenses are anticipated to be \$200,000 to \$500,000, if hiring and training begins in FY 2007. By FY 2009, there would be enough carry forward revenue to pay back the General Fund start-up costs.

Sources

Iowa Workforce Development
Iowa Division of Labor
Department of Public Safety
State of Nebraska
U.S. Census Bureau

/s/ Holly M. Lyons

March 14, 2006

The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Fiscal Services Division, Legislative Services Agency to members of the Legislature upon request.

Accepted By
SF 10700

HSB 700

STATE GOVERNMENT

Orake, chair
Hutter
Lensing
Quirk
Tomenga

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON ELGIN)

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act establishing statewide licensure of electricians and
2 installers, providing for inspections, establishing fees, and
3 providing penalties.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. 103.1 DEFINITIONS.

2 As used in this chapter, unless the context otherwise
3 requires:

4 1. "Apprentice electrician" means any person who as such
5 person's principal occupation is engaged in learning and
6 assisting in the installation, alteration, and repair of
7 electrical wiring, apparatus, and equipment as an employee of
8 a person licensed under this chapter, and who is licensed by
9 the board and is progressing toward completion of an
10 apprenticeship training program registered by the bureau of
11 apprenticeship and training of the United States department of
12 labor. For purposes of this chapter, persons who are not
13 engaged in the installation, alteration, or repair of
14 electrical wiring, apparatus, and equipment, either inside or
15 outside buildings, shall not be considered apprentice
16 electricians.

17 2. "Board" means the electrical examining board created
18 under section 103.2.

19 3. "Class A journeyman electrician" means a person having
20 the necessary qualifications, training, experience, and
21 technical knowledge to wire for or install electrical wiring,
22 apparatus, and equipment and to supervise apprentice
23 electricians and who is licensed by the board.

24 4. "Class A master electrician" means a person having the
25 necessary qualifications, training, experience, and technical
26 knowledge to properly plan, lay out, and supervise the
27 installation of electrical wiring, apparatus, and equipment
28 for light, heat, power, and other purposes and who is licensed
29 by the board.

30 5. "Class B journeyman electrician" means a person having
31 the necessary qualifications, training, experience, and
32 technical knowledge to wire for or install electrical wiring,
33 apparatus, and equipment who meets and is subject to the
34 restrictions of section 103.12.

35 6. "Class B master electrician" means a person having the

1 necessary qualifications, training, experience, and technical
2 knowledge to properly plan, lay out, and supervise the
3 installation of electrical wiring, apparatus, and equipment
4 who meets and is subject to the restrictions of section
5 103.10.

6 7. "Commercial installation" means an installation
7 intended for commerce, but does not include a residential
8 installation.

9 8. "Electrical contractor" means a person who is licensed
10 by the board as either a class A or class B master electrician
11 and who is also registered with the state of Iowa as a
12 contractor.

13 9. "Industrial installation" means an installation
14 intended for use in the manufacture or processing of products
15 involving systematic labor or habitual employment and includes
16 installations in which agricultural or other products are
17 habitually or customarily processed or stored for others,
18 either by buying or reselling on a fee basis.

19 10. "Inspector" means a person certified as an electrical
20 inspector upon such reasonable conditions as may be adopted by
21 the board. The board may permit more than one class of
22 electrical inspector.

23 11. "Life safety installer" means a person who is
24 certified at level two or higher by the national institute for
25 certification in engineering technology, who is qualified to
26 oversee the installation of life safety systems, including
27 fire alarm, security, and nurse call systems, and who is
28 licensed by the board.

29 12. "New electrical installation" means the installation
30 of electrical wiring, apparatus, and equipment for light,
31 heat, power, and other purposes.

32 13. "Public use building or facility" means any building
33 or facility designated for public use, including all property
34 owned and occupied or designated for use by the state of Iowa.

35 14. "Residential installation" means an installation

1 intended for a single-family or two-family residential
2 dwelling or a multifamily residential dwelling not larger than
3 a four-family dwelling.

4 15. "Routine maintenance" means the repair or replacement
5 of existing electrical apparatus or equipment of the same size
6 and type for which no changes in wiring are made.

7 16. "Special electrician" means a person having the
8 necessary qualifications, training, and experience in wiring
9 or installing special classes of electrical wiring, apparatus,
10 equipment, or installations which shall include irrigation
11 system wiring, well pump wiring, air conditioning and
12 refrigeration installation, and sign installation and who is
13 licensed by the board.

14 17. "Unclassified person" means any person, other than an
15 apprentice electrician or other person licensed under this
16 chapter, who, as such person's principal occupation, is
17 engaged in learning and assisting in the installation,
18 alteration, and repair of electrical wiring, apparatus, and
19 equipment as an employee of a person licensed under this
20 chapter, and who is licensed by the board as an unclassified
21 person. For purposes of this chapter, persons who are not
22 engaged in the installation, alteration, or repair of
23 electrical wiring, apparatus, and equipment, either inside or
24 outside buildings, shall not be considered unclassified
25 persons.

26 Sec. 2. NEW SECTION. 103.2 ELECTRICAL EXAMINING BOARD
27 CREATED.

28 1. An electrical examining board is created within the
29 division of state fire marshal of the department of public
30 safety. The board shall consist of ten members, seven voting
31 and three nonvoting, appointed by the governor and subject to
32 senate confirmation, all of whom shall be residents of this
33 state.

34 2. The voting members shall be as follows:

35 a. Two members shall be journeyman electricians, one a

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1 member of an electrical workers union covered under a
2 collective bargaining agreement and one not a member of a
3 union.

4 b. Two members shall be master electricians or electrical
5 contractors, one of whom is a contractor signed to a
6 collective bargaining agreement or a master electrician
7 covered under a collective bargaining agreement and one of
8 whom is a nonunion contractor or a master electrician who is
9 not a member of a union.

10 c. One member shall be an electrical inspector.

11 d. Two members, one a union member covered under a
12 collective bargaining agreement and one a nonunion member,
13 shall not be a member of any of the aforementioned groups and
14 shall represent the general public.

15 3. The nonvoting members shall be as follows:

16 a. One member shall be the state fire marshal or a
17 representative of the state fire marshal's office.

18 b. One member shall be a local building official employed
19 by a political subdivision to perform electrical inspections
20 for that political subdivision.

21 c. One member shall represent a public utility.

22 4. The public members of the board shall be allowed to
23 participate in administrative, clerical, or ministerial
24 functions incident to giving a licensure examination, but
25 shall not determine the content of the examination or
26 determine the correctness of the answers. Professional
27 associations or societies composed of licensed electricians
28 may recommend to the governor the names of potential board
29 members whose profession is representative of that association
30 or society. However, the governor is not bound by the
31 recommendations. A board member shall not be required to be a
32 member of any professional electrician association or society.

33 Sec. 3. NEW SECTION. 103.3 TERMS OF OFFICE -- EXPENSES
34 -- COUNSEL.

35 1. Appointments to the board, other than the state fire

1 marshal or a representative of the state fire marshal's
2 office, shall be for three-year terms and shall commence and
3 end as provided by section 69.19. The state fire marshal, or
4 a representative of the state fire marshal's office, shall be
5 permanently appointed to the board. Vacancies shall be filled
6 for the unexpired term by appointment of the governor and
7 shall be subject to senate confirmation. Members shall serve
8 no more than three terms or nine years, whichever is least.

9 2. Members of the board are entitled to receive all actual
10 expenses incurred in the discharge of their duties within the
11 limits of funds appropriated to the board. Each member of the
12 board may also be eligible to receive compensation as provided
13 in section 7E.6.

