

IN THE SENATE

SENATE BILL NO. 1009

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

1 RELATING TO ELECTRICAL CONTRACTORS AND JOURNEYMEN; AMENDING SECTION
2 54-1002, IDAHO CODE, TO PROVIDE FOR LICENSURE OF ELECTRICAL INSTALLERS
3 AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1003, IDAHO
4 CODE, TO PROVIDE FOR ELECTRICAL INSTALLER LICENSURE; AMENDING SECTION
5 54-1003A, IDAHO CODE, TO PROVIDE A DEFINITION AND TO MAKE TECHNICAL
6 CORRECTIONS; AMENDING SECTION 54-1005, IDAHO CODE, TO PROVIDE FOR ELEC-
7 TRICAL INSTALLERS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION
8 54-1006, IDAHO CODE, TO PROVIDE FOR ELECTRICAL INSTALLERS AND TO MAKE
9 TECHNICAL CORRECTIONS; AMENDING SECTION 54-1007, IDAHO CODE, TO PRO-
10 VIDE REQUIREMENTS REGARDING ELECTRICAL INSTALLER LICENSURE AND TO MAKE
11 TECHNICAL CORRECTIONS; AMENDING SECTION 54-1008, IDAHO CODE, TO PRO-
12 VIDE FOR ELECTRICAL INSTALLERS; AMENDING SECTION 54-1014, IDAHO CODE,
13 TO PROVIDE FEES FOR ELECTRICAL INSTALLER LICENSURE; AND AMENDING SEC-
14 TION 54-1017, IDAHO CODE, TO PROVIDE FOR ELECTRICAL INSTALLERS AND TO
15 MAKE TECHNICAL CORRECTIONS.
16

17 Be It Enacted by the Legislature of the State of Idaho:

18 SECTION 1. That Section 54-1002, Idaho Code, be, and the same is hereby
19 amended to read as follows:

20 54-1002. LICENSE ESSENTIAL TO ENGAGE IN BUSINESS -- LICENSURE AUTHOR-
21 ITY EXCLUSIVE TO THE STATE. (1) It shall be unlawful for any person, partner-
22 ship, company, firm, association or corporation to act, or attempt to act,
23 as an electrical contractor or limited electrical contractor in this state
24 until such person, partnership, company, firm, association or corporation
25 shall have received a license as an electrical contractor or limited elec-
26 trical contractor, as ~~herein~~ defined in this chapter, issued pursuant to the
27 provisions of this chapter by the administrator of the division of building
28 safety.

29 (2) It shall be unlawful for any person to act as a journeyman or master
30 electrician in this state until such person shall have received a license as
31 a journeyman or master electrician, as ~~herein~~ defined in this chapter, is-
32 sued pursuant to the provisions of this ~~act~~ chapter by the administrator of
33 the division of building safety, provided, however, that any person who has
34 been issued a master electrician's license pursuant to this chapter may act
35 as a journeyman electrician.

36 (3) It shall be unlawful for any person to act as a limited electrical
37 installer in this state until such person shall have received a license as a
38 limited electrical installer, as ~~herein~~ defined in this chapter, issued pur-
39 suant to the provisions of this ~~act~~ chapter by the administrator of the di-
40 vision of building safety, provided however, that any person who has been
41 issued a master electrician's license or a journeyman electrician's license
42 pursuant to this ~~act~~ chapter may act as a limited electrical installer.

1 (4) It shall be unlawful for any person to act as an electrical in-
 2 staller in this state until such person shall have received a license as an
 3 electrical installer, as defined in this chapter, issued pursuant to the
 4 provisions of this chapter by the administrator of the division of building
 5 safety.

6 (5) Licensure of electrical contractors, journeyman electricians,
 7 master electricians, electrical installers, limited electrical installers,
 8 limited electrical contractors, facility accounts and registration of
 9 apprentice electricians and trainees shall be within the exclusive juris-
 10 diction of the state pursuant to this chapter and no local jurisdiction shall
 11 have the authority to require additional licensure or registration or to
 12 require payment of any fees in order for any licensee or registrant to engage
 13 in the electrical construction trade within the local jurisdiction or to
 14 issue licenses or registrations to persons licensed or registered under this
 15 chapter that are inconsistent with the provisions of this chapter or rules
 16 promulgated by the division of building safety. The state shall investigate
 17 all local infractions and state violations of this chapter and prosecute the
 18 same. The local jurisdictions will assist the state by requesting investi-
 19 gations within their jurisdictions. Nothing in this chapter shall restrict
 20 a city or county from imposing stricter public safety rules, notwithstanding
 21 any provision of Idaho Code.