14 3. The board shall be entitled to the counsel and services
15 of the attorney general. The board may compel the attendance
16 of witnesses, pay witness fees and mileage, take testimony and
17 proofs, and administer oaths concerning any matter within its
18 jurisdiction.

19 Sec. 4. NEW SECTION. 103.4 ORGANIZATION OF THE BOARD.

20 The board shall elect annually from its members a
21 chairperson and a vice chairperson, and shall hire and provide
22 staff to assist the board in administering this chapter. The
23 board shall hold at least one meeting annually at the location
24 of the board's principal office, and meetings shall be called
25 at other times by the chairperson or four members of the
26 board. At any meeting of the board, a majority of members
27 constitutes a quorum.

28 Sec. 5. NEW SECTION. 103.5 OFFICIAL SEAL -- BYLAWS.

29 The board shall adopt and have an official seal which shall
30 be affixed to all certificates of licensure granted.

31 Sec. 6. NEW SECTION. 103.6 POWERS AND DUTIES.

32 The board shall:

33 1. Adopt rules pursuant to chapter 17A and in doing so
34 shall be governed by the minimum standards set forth in the
35 most current publication of the national electrical code

1 issued and adopted by the national fire protection
2 association, and amendments to the code, which code and
3 amendments shall be filed in the offices of the secretary of
4 state and the board and shall be a public record. The board
5 shall adopt rules reflecting updates to the code and
6 amendments to the code. The board shall promulgate and adopt
7 rules establishing wiring standards that protect public safety
8 and health and property and that apply to all electrical
9 wiring which is installed subject to this chapter.

10 2. Revoke, suspend, or refuse to renew any license granted
11 pursuant to this chapter when the licensee:

12 a. Fails or refuses to pay any examination, license, or
13 renewal fee required by law.

14 b. Is an electrical contractor and fails or refuses to
15 provide and keep in force a public liability insurance policy
16 as required by the board.

17 c. Violates any political subdivision's approved
18 inspection ordinances.

19 The board may, in its discretion, revoke, suspend, or
20 refuse to renew any license granted pursuant to this chapter
21 when the licensee violates any provision of the national
22 electrical code as adopted pursuant to subsection 1, this
23 chapter, or any rule adopted pursuant to this chapter.

24 3. Order disconnection of power to any electrical
25 installation that is proximately dangerous to health or
26 property.

27 4. Order removal of electrical wiring, apparatus, or
28 equipment from premises when such wiring, apparatus, or
29 equipment is proximately dangerous to health or property.

30 5. Investigate, for the purpose of identifying dangerous
31 electrical wiring or violations of the national electrical
32 code as adopted pursuant to subsection 1, any death by
33 electrocution that occurs within the state.

34 6. Adopt rules for continuing education requirements for
35 each classification of licensure established pursuant to this

1 chapter, and adopt all rules, not inconsistent with the law,
2 necessary for the proper performance of the duties of the
3 board.

4 7. Provide for the amount and collection of fees for
5 inspection and other services.

6 8. Enforce the provisions of the national electrical code
7 as adopted pursuant to subsection 1.

8 Sec. 7. NEW SECTION. 103.7 ELECTRICIAN AND INSTALLER
9 LICENSING AND INSPECTION FUND.

10 An electrician and installer licensing and inspection fund
11 is created in the state treasury as a separate fund under the
12 control of the board. All licensing, examination, renewal,
13 and inspection fees shall be deposited into the fund and
14 retained by and for the use of the board. Expenditures from
15 the fund shall be approved by the sole authority of the board.
16 Amounts deposited into the fund shall be considered repayment
17 receipts as defined in section 8.2. Notwithstanding section
18 8.33, any balance in the fund on June 30 of each fiscal year
19 shall not revert to the general fund of the state, but shall
20 remain available for the purposes of this chapter in
21 subsequent fiscal years. Notwithstanding section 12C.7,
22 subsection 2, interest or earnings on moneys deposited in the
23 fund shall be credited to the fund.

24 Sec. 8. NEW SECTION. 103.8 PLAN, LAY OUT, OR SUPERVISE
25 CERTAIN ACTIVITIES -- LICENSE REQUIRED -- EXCEPTIONS.

26 Except as provided in sections 103.13 and 103.14, no person
27 shall, for another, plan, lay out, or supervise the
28 installation of wiring, apparatus, or equipment for electrical
29 light, heat, power, and other purposes unless the person is
30 licensed by the board as an electrical contractor, a class A
31 master electrician, or a class B master electrician.

32 Sec. 9. NEW SECTION. 103.9 ELECTRICAL CONTRACTOR
33 LICENSE.

34 1. An applicant for an electrical contractor license shall
35 be a licensed class A or class B master electrician, and be

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1 registered with the state of Iowa as a contractor.

2 2. A contractor who holds a class B master electrician
3 license shall be licensed subject to the restrictions of
4 section 103.10.

5 Sec. 10. NEW SECTION. 103.10 CLASS A MASTER ELECTRICIAN
6 LICENSE -- QUALIFICATIONS -- CLASS B MASTER ELECTRICIAN
7 LICENSE.

8 1. An applicant for a class A master electrician license
9 shall have at least one year's experience, acceptable to the
10 board, as a licensed class A or class B journeyman
11 electrician.

12 2. In addition, an applicant shall obtain a score of at
13 least seventy-five percent on an examination prescribed and
14 administered by the board based upon the most recent national
15 electrical code adopted pursuant to section 103.6 and upon
16 electrical theory.

17 3. a. An applicant who can provide proof acceptable to
18 the board that the applicant has been working in the
19 electrical business and involved in planning for, laying out,
20 supervising, and installing electrical wiring, apparatus, or
21 equipment for light, heat, and power prior to 1990 may be
22 granted a class B master electrician license without taking an
23 examination. An applicant who is issued a class B master
24 electrician license pursuant to this section shall not be
25 authorized to plan, lay out, or supervise the installation of
26 electrical wiring, apparatus, and equipment in a political
27 subdivision which, prior to or after the effective date of
28 this section of this Act, establishes licensing standards
29 which preclude such work by class B master electricians in the
30 political subdivision. The board shall adopt rules
31 establishing procedures relating to the restriction of a class
32 B master electrician license pursuant to this subsection.

33 b. A class B master electrician may become licensed as a
34 class A master electrician upon successful passage of the
35 examination prescribed in subsection 2.

1 4. A person licensed to plan, lay out, or supervise the
2 installation of electrical wiring, apparatus, or equipment for
3 light, heat, power, and other purposes and supervise
4 apprentice electricians by a political subdivision preceding
5 the effective date of this section of this Act pursuant to a
6 supervised written examination, and who is currently engaged
7 in the electrical contracting industry, shall be issued an
8 applicable statewide license corresponding to that licensure
9 as a class A master electrician or electrical contractor. The
10 board shall adopt by rule certain criteria for city
11 examination standards satisfactory to fulfill this
12 requirement.

13 Sec. 11. NEW SECTION. 103.11 WIRING OR INSTALLING --
14 SUPERVISING APPRENTICES LICENSE REQUIRED -- QUALIFICATIONS.

15 1. Except as provided in section 103.13, no person shall,
16 for another, wire for or install electrical wiring, apparatus,
17 or equipment, or supervise an apprentice electrician or
18 unclassified person, unless the person is licensed by the
19 board as an electrical contractor, a class A master
20 electrician, a class B master electrician, or a life safety
21 installer, or is licensed as a class A journeyman electrician,
22 a class B journeyman electrician, or a life safety installer
23 and is employed by an electrical contractor, a class A master
24 electrician, a class B master electrician, or a life safety
25 installer.

26 2. For purposes of this section, the holder of a life
27 safety installer license shall only supervise those
28 apprentices engaged in the installation of fire alarm
29 equipment and apparatus operating at fifty volts or less.

30 Sec. 12. NEW SECTION. 103.12 CLASS A JOURNEYMAN
31 ELECTRICIAN LICENSE QUALIFICATIONS -- CLASS B JOURNEYMAN
32 ELECTRICIAN LICENSE.

33 1. An applicant for a class A journeyman electrician
34 license shall have successfully completed an apprenticeship
35 training program registered by the bureau of apprenticeship

1 and training of the United States department of labor in
2 accordance with the standards established by that department.
3 An applicant may petition the board to receive a waiver of
4 this requirement. The board shall determine a level of on-
5 the-job experience as an unclassified person sufficient to
6 qualify for a waiver.

7 2. In addition, an applicant shall obtain a score of at
8 least seventy-five percent on an examination prescribed and
9 administered by the board based upon the most recent national
10 electrical code adopted pursuant to section 103.6 and upon
11 electrical theory.

12 3. a. An applicant who can provide proof acceptable to
13 the board that the applicant has been employed as a journeyman
14 electrician since 1990 may be granted a class B journeyman
15 electrician license without taking an examination. An
16 applicant who is issued a class B journeyman electrician
17 license pursuant to this section shall not be authorized to
18 wire for or install electrical wiring, apparatus, and
19 equipment in a political subdivision which, prior to or after
20 the effective date of this section of this Act, establishes
21 licensing standards which preclude such work by class B
22 journeyman electricians in the political subdivision. The
23 board shall adopt rules establishing procedures relating to
24 the restriction of a class B journeyman electrician license
25 pursuant to this subsection.

26 b. A class B journeyman electrician may become licensed as
27 a class A journeyman electrician upon successful passage of
28 the examination prescribed in subsection 2.

29 4. A person licensed to wire for or install electrical
30 wiring, apparatus, or equipment or supervise an apprentice
31 electrician by a political subdivision preceding the effective
32 date of this section of this Act pursuant to a supervised
33 written examination, and who is currently engaged in the
34 electrical contracting industry with at least four years'
35 experience, shall be issued an applicable statewide license

1 corresponding to that licensure as a class A journeyman
2 electrician or a class B journeyman electrician. The board
3 shall adopt by rule certain criteria for city examination
4 standards satisfactory to fulfill this requirement.

5 Sec. 13. NEW SECTION. 103.13 SPECIAL ELECTRICIAN LICENSE
6 -- QUALIFICATIONS.

7 The board shall by rule provide for the issuance of special
8 electrician licenses authorizing the licensee to engage in a
9 limited class or classes of electrical work, which class or
10 classes shall be specified on the license. Each licensee
11 shall have experience, acceptable to the board, in each such
12 limited class of work for which the person is licensed.

13 Sec. 14. NEW SECTION. 103.14 LIFE SAFETY INSTALLER
14 LICENSE.

15 1. A person not otherwise licensed pursuant to this
16 chapter shall not plan, lay out, or install electrical wiring,
17 apparatus, and equipment for components of life safety
18 systems. A person authorized to plan, lay out, or install
19 electrical wiring, apparatus, and equipment for components of
20 life safety systems that operate at fifty volts or less by a
21 political subdivision on the effective date of this section of
22 this Act shall be issued an applicable statewide license
23 corresponding to that authorization as a life safety
24 installer.

25 2. On or after the effective date of this section of this
26 Act, any person to be licensed as a life safety installer to
27 plan, lay out, and install electrical wiring, apparatus, and
28 equipment for components of life safety systems shall have at
29 least two years' experience, acceptable to the board, in
30 planning, laying out, and installing life safety systems.

31 3. In addition to the requirements of subsections 1 and 2,
32 an applicant for a life safety installer license shall obtain
33 a score of at least seventy-five percent on a level two or
34 higher examination prescribed and administered by the board
35 based on the most recent national institute for certification

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1 in engineering technology requirements.

2 4. A person licensed as a class A or class B master
3 electrician, or a class A or class B journeyman electrician,
4 who has not successfully passed the examination prescribed in
5 subsection 3 shall be authorized to install electrical wiring,
6 apparatus, and equipment for components of life safety systems
7 if their work is approved by a person who is licensed as a
8 life safety installer.

9 Sec. 15. NEW SECTION. 103.15 APPRENTICE ELECTRICIAN --
10 UNCLASSIFIED PERSON.

11 1. A person shall be licensed by the board and pay a
12 licensing fee to work as an apprentice electrician while
13 participating in an apprenticeship training program registered
14 by the bureau of apprenticeship and training of the United
15 States department of labor in accordance with the standards
16 established by that department. A person is eligible for
17 licensure as an apprentice electrician for only one
18 apprenticeship, which shall be limited to six years from the
19 date of licensure, unless extended by the board upon a finding
20 that a hardship existed which prevented completion of the
21 apprenticeship program. Such licensure shall entitle the
22 licensee to act as an apprentice to an electrical contractor,
23 a class A master electrician, a class B master electrician, a
24 class A journeyman electrician, or a class B journeyman
25 electrician as provided in subsection 3.

26 2. A person shall be licensed as an unclassified person by
27 the board and pay a licensing fee to perform electrical work
28 if the work is performed under the personal supervision of a
29 person actually licensed to perform such work and the licensed
30 and unclassified persons are employed by the same employer.
31 After one hundred days of employment as a nonlicensed
32 unclassified person, the unclassified person must receive a
33 license from the board and pay the applicable license fee.
34 Licensed persons shall not permit unclassified persons to
35 perform electrical work except under the personal supervision

1 of a person actually licensed to perform such work.

2 Unclassified persons shall not supervise the performance of
3 electrical work or make assignments of electrical work to
4 unclassified persons. Electrical contractors employing
5 unclassified persons performing electrical work shall maintain
6 records establishing compliance with this section, which shall
7 designate all unclassified persons performing electrical work.

8 3. Apprentice electricians and unclassified persons shall
9 do no electrical wiring except under the direct personal on-
10 the-job supervision and control and in the immediate presence
11 of a licensee pursuant to this chapter. Such supervision
12 shall include both on-the-job training and related classroom
13 training as approved by the board. The licensee may employ or
14 supervise apprentice electricians and unclassified persons at
15 a ratio not to exceed three apprentice electricians and
16 unclassified persons to one licensee, except that such ratio
17 and the other requirements of this section shall not apply to
18 apprenticeship classroom training.

19 4. For purposes of this section, "the direct personal on-
20 the-job supervision and control and in the immediate presence
21 of a licensee" shall mean the licensee and the apprentice
22 electrician or unclassified person shall be working at the
23 same project location but shall not require that the licensee
24 and apprentice electrician or unclassified person be within
25 sight of one another at all times.

26 5. An apprentice electrician shall not install, alter, or
27 repair electrical equipment except as provided in this
28 section, and the licensee employing or supervising an
29 apprentice electrician shall not authorize or permit such
30 actions by the apprentice electrician.

31 Sec. 16. NEW SECTION. 103.16 LICENSE EXAMINATIONS.

32 1. Examinations for licensure shall be given as often as
33 deemed necessary by the board, but no less than one time per
34 month. The scope of the examinations and the methods of
35 procedure shall be prescribed by the board. The examinations

1 given by the board shall be the exterior assessment
2 examination, or a successor examination approved by the board,
3 or an examination prepared by a third-party testing service
4 which is substantially equivalent to the exterior assessment
5 examination, or a successor examination approved by the board.