22 SECTION 2. That Section 54-1003, Idaho Code, be, and the same is hereby
 23 amended to read as follows:

24 54-1003. ADMINISTRATOR AUTHORITY. (1) Only the administrator of the
 25 division of building safety of the state of Idaho is authorized and empowered
 26 to conduct examinations and to pass upon the qualifications of applicants,
 27 and to grant and issue licenses or registrations to such applicants as are
 28 found to be qualified to engage in the trade, business or calling of a jour-
 29 neyman electrician, electrical contractor, master electrician, electrical
 30 installer, limited electrical installer, limited electrical contractor,
 31 limited electrical installer trainee or apprentice electrician in the man-
 32 ner and upon the terms and conditions hereinafter provided.

33 (2) No licenses or registrations granted hereunder shall be transfer-
 34 able. Licenses and registrations shall be issued upon the condition that the
 35 holder thereof shall comply with all provisions of this chapter.

36 (3) The administrator of the division of building safety is authorized
 37 to impose civil penalties as provided in this chapter.

38 SECTION 3. That Section 54-1003A, Idaho Code, be, and the same is hereby
 39 amended to read as follows:

40 54-1003A. DEFINITIONS. (1) Electrical Contractor. Except as pro-
 41 vided in section 54-1016, Idaho Code, any person, partnership, company,
 42 firm, association or corporation engaging in, conducting, or carrying on
 43 the business of installing wires or equipment to carry electric current or
 44 installing apparatus to be operated by such current, or entering into agree-
 45 ments to install such wires, equipment or apparatus, shall for the purpose
 46 of this ~~act~~ chapter be known as an electrical contractor. An electrical
 47 contractor, prior to being issued a license, shall be required to provide

1 proof of liability insurance in the amount of three hundred thousand dollars
2 (\$300,000) and proof of worker's compensation insurance if applicable.

3 (2) Journeyman Electrician. Except as provided in section 54-1016,
4 Idaho Code, and subsections (3), (4), (5) and (6) of this section, any person
5 who personally performs or supervises the actual physical work of installing
6 electrical wiring or equipment to convey electric current, or apparatus to
7 be operated by such current, shall for the purpose of this ~~aet~~ chapter be
8 known as a journeyman electrician.

9 (3) Apprentice Electrician. Any person who, for the purpose of
10 learning the trade of journeyman electrician, engages in the installation
11 of electrical wiring, equipment, or apparatus while under the constant
12 on-the-job supervision of a qualified journeyman electrician shall for the
13 purpose of this ~~aet~~ chapter be known as an apprentice electrician.

14 (4) Maintenance Electrician. Any person who is regularly employed to
15 service, maintain or repair electrical apparatus, or to make minor repairs
16 or alterations to existing electrical wires or equipment located on his em-
17 ployer's premises shall for the purpose of this ~~aet~~ chapter be known as a
18 maintenance electrician.

19 (5) Master Electrician. A person who has the necessary qualifications,
20 training, experience and technical knowledge to plan, lay out or design the
21 installation of electrical wiring or equipment, or to supervise such plan-
22 ning, layout, or design, and who performs or supervises such planning, lay-
23 out or design, shall for the purpose of this ~~aet~~ chapter be known as a master
24 electrician.

25 (6) Limited Electrical Installer. A person having the necessary quali-
26 fications, training, experience and technical knowledge to install, alter,
27 repair and supervise the installation, alteration or repair of special
28 classes of electrical wiring, apparatus or equipment within categories
29 adopted by the board. Limited electrical installers shall perform work only
30 within the scope of the restricted category for which the person is licensed.