6 2. An examination may be given by representatives of the
7 board. As soon as practicable after the close of each
8 examination, a report shall be filed in the office of the
9 secretary of the board by the board. The report shall show
10 the action of the board upon each application and the
11 secretary of the board shall notify each applicant of the
12 result of the applicant's examination. Applicants who fail
13 the examination once shall be allowed to take the examination
14 at the next scheduled time. Thereafter, the applicant shall
15 be allowed to take the examination at the discretion of the
16 board. An applicant who has failed the examination may
17 request, in writing, information from the board concerning the
18 applicant's examination grade and subject areas or questions
19 which the applicant failed to answer correctly, except that if
20 the board administers a uniform, standardized examination, the
21 board shall only be required to provide the examination grade
22 and such other information concerning the applicant's
23 examination results which are available to the board.

24 Sec. 17. NEW SECTION. 103.17 DISCLOSURE OF CONFIDENTIAL
25 INFORMATION -- CRIMINAL PENALTY.

26 A member of the board shall not disclose information
27 relating to the following:

- 28 1. Criminal history or prior misconduct of an applicant.
- 29 2. Information relating to the contents of an examination.
- 30 3. Information relating to examination results other than
31 a final score except for information about the results of an
32 examination given to the person who took the examination.

33 A member of the board who willfully communicates or seeks
34 to communicate such information, and any person who willfully
35 requests, obtains, or seeks to obtain such information, is

1 guilty of a simple misdemeanor.

2 Sec. 18. NEW SECTION. 103.18 LICENSE RENEWAL --
3 CONTINUING EDUCATION.

4 In order to renew a license issued pursuant to this
5 chapter, the licensee shall be required to complete eighteen
6 contact hours of continuing education courses approved by the
7 board during the three-year period for which a license is
8 granted. The contact hours shall include a minimum of six
9 contact hours studying the national electrical code described
10 in section 103.6, and the remaining contact hours may include
11 study of electrical circuit theory, blueprint reading,
12 transformer and motor theory, electrical circuits and devices,
13 control systems, programmable controllers, and microcomputers
14 or any other study of electrical-related material that is
15 approved by the board. Any additional hours studying the
16 national electrical code shall be acceptable. For purposes of
17 this section, "contact hour" means fifty minutes of classroom
18 attendance at an approved course under a qualified instructor
19 approved by the board.

20 Sec. 19. NEW SECTION. 103.19 LICENSES -- EXPIRATION --
21 APPLICATION -- FEES.

22 All licenses issued pursuant to this chapter shall expire
23 every three years. All license applications shall include the
24 applicant's social security number. The board shall establish
25 the fees to be payable for examination and license issuance
26 and renewal in amounts not to exceed the following:

27 1. For examinations:

28 a. Class A master electrician, one hundred twenty-five
29 dollars.

30 b. Class A journeyman electrician, sixty dollars.

31 c. Life safety installer, sixty dollars.

32 2. For each year of the three-year license period for
33 issuance and renewal:

34 a. Electrical contractor, one hundred twenty-five dollars.

35 b. Class A master electrician, class B master electrician,

1 one hundred twenty-five dollars.

2 c. Class A journeyman electrician, class B journeyman
3 electrician, life safety installer, or special electrician,
4 twenty-five dollars.

5 3. For each year of the three-year license period for an
6 apprentice electrician, and for an unclassified person, twenty
7 dollars.

8 The holder of an expired license may renew the license for
9 a period of three months from the date of expiration upon
10 payment of the license fee plus ten percent of the renewal fee
11 for each month or portion thereof past the expiration date.
12 All holders of licenses expired for more than three months
13 shall apply for a new license.

14 Sec. 20. NEW SECTION. 103.20 DEATH OF LICENSEE --
15 REPRESENTATIVE TO CARRY ON BUSINESS -- INSURANCE REQUIRED.

16 Upon the death of an electrical contractor, a class A
17 master electrician, a class B master electrician, or a life
18 safety installer, the board may permit a representative to
19 carry on the business of the decedent for a period not to
20 exceed six months for the purpose of completing work under
21 contract to comply with this chapter. Such representative
22 shall furnish all public liability and property damage
23 insurance required by the board.

24 Sec. 21. NEW SECTION. 103.21 LICENSES WITHOUT
25 EXAMINATION -- RECIPROCITY WITH OTHER STATES.

26 1. To the extent that any other state which provides for
27 the licensing of electricians provides for similar action, the
28 board may grant licenses, without examination, of the same
29 grade and class to an electrician who has been licensed by
30 such other state for at least one year, upon payment by the
31 applicant of the required fee, and upon the board being
32 furnished with proof that the qualifications of the applicant
33 are equal to the qualifications of holders of similar licenses
34 in this state.

35 2. A temporary ninety-day license may be granted to a

1 person licensed in another state, territory, or possession of
2 the United States, or the District of Columbia, as prescribed
3 by rule, provided that before practicing within this state the
4 person shall have applied for temporary licensure and shall
5 have paid the fee to be established by the board by rule.

6 Sec. 22. NEW SECTION. 103.22 CHAPTER INAPPLICABILITY.

7 The provisions of this chapter shall not:

8 1. Apply to a person licensed as an engineer pursuant to
9 chapter 542B or registered as an architect pursuant to chapter
10 544A providing consultations and developing plans concerning
11 electrical installations who is exclusively engaged in the
12 practice of the person's profession.

13 2. Require employees of municipal corporations, electric
14 membership or cooperative associations, public utility
15 corporations, railroads, telecommunications companies, or
16 commercial or industrial companies performing manufacturing,
17 installation, and repair work for such employer to hold
18 licenses while acting within the scope of their employment.

19 3. Require any person doing work for which a license would
20 otherwise be required under this chapter to hold a license
21 issued under this chapter if the person is the holder of a
22 valid license issued by any political subdivision, so long as
23 the person makes electrical installations only in the
24 jurisdictional limits of such political subdivision and such
25 license issued by the political subdivision meets the
26 requirements of this chapter.

27 4. Apply to the installation, maintenance, repair, or
28 alteration of vertical transportation or passenger conveyors,
29 elevators, moving walks, dumbwaiters, stagelifts, manlifts, or
30 appurtenances thereto beyond the terminals of the controllers.
31 The licensing of elevator contractors or constructors shall
32 not be considered a part of the licensing requirements of this
33 chapter.

34 5. Require a license of any person who engages any
35 electrical appliance where approved electrical outlets are

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1 already installed.

2 6. Prohibit an owner of property from performing work on
3 the owner's principal residence, if such residence is not
4 larger than a single-family dwelling, or farm property,
5 excluding commercial or industrial installations or
6 installations in public use buildings or facilities, or
7 require such owner to be licensed under this chapter.

8 7. Require that any person be a member of a labor union in
9 order to be licensed.

10 Sec. 23. NEW SECTION. 103.23 ELECTRICAL INSTALLATIONS --
11 SUBJECT TO INSPECTION.

12 The inspection and enforcement provisions of this chapter
13 shall apply to the following:

14 1. All new electrical installations for commercial or
15 industrial applications, including installations both inside
16 and outside of buildings, and for public use buildings and
17 facilities and any installation at the request of the owner.

18 2. All new electrical installations for residential
19 applications in excess of single-family residential
20 applications.

21 3. All new electrical installations for single-family
22 residential applications requiring new electrical service
23 equipment.