31 (7) Limited Electrical Contractor. Except as provided in section
32 54-1016, Idaho Code, any person, partnership, company, firm, association
33 or corporation engaging in, conducting or carrying on the business of in-
34 stalling, altering or repairing restricted categories of electrical wiring,
35 apparatus or equipment within categories adopted by the board, or enter-
36 ing into agreements to perform such restricted work, shall for the purpose
37 of this ~~aet~~ chapter be known as a limited electrical contractor. Limited
38 electrical contractors shall perform work only within the scope of the re-
39 stricted category for which the contractor is licensed. A limited electri-
40 cal contractor, prior to being issued a license, shall be required to provide
41 proof of liability insurance in the amount of three hundred thousand dollars
42 (\$300,000) and proof of worker's compensation insurance if applicable.

43 (8) Limited Electrical Installer Trainee. Any person who engages in
44 the installation of restricted categories of electrical wiring, equipment
45 or apparatus under the constant on-the-job supervision of a qualified lim-
46 ited electrical installer shall for the purpose of this ~~aet~~ chapter be known
47 as a limited electrical installer trainee.

48 (9) Electrical Facility Employer Account or Facility Account. An em-
49 ployer licensed with the division of building safety who employs individu-
50 als holding valid journeyman or master electrician licenses to perform al-

1 terations, extensions and new installations of electrical systems or com-
 2 ponents thereof on premises owned by the employer. The employer may also
 3 employ maintenance electricians in accordance with section 54-1016, Idaho
 4 Code.

5 (10) Electrical Installer. Any person who has met the requirements
 6 of section 54-1007(2) or (4), Idaho Code, and who wishes to engage in the
 7 installation of electrical wiring, equipment, or apparatus while under
 8 the constant on-the-job supervision of a qualified journeyman electrician
 9 shall, for the purposes of this chapter, be known as an electrical installer.

10 SECTION 4. That Section 54-1005, Idaho Code, be, and the same is hereby
 11 amended to read as follows:

12 54-1005. RULES -- INSPECTIONS -- ELECTRICAL PERMITS AND FEES. (1) The
 13 administrator of the division of building safety is hereby authorized and
 14 directed to enforce rules consistent with this ~~act~~ chapter for the adminis-
 15 tration of this ~~act~~ chapter and to effectuate the purposes thereof, and for
 16 the examination and licensing of electrical contractors, journeyman elec-
 17 tricians, master electricians, electrical installers, limited electrical
 18 installers, limited electrical contractors, limited electrical installer
 19 trainees and apprentice electricians, and to make inspections of electrical
 20 installations referred to in section 54-1001, Idaho Code, and to issue elec-
 21 trical permits covering such installations, and to collect the fees estab-
 22 lished therefor.

23 (2) The administrator of the division of building safety may make elec-
 24 trical inspections for another state or local jurisdiction upon request by
 25 an appropriate building official. Such inspections shall be made in accor-
 26 dance with the applicable electrical codes of the requesting jurisdiction.
 27 Fees charged for such inspection services shall be as provided in the rules
 28 promulgated by the board.

29 (3) Individuals, firms, cooperatives, corporations, or municipali-
 30 ties selling electricity, hereinafter known as the power supplier, shall
 31 not connect with or energize any electrical installation, coming under the
 32 provisions of this ~~act~~ chapter, unless an inspection has been conducted and
 33 resulted as "passed" by the administrator, covering the installation to be
 34 energized. Electrical installations approved by the board and addressed
 35 through administrative rule may be connected and energized by the power
 36 supplier after the purchase of an electrical permit by a licensed electrical
 37 contractor.

38 (4) It shall be unlawful for any person, partnership, company, firm,
 39 association or corporation other than a power supplier to energize any elec-
 40 trical installation coming under the provisions of this ~~act~~ chapter prior to
 41 the purchase of an electrical permit covering such installation.

42 SECTION 5. That Section 54-1006, Idaho Code, be, and the same is hereby
 43 amended to read as follows:

44 54-1006. IDAHO ELECTRICAL BOARD. (1) The Idaho electrical board,
 45 hereinafter known as the board, is hereby created and made a part of the
 46 division of building safety. It shall be the responsibility and duty of the
 47 administrator of the division of building safety to administer and enforce

1 the provisions of this ~~act~~ chapter, and to serve as secretary to the Idaho
2 electrical board.