24 4. Existing electrical installations observed during
25 inspection which constitute an electrical hazard. Existing
26 installations shall not be deemed to constitute an electrical
27 hazard if the wiring when originally installed was installed
28 in accordance with the electrical code in force at the time of
29 installation and has been maintained in that condition.

30 Sec. 24. NEW SECTION. 103.24 STATE INSPECTION --
31 INAPPLICABILITY IN CERTAIN POLITICAL SUBDIVISIONS --
32 ELECTRICAL INSPECTORS -- CERTIFICATE OF QUALIFICATION.

33 1. No person other than the holder of an electrical
34 inspector's certificate of qualification shall be appointed to
35 act as an electrical inspector and to enforce this chapter as

1 an electrical inspector and to enforce this chapter or any
2 applicable resolution or ordinance within the inspector's
3 jurisdiction. The board shall establish by rule standards for
4 the certification and decertification of state electrical
5 inspectors, and certified electrical inspector continuing
6 education requirements.

7 2. State inspection shall not apply within the
8 jurisdiction of any political subdivision which, pursuant to
9 section 103.29, provides by resolution or ordinance standards
10 of electrical wiring and its installation that are not less
11 than those prescribed by the board or by this chapter and
12 which further provides by resolution or ordinance for the
13 inspection of electrical installations within the limits of
14 such subdivision by a certified electrical inspector. A copy
15 of the certificate of each electrical inspector shall be
16 provided to the board by the political subdivision issuing the
17 certificate.

18 3. State inspection shall not apply to routine
19 maintenance.

20 Sec. 25. NEW SECTION. 103.25 REQUEST FOR INSPECTION --
21 FEES.

22 At or before commencement of any installation required to
23 be inspected by the board, the licensee or owner making such
24 installation shall submit to the board a request for
25 inspection. The board shall prescribe the methods by which
26 the request may be submitted, which may include electronic
27 submission or through a form prescribed by the board that can
28 be submitted either through the mail or by a fax transmission.
29 The board shall also prescribe methods by which inspection
30 fees can be paid, which may include electronic methods of
31 payment. If the board becomes aware that a person has failed
32 to file a necessary request for inspection, the board shall
33 send a written notification by certified mail that the request
34 must be filed within fourteen days. Any person filing a late
35 request for inspection shall pay a delinquency fee in an

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1 amount to be determined by the board. Failure to file a late
2 request within fourteen days shall be subject to a civil
3 penalty to be determined by the board by rule.

4 Sec. 26. NEW SECTION. 103.26 CONDEMNATION --
5 DISCONNECTION -- OPPORTUNITY TO CORRECT NONCOMPLIANCE.

6 If the inspector finds that any installation or portion of
7 an installation is not in compliance with accepted standards
8 of construction for safety to health and property, based upon
9 minimum standards set forth in the local electrical code or
10 the national electrical code adopted by the board pursuant to
11 section 103.6, the inspector shall by written order condemn
12 the installation or noncomplying portion or order service to
13 such installation disconnected and shall send a copy of such
14 order to the board and the electrical utility supplying power
15 involved. If the installation or the noncomplying portion is
16 such as to seriously and proximately endanger human health or
17 property, the order of the inspector when approved by the
18 inspector's superior shall require immediate condemnation and
19 disconnection by the applicant. In all other cases, the order
20 of the inspector shall establish a reasonable period of time
21 for the installation to be brought into compliance with
22 accepted standards of construction for safety to health and
23 property prior to the effective date established in such order
24 for condemnation or disconnection.

25 Sec. 27. NEW SECTION. 103.27 CONDEMNATION OR
26 DISCONNECTION ORDER -- SERVICE.

27 1. A copy of each condemnation or disconnection order
28 shall be served personally or by regular mail upon the
29 property owner at the property owner's last known address, the
30 licensee making the installation, and such other persons as
31 the board by rule may direct.

32 2. The electrical utility supplying power shall be served
33 with a copy of any order which requires immediate
34 disconnection or prohibits energizing an installation.

35 Sec. 28. NEW SECTION. 103.28 CERTIFICATE OF SAFE

1 OPERATION -- DISMISSAL OF CONDEMNATION OR DISCONNECTION ORDER.

2 No electrical installation subject to inspection by the
3 board shall be newly connected or reconnected for use until
4 there is filed with the electrical utility supplying power a
5 certificate of the property owner or licensed electrician
6 directing the work that inspection has been requested and that
7 the conditions of the installation are safe for energization.
8 In all cases when an order of condemnation or disconnection
9 has been issued against the installation or any part thereof,
10 prior to connection or reconnection there shall also first be
11 filed with the electrical utility supplying the power a copy
12 of an order of the inspector or the board dismissing such
13 prior order of condemnation or disconnection or approving the
14 installation as being in compliance with accepted standards of
15 construction for safety to human health and property, based
16 upon minimum standards set forth in the national electrical
17 code adopted by the board. An electrical utility supplier may
18 refuse service without liability for such refusal until such
19 conditions have been met. With respect to transient projects,
20 the certificate shall also contain a certification that the
21 request for inspection has been or will be filed with the
22 board so as to be received by the board at least five days
23 prior to the date and time energization of the installation by
24 the utility is to occur, and that the request for inspection
25 states such date and time, and it shall be the responsibility
26 of the board to have inspection made of such transient project
27 prior to the date and time at which the request states
28 energization is to occur.

29 Sec. 29. NEW SECTION. 103.29 POLITICAL SUBDIVISION
30 INSPECTIONS -- AUTHORITY OF POLITICAL SUBDIVISION.

31 1. A political subdivision performing electrical
32 inspections prior to December 31, 2006, shall continue to
33 perform such inspections. If the board finds that a political
34 subdivision's inspections are not adequate, the board may
35 revoke the political subdivision's authority to perform its

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1 own inspections. A political subdivision not performing
2 electrical inspections prior to December 31, 2006, may make
3 provision for inspection of electrical installations within
4 its jurisdiction, in which case it shall keep on file with the
5 board copies of its current inspection ordinances or
6 resolutions and electrical codes.

7 2. A political subdivision that performs electrical
8 inspections may set appropriate permit fees to pay for such
9 inspections. A political subdivision shall not require any
10 person holding a license from the board to pay any license fee
11 or take any examination if the person holds a current license
12 issued by the board which is of a classification equal to or
13 greater than the classification needed to do the work
14 proposed. Any such political subdivision may provide a
15 requirement that each person doing electrical work within the
16 jurisdiction of such political subdivision have on file with
17 the political subdivision a copy of the current license issued
18 by the board or such other evidence of such license as may be
19 provided by the board.

20 Sec. 30. NEW SECTION. 103.30 INSPECTIONS NOT REQUIRED.

21 Nothing in this chapter shall be construed to require the
22 work of employees of municipal corporations, railroads,
23 electric membership or cooperative associations, public
24 utility corporations, or telecommunications systems to be
25 inspected while acting within the scope of their employment.

26 Sec. 31. NEW SECTION. 103.31 SUPPLIER OF ELECTRICAL
27 SERVICE -- LIABILITY.

28 Upon inspection and approval by any certified inspector,
29 all liability upon any supplier of electrical service for
30 subsequent damage or loss arising from any installation shall
31 be terminated, except for any acts of gross negligence by such
32 supplier.

33 Sec. 32. NEW SECTION. 103.32 STATE INSPECTION
34 PROCEDURES.

35 1. An inspection shall be made within three business days

1 of the submission of a request for an inspection as provided
2 in section 103.25. When necessary, circuits may be energized
3 by the authorized installer prior to inspection but the
4 installation shall remain subject to condemnation and
5 disconnection.