3 (2) The board shall consist of nine (9) members to be appointed by the
4 governor and who shall serve at the pleasure of the governor. Two (2) members
5 shall be licensed journeymen or master electricians; two (2) members shall
6 be employees or officers of licensed electrical contractors; one (1) mem-
7 ber shall be a licensed limited electrical installer or limited electrical
8 contractor; one (1) member shall be an employee or officer of an electrical
9 power provider; one (1) member shall be an employee or officer of a manufac-
10 turing plant or other large power user; one (1) member shall be an employee or
11 director of a manufacturer or distributor of electrical supplies or materi-
12 als; and one (1) member shall be from the public at large not directly asso-
13 ciated with the electrical industry. Board members shall be appointed for a
14 term of four (4) years. Members of the board shall hold office until expira-
15 tion of the term to which the member was appointed and until his successor has
16 been duly appointed and qualified. Whenever a vacancy occurs, the governor
17 shall appoint a qualified person to fill the vacancy for the unexpired por-
18 tion of the term.

19 (3) All members of the board shall be citizens of the United States,
20 residents of this state for not less than two (2) years and shall be qual-
21 ified by experience, knowledge and integrity in formulating rules for ex-
22 aminations, in passing on the fitness and qualifications of applicants for
23 electrical contractor and journeyman electrician licenses and in establish-
24 ing standards for electrical products to be used in electrical installations
25 coming under the provisions of this ~~act~~ chapter.

26 (4) The members of the board shall, every two (2) years, elect by major-
27 ity vote of the members of the board a chairman who shall preside at meetings
28 of the board and a vice chairman who shall preside at any board meeting in
29 the event the chairman is not present. A majority of the members of the board
30 shall constitute a quorum.

31 (5) The board is authorized and directed to prescribe and amend rules
32 consistent with this ~~act~~ chapter for the administration of this chapter, and
33 to effectuate the purpose thereof, and for the examination and licensing
34 of electrical contractors, journeyman electricians, master electricians,
35 electrical installers, limited electrical installers, limited electrical
36 contractors, limited electrical installer trainees and apprentice electri-
37 cians. The board shall also establish the categories for limited electrical
38 installers and limited electrical contractor licensing and the fees to be
39 charged for permits and inspections of electrical systems. The board shall
40 establish by administrative rule the fines to be paid for citations issued
41 and shall hear appeals regarding the imposition of civil penalties for vi-
42 olations of this chapter and the rules of the Idaho electrical board. The
43 board is authorized to affirm, reject, decrease or increase the penalty im-
44 posed by the administrator. However, in no case shall the penalty exceed one
45 thousand dollars (\$1,000) for each offense.

46 (6) Each member of the board not otherwise compensated by public moneys
47 shall be compensated as provided by section 59-509(n), Idaho Code.

48 SECTION 6. That Section 54-1007, Idaho Code, be, and the same is hereby
49 amended to read as follows:

1 54-1007. ISSUANCE OF LICENSES -- RECIPROCITY. (1) The administrator
2 shall issue licenses:

3 (a) To such persons as have by examination shown themselves to be fit,
4 competent, and qualified to engage in the trade of journeyman electri-
5 cian, limited electrical installer, or master electrician as defined in
6 section 54-1003A, Idaho Code;

7 (b) To such persons as have shown themselves to be fit, competent, and
8 qualified to engage in the trade of electrical installer as defined in
9 section 54-1003A, Idaho Code; and

10 (c) To such persons, firms, partnerships, associations, or corpora-
11 tions as have shown themselves to be fit, competent, and qualified to
12 engage in the business of electrical contracting or limited electrical
13 contracting as defined in section 54-1003A, Idaho Code.

14 (2) An apprentice electrician, as defined in section 54-1003A, Idaho
15 Code, may take the journeyman's examination if he has completed the required
16 related instruction for electrical apprentices as approved by the Idaho
17 state board for career technical education, completion of which shall be
18 evidenced by a certificate from an approved provider, and has worked the num-
19 ber of hours as prescribed by the Idaho electrical board, provided that for
20 all the time he is claiming to have worked as an apprentice electrician, the
21 apprentice shall have been registered with the division of building safety
22 as an apprentice. The electrical board may, by rule, fix the apprentice
23 registration fee, in an amount not to exceed the costs of issuing apprentice
24 registration certificates and enforcing the apprentice registration provi-
25 sions of this chapter, and may also by rule establish requirements relative
26 to the manner of registration renewal, verification of employment, the num-
27 ber of instructional hours completed, continuation training and the number
28 of hours worked.