6 2. Where wiring is to be concealed, the inspector must be
7 notified within a reasonable time to complete a rough-in
8 inspection prior to concealment, exclusive of Saturdays,
9 Sundays, and holidays. If wiring is concealed before rough-in
10 inspection without adequate notice having been given to the
11 inspector, the person responsible for having enclosed the
12 wiring shall be responsible for all costs resulting from
13 uncovering and replacing the cover material.

14 Sec. 33. NEW SECTION. 103.33 STATE INSPECTION FEES.

15 1. All state electrical inspection fees shall be due and
16 payable to the board at or before commencement of the
17 installation and shall be forwarded with the request for
18 inspection. Inspection fees provided in this section shall
19 not apply within the jurisdiction of any political subdivision
20 if the political subdivision has adopted an ordinance or
21 resolution pursuant to this chapter.

22 2. The board shall establish the fees for inspections in
23 amounts not to exceed:

24 a. For each separate inspection of an installation,
25 replacement, alteration, or repair, twenty-five dollars.

26 b. For services, change of services, temporary services,
27 additions, alterations, or repairs on either primary or
28 secondary services as follows:

29 (1) Zero to one hundred ampere capacity, twenty-five
30 dollars plus five dollars per branch circuit or feeder.

31 (2) One hundred one to two hundred ampere capacity,
32 thirty-five dollars plus five dollars per branch circuit or
33 feeder.

34 (3) For each additional one hundred ampere capacity or
35 fraction thereof, twenty dollars plus five dollars per branch

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1 circuit or feeder.

2 c. For field irrigation system inspections, sixty dollars
3 for each unit inspected.

4 d. For the first reinspection required as a result of a
5 correction order, fifty dollars; a second reinspection
6 required as a result of noncompliance with the same correction
7 order, seventy-five dollars; and subsequent reinspections
8 associated with the same correction order, one hundred dollars
9 for each reinspection.

10 3. When an inspection is requested by an owner, the
11 minimum fee shall be thirty dollars plus five dollars per
12 branch circuit or feeder. The fee for fire and accident
13 inspections shall be computed at the rate of forty-seven
14 dollars per hour, and mileage and other expenses shall be
15 reimbursed as provided by the office of the state fire
16 marshal.

17 4. For installations requiring more than six months in the
18 process of construction and in excess of three hundred dollars
19 total inspection fees, the persons responsible for the
20 installation may, after a minimum filing fee of one hundred
21 dollars, pay a prorated fee for each month and submit it with
22 an order for payment initiated by the electrical inspector.

23 Sec. 34. NEW SECTION. 103.34 CONDEMNATION OR
24 DISCONNECTION ORDERS -- APPEALS -- DISPOSITION OF ORDERS
25 PENDING APPEAL.

26 1. Any person aggrieved by a condemnation or disconnection
27 order issued may appeal from the order by filing a written
28 notice of appeal with the board within ten days after the date
29 the order was served upon the owner or within ten days after
30 the order was filed with the board, whichever is later.

31 2. Upon receipt of the notice of appeal from a
32 condemnation or disconnection order because the electrical
33 installation is proximately dangerous to health or property,
34 the order appealed from shall not be stayed unless
35 countermanded by the board.

1 3. Upon receipt of notice of appeal from a condemnation or
2 disconnection order because the electrical installation is not
3 in compliance with accepted standards of construction for
4 safety to health and property, the order appealed from shall
5 be stayed until final decision of the board and the board
6 shall notify the property owner and the electrical contractor,
7 class A master electrician, class B master electrician, fire
8 alarm installer, or special electrician making the
9 installation. The power supplier shall also be notified in
10 those instances in which the order has been served on such
11 supplier.

12 Sec. 35. NEW SECTION. 103.35 APPEAL PROCEDURES.

13 1. Upon receipt of a notice of appeal, the chairperson or
14 executive secretary of the board may designate a hearing
15 officer from among the board members to hear the appeal or may
16 set the matter for hearing before the full board at its next
17 regular meeting. A majority of the board shall make the
18 decision.

19 2. Upon receiving the notice of appeal, the board shall
20 notify all persons served with the order appealed from. Such
21 persons may join in the hearing and give testimony in their
22 own behalf. The board shall set the hearing date on a date
23 not more than fourteen days after receipt of the notice of
24 appeal unless otherwise agreed by the interested parties and
25 the board.

26 Sec. 36. NEW SECTION. 103.36 SUSPENSION, REVOCATION, OR
27 REPRIMAND.

28 The board, by a simple majority vote of the entire board,
29 may suspend for a period not exceeding two years, or revoke
30 the certificate of licensure of, or reprimand any licensee who
31 is found guilty of any of the following acts or offenses:

- 32 1. Fraud in procuring a certificate of licensure.
- 33 2. Professional incompetency.
- 34 3. Knowingly making misleading, deceptive, untrue, or
35 fraudulent representations in the practice of the licensee's

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1 profession or engaging in unethical conduct or practice
2 harmful to the public. Proof of actual injury need not be
3 established.

4 4. Habitual intoxication or addiction to the use of drugs.

5 5. Conviction of a felony under the laws of the United
6 States, this state, any other state, territory, or possession
7 of the United States, the District of Columbia, or any foreign
8 country. A copy of the record of conviction or plea of guilty
9 is conclusive evidence of such conviction.

10 6. Revocation or suspension of licensure, or other
11 disciplinary action by the licensing authority of another
12 state, territory, or possession of the United States, the
13 District of Columbia, or any foreign country. A certified
14 copy of the record or order of suspension, revocation, or
15 other disciplinary action is prima facie evidence of such
16 fact.

17 7. Fraud in representations as to skill or ability.

18 8. Use of untruthful or improbable statements in
19 advertisements.

20 9. Willful or repeated violations of this chapter.

21 Sec. 37. NEW SECTION. 103.37 PROCEDURE.

22 Proceedings for any action under section 103.36 shall be
23 commenced by filing with the board written charges against the
24 accused. Upon the filing of charges, the board shall conduct
25 an investigation into the charges. The board shall designate
26 a time and place for a hearing, and shall notify the accused
27 of this action and furnish the accused a copy of all charges
28 at least thirty days prior to the date of the hearing. The
29 accused has the right to appear personally or by counsel, to
30 cross-examine witnesses, or to produce witnesses in defense.

31 Sec. 38. NEW SECTION. 103.38 INJUNCTION.

32 Any person who is not legally authorized to practice in
33 this state according to this chapter, who practices, or in
34 connection with the person's name, uses any designation
35 tending to imply or designate the person as authorized to

1 practice in this state according to this chapter, may be
2 restrained by permanent injunction.

3 Sec. 39. NEW SECTION. 103.39 CRIMINAL VIOLATIONS.

4 A person who violates a permanent injunction issued
5 pursuant to section 103.38 or presents or attempts to file as
6 the person's own the certificate of licensure of another, or
7 who gives false or forged evidence of any kind to the board in
8 obtaining a certificate of licensure, or who falsely
9 impersonates another practitioner of like or different name,
10 or who uses or attempts to use a revoked certificate of
11 licensure, is guilty of a fraudulent practice under chapter
12 714.

13 Sec. 40. NEW SECTION. 103.40 CIVIL PENALTY.

14 1. In addition to any other penalties provided for in this
15 chapter, the board may by order impose a civil penalty upon a
16 person who is not licensed under this chapter and who does any
17 of the following:

18 a. Is employed in a capacity in which the person engages
19 in or offers to engage in the activities authorized pursuant
20 to this chapter.

21 b. Uses or employs the words "electrical contractor" or
22 "class A master electrician", "class B master electrician",
23 "class A journeyman electrician", "class B journeyman
24 electrician", or "life safety installer", or implies
25 authorization to provide or offer those services, or otherwise
26 uses or advertises any title, word, figure, sign, card,
27 advertisement, or other symbol or description tending to
28 convey the impression that the person is an "electrical
29 contractor", "class A master electrician", "class B master
30 electrician", "class A journeyman electrician", "class B
31 journeyman electrician", or "life safety installer".

32 c. Gives false or forged evidence of any kind to the board
33 or any member of the board in obtaining or attempting to
34 obtain a certificate of licensure.

35 d. Falsely impersonates any individual licensed pursuant

1 to this chapter.

2 e. Uses or attempts to use an expired, suspended, revoked,
3 or nonexistent certificate of licensure.

4 f. Knowingly aids or abets an unlicensed person who
5 engages in any activity identified in this subsection.

6 2. A civil penalty imposed shall not exceed one thousand
7 dollars for each offense. Each day of a continued violation
8 constitutes a separate offense, except that offenses resulting
9 from the same or common facts or circumstances shall be
10 considered a single offense.

11 3. In determining the amount of a civil penalty to be
12 imposed, the board may consider any of the following:

13 a. Whether the amount imposed will be a substantial
14 economic deterrent to the violation.

15 b. The circumstances leading to the violation.

16 c. The severity of the violation and the risk of harm to
17 the public.

18 d. The economic benefits gained by the violator as a
19 result of noncompliance.

20 e. The interest of the public.

21 4. Before issuing an order under this section, the board
22 shall provide the person written notice and the opportunity to
23 request a hearing on the record. The hearing must be
24 requested within thirty days of the issuance of the notice and
25 shall be conducted in the same manner as provided in section
26 103.37.

27 5. The board, in connection with a proceeding under this
28 section, may issue subpoenas to compel the attendance and
29 testimony of witnesses and the disclosure of evidence, and may
30 request the attorney general to bring an action to enforce the
31 subpoena.

32 6. A person aggrieved by the imposition of a civil penalty
33 under this section may seek judicial review in accordance with
34 section 17A.19.

35 7. If a person fails to pay a civil penalty within thirty

1 days after entry of an order under subsection 1, or if the
2 order is stayed pending an appeal within ten days after the
3 court enters a final judgment in favor of the board, the board
4 shall notify the attorney general. The attorney general may
5 commence an action to recover the amount of the penalty,
6 including reasonable attorney fees and costs.

7 8. An action to enforce an order under this section may be
8 joined with an action for an injunction.

9 Sec. 41. EFFECTIVE DATES. Sections 1 through 5, section
10 6, subsections 1 and 6, and section 17, being deemed of
11 immediate importance, take effect upon enactment. Sections 23
12 through 35 of this Act take effect January 1, 2008. The
13 remaining sections and subsections of this Act take effect
14 January 1, 2007.

15 EXPLANATION

16 This bill provides for a statewide system of licensure for
17 electricians and life safety installers, provisions regarding
18 electrical inspections, and specifies related licensing and
19 inspection fees. The new statewide licensure system
20 supplements current licensure of electricians on a city-by-
21 city basis, permitting electricians to practice on a
22 statewide, as well as local, basis.

23 The bill provides for the creation of a 10-member
24 electrical examining board within the state fire marshal
25 division of the department of public safety.

26 The bill establishes several powers and duties relating to
27 the activities of the board. The board shall be authorized to
28 adopt rules to administer the chapter, and in so doing shall
29 be governed by the minimum standards set forth in the national
30 electrical code issued and adopted by the national fire
31 protection association. The rules shall establish wiring
32 standards that protect public safety and health and property
33 and that apply to all electrical wiring installed pursuant to
34 the chapter. Additional powers and duties of the board
35 include the ability to revoke, suspend, or refuse to renew any

1 license under specified circumstances, to order disconnection
2 of power to any electrical installation that is proximately
3 dangerous to health and property, to remove electrical wiring
4 and apparatus from premises when such wiring and apparatus is
5 proximately dangerous to health and property, to investigate
6 any death by electrocution that occurs within the state, to
7 adopt rules for continuing education requirements, and to
8 specify fee levels and collection procedures.

9 The bill creates an electrician and installer licensing and
10 inspection fund in the state treasury as a separate fund under
11 the control of the board. The bill provides that all
12 licensing, registration, examination, renewal, and inspection
13 fees deposited or paid into the fund are appropriated and made
14 available to the board, and that the balance shall not revert
15 to the general fund.

16 The bill provides that in order to, for another, plan, lay
17 out, or supervise the installation of electrical wiring,
18 apparatus, or equipment for light, heat, or power, an
19 individual must be licensed by the board as an electrical
20 contractor, a class A master electrician, or a class B master
21 electrician, as defined in the bill. The bill provides that
22 an applicant for an electrical contractor license shall be a
23 licensed class A or class B master electrician, and be
24 registered with the state of Iowa as a contractor.

25 The bill provides that an applicant for a class A master
26 electrician license shall have at least one year's experience,
27 acceptable to the board, as a licensed class A or class B
28 journeyman electrician, and obtain a score of at least 75
29 percent on an examination prescribed and administered by the
30 board. An applicant who establishes that they have been
31 working in the electrical business and involved in planning
32 for, laying out, supervising, and installing electrical
33 wiring, apparatus, or equipment for light, heat, and power
34 prior to 1990 may be granted a class B master electrician
35 license without being tested, valid unless a political

1 subdivision establishes standards not permitting such work by
2 a class B master electrician. Additionally, the bill states
3 that a person licensed to plan, lay out, or supervise the
4 installation of electrical wiring, apparatus, or equipment for
5 light, heat, power, and other purposes by a political
6 subdivision preceding the applicable section of the bill's
7 effective date pursuant to a supervised written examination
8 and who is currently engaged in the electrical contracting
9 industry, shall be issued an applicable corresponding
10 statewide license corresponding, with the board adopting by
11 rule criteria for political subdivision examination standards.

12 The bill provides that a person shall not, for another,
13 wire for or install electrical wiring, apparatus, or
14 equipment, or supervise an apprentice electrician or
15 unclassified person, unless licensed by the board as an
16 electrical contractor, a class A master electrician, a class B
17 master electrician, or a life safety installer, or is licensed
18 as a class A or B journeyman electrician or life safety
19 installer and employed by an electrical contractor, class A or
20 B master electrician, or a life safety installer as defined in
21 the bill.

22 The bill provides that an applicant for a class A
23 journeyman electrician license shall have successfully
24 completed an apprenticeship training program and have obtained
25 a score of at least 75 percent on an examination prescribed
26 and administered by the board. An applicant who can provide
27 proof that they have been employed as a journeyman electrician
28 since 1990 can be granted a class B journeyman electrician
29 license without being tested subject to political subdivision
30 restrictions similar to those applicable for class B master
31 electricians. The bill provides that a person licensed to
32 wire for or install electrical wiring, electrical apparatus,
33 or electrical equipment or supervise an apprentice electrician
34 by a political subdivision preceding the applicable section of
35 the bill's effective date pursuant to a supervised written

1 examination, and who is currently engaged in the electrical
2 contracting industry with at least four years' experience,
3 shall be issued an applicable corresponding statewide license,
4 with the board adopting rules for criteria for city
5 examination standards.

6 The bill provides for a special electrician license
7 authorizing the licensee to engage in a limited class or
8 classes of electrical work. Additionally, the bill provides
9 for the licensing of a life safety installer. The bill
10 provides that a person authorized to plan, lay out, or install
11 electrical wiring, electrical apparatus, and electrical
12 equipment for components of life safety systems that operate
13 at 50 volts or less by a political subdivision on the
14 applicable section of the bill's effective date shall be
15 issued an applicable statewide license corresponding to that
16 authorization, and that on or after the bill's effective date,
17 a person licensed as a life safety installer to plan, lay out,
18 and install electrical wiring, electrical apparatus, and
19 electrical equipment for components of life safety systems
20 shall have at least two years' experience, acceptable to the
21 board, in planning, laying out, and installing life safety
22 systems. Additionally, the bill specifies that an applicant
23 for a life safety installer license shall obtain a score of at
24 least 75 percent on an examination prescribed and administered
25 by the board. The bill provides that a person licensed as a
26 class A or class B master electrician, or a class A or class B
27 journeyman electrician, who has not successfully passed the
28 examination shall be authorized to install electrical wiring,
29 apparatus, and equipment for components of life safety systems
30 if their work is approved by a person who is licensed as a
31 life safety installer.

32 The bill additionally includes provisions pertaining to
33 apprentice electricians and unclassified persons employed by
34 licensees. The bill provides that a person shall be licensed
35 to work as an apprentice electrician while participating in an

1 apprenticeship training program, and that a person is eligible
2 as an apprentice electrician for only one apprenticeship,
3 which shall be limited to six years from the date of licensure
4 unless extended for hardship. A person shall be licensed as
5 an unclassified person to perform electrical work if the work
6 is performed under the personal supervision of a person
7 actually licensed to perform such work and the licensed and
8 unclassified persons are employed by the same employer. The
9 bill provides that apprentice electricians and unclassified
10 persons shall do no electrical wiring except under the direct
11 personal on-the-job supervision and control in specified
12 ratios in the immediate presence of a licensee pursuant to the
13 bill. The bill provides that an unlicensed unclassified
14 person must obtain licensure as an unclassified person within
15 100 days of employment.

16 The bill specifies the types of licensing examinations and
17 specifies examination frequencies and procedures. The bill
18 provides a criminal penalty of a simple misdemeanor for a
19 board member who discloses listed confidential information
20 relating to applicants and examinations.

21 The bill provides that licenses pursuant to the bill's
22 provisions shall expire every three years, and specifies
23 examination, issuance, and renewal fees for the various
24 classifications of licensure. The bill also provides that to
25 renew a license, the licensee shall be required to complete 18
26 contact hours of continuing education courses approved by the
27 board per three-year of licensure. The contact hours shall
28 include a minimum of six contact hours studying the national
29 electrical code.

30 The bill provides for the continuation of business by a
31 licensee by a representative for a period of six months
32 following the licensee's death, and provides for reciprocity
33 and temporary licensure. The bill contains a chapter
34 inapplicability section, including inapplicability to a person
35 licensed as an engineer or architect providing consultations

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1 and developing plans concerning electrical installations while
2 exclusively engaged in the practice of their profession, and
3 employees of specified entities while acting within the scope
4 of their employment. The bill provides that persons who hold
5 a valid license issued by any political subdivision are not
6 required to obtain state licensure, so long as they make
7 electrical installations only in the jurisdictional limits of
8 that political subdivision and the license issued by the
9 political subdivision meets the requirements of the bill.

10 Further, the bill's provisions shall not apply to vertical
11 transportation or passenger conveyors, elevators, moving
12 walks, dumbwaiters, stagelifts, manlifts, or appurtenances,
13 shall not require a license of any person who engages any
14 electrical appliance where approved electrical outlets are
15 already installed, prohibit an owner of property from
16 performing work on the owner's principal residence under
17 specified circumstances, or require that any person be a
18 member of a labor union in order to be licensed.

19 The bill specifies inspection procedures and requirements
20 applicable to all new electrical installations for commercial
21 or industrial applications, including installations both
22 inside and outside of buildings, and for public use buildings
23 and facilities and any installation at the request of the
24 owner, all new electrical installations for residential
25 applications in excess of single-family residential
26 applications, all new electrical installations for single-
27 family residential applications requiring new electrical
28 service equipment, and existing electrical installations
29 observed during inspection which constitute an electrical
30 hazard, with the caveat that existing installations shall not
31 be deemed to constitute an electrical hazard if the wiring
32 when originally installed was installed in accordance with the
33 electrical code in force at the time of installation and has
34 been maintained in that condition.

35 The bill provides that state inspection shall not apply

1 within the jurisdiction of any political subdivision which
2 provides by resolution or ordinance standards of electrical
3 wiring and its installation that are not less than those
4 prescribed by the board or by the Code chapter established by
5 the bill and which further provides by resolution or ordinance
6 for the inspection of electrical installations within the
7 limits of such subdivision by a certified electrical
8 inspector. The bill provides that only the holder of an
9 electrical inspector's certificate of qualification shall be
10 appointed to act as electrical inspector, and provides that
11 the board shall establish by rule standards for the
12 certification and decertification of state electrical
13 inspectors, and certified electrical inspector continuing
14 education requirements.

15 The bill specifies procedures relating to a request for
16 inspection at or before commencement of any installation
17 required to be inspected, and provides penalties for the
18 failure to do so. The bill provides that if an inspector
19 finds that any installation or portion of an installation is
20 not in compliance with accepted standards of construction for
21 safety to health and property, the inspector may issue written
22 condemnation orders, or orders for disconnection, with the
23 immediacy of such orders and opportunities to remedy the
24 noncompliance varying with the extent to which the
25 noncompliance is found to be a serious and proximate danger to
26 human health and property. The bill provides that before an
27 electrical installation subject to inspection is either newly
28 connected or reconnected, there must be filed with the
29 electrical utility supplying power a certificate of the
30 property owner or licensed electrician directing the work that
31 inspection has been requested and that the conditions of the
32 installation are safe for energization. The bill provides
33 that when an order of condemnation or disconnection has been
34 issued, prior to connection or reconnection there shall first
35 be filed with the electrical utility supplying the power a

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1 copy of an order of the inspector or the board dismissing the
2 prior order.

3 The bill provides that all political subdivisions
4 performing electrical inspections prior to December 31, 2006,
5 shall continue performing them; that if the board finds that a
6 political subdivision's inspections are not adequate, the
7 board may revoke the political subdivision's authority to
8 perform its own inspections; and that a political subdivision
9 not performing electrical inspections prior to December 31,
10 2006, may make provision for inspection of electrical
11 installations within its jurisdiction. The bill provides that
12 a political subdivision that performs electrical inspections
13 may set appropriate permit fees, and that a political
14 subdivision shall not require payment of any license fee or
15 the taking of any examination if a person holds a current
16 license issued by the board which is of a classification equal
17 to or greater than the classification needed to do the work
18 proposed. However, a political subdivision may require the
19 filing of a copy of the current license issued by the board or
20 such other evidence of such license.

21 The bill specifies instances where inspections shall not be
22 required, specifies state inspection procedures, establishes
23 inspection and reinspection fees, and provides that such fees
24 shall not apply within the jurisdiction of any political
25 subdivision if the has adopted an ordinance or resolution as
26 previously explained regarding conducting its own inspections.

27 The bill provides for an appeal process, and provides
28 suspension, revocation, reprimand, and penalty provisions.

29 Provisions of the bill relating primarily to definitions
30 and the establishment of the electrician examining board take
31 effect upon enactment. Provisions relating primarily to
32 establishing the various categories of licensure take effect
33 January 1, 2007. Provisions relating primarily to inspections
34 take effect January 1, 2008.

35