29 (a) All verification of employment forms submitted by an apprentice
30 shall be entered into and maintained in the apprentice's file by the
31 division of building safety. The division of building safety shall pro-
32 vide the apprentice online access to this information.

33 (b) An apprentice who has completed the number of instructional hours
34 and has not taken or passed the journeyman's examination within two (2)
35 years of completion of the instructional training hours shall provide
36 proof of continuation training as set by rule of the electrical board.

37 (c) An apprentice who has not advanced in apprenticeship training for
38 a period of two (2) years shall complete continuation training as set by
39 rule of the electrical board.

40 (3) Any person who has worked as a licensed journeyman for a period of
41 not less than four (4) years and who has worked the number of hours as pre-
42 scribed by rule of the board as a licensed journeyman electrician shall be
43 considered as qualified to apply for a master electrician's license in this
44 state. The Idaho electrical board, in establishing by rule the requirements
45 for a master electrician's license, shall also take into account the appli-
46 cant's performance as a journeyman electrician.

47 (4) Any person with out-of-state experience who has worked as a jour-
48 neyman electrician or as an apprentice electrician for a period of four (4)
49 years, and who has met such other requirements as established by rule of the

1 board, shall be considered as qualified to apply for a journeyman electrician's license in this state.

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3 (5) To the extent that other states that provide for the licensing of
4 electricians provide for similar action, the administrator, on the recommendation of the Idaho electrical board, may grant licenses to electricians
5 licensed by such other states, upon payment by the applicant of the required
6 fee and upon furnishing proof to the board that the applicant has qualifications at least equal to those provided herein for applicants for written
7 examinations. Applicants who qualify for a license under this subsection are
8 not required to take a written examination.

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11 (6) An electrical installer, as defined in section 54-1003A, Idaho Code, may take the journeyman's examination. Upon passing the examination, the administrator of the division of building safety shall issue the electrical installer a journeyman electrician's license.

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15 SECTION 7. That Section 54-1008, Idaho Code, be, and the same is hereby
16 amended to read as follows:

17 54-1008. DURATION OF LICENSE. (1) All licenses, including license re-
18 newals, for master electricians, journeyman electricians, electrical installers, and limited electrical installers shall be issued for a period of
19 three (3) years and shall expire three (3) years from the date of issue unless
20 renewed, revoked or suspended.

21
22 (2) Electrical contractor and limited electrical contractor licenses
23 shall be issued for a period of one (1) year and shall expire one (1) year from
24 the date of issue unless renewed, revoked or suspended.

25 (3) Electrical apprentice registrations issued or renewed shall be issued
26 for a period of five (5) years.

27 (4) Limited electrical installer trainee registrations shall be issued
28 for a period of three (3) years.

29 (5) Facility account licenses shall be issued and renewed for a period
30 of one (1) year.

31 (6) Each licensing period and each registration period shall end at
32 midnight on the last day of the month of the licensing or registration
33 period. Licenses and registrations not renewed by this date shall have expired.
34

35 (7) The board shall promulgate rules to provide for a staggered system
36 of issuing and renewing licenses.

37 SECTION 8. That Section 54-1014, Idaho Code, be, and the same is hereby
38 amended to read as follows:

39 54-1014. FEES. The administrator of the division of building safety
40 shall charge the following fees:

41 (1) Application for license	\$15.00
42 (2) One-year licenses:	
43 (a) Electrical contractor license	\$125.00
44 (b) Electrical contractor license renewal	100.00
45 (c) Electrical contractor license revival	125.00
46 (d) Limited electrical contractor license	125.00
47 (e) Limited electrical contractor license renewal	100.00

1	(f) Limited electrical contractor license revival	125.00
2	(g) Facility account license	125.00
3	(3) Three-year licenses, in accordance with sections 54-1008 and	
4	54-1013, Idaho Code:	
5	(a) Master electrician license	\$65.00
6	(b) Master electrician license renewal	45.00
7	(c) Master electrician license revival	55.00
8	(d) Journeyman electrician license	55.00
9	(e) Journeyman electrician license renewal	45.00
10	(f) Journeyman electrician license revival	55.00
11	(g) <u>Electrical installer license</u>	55.00
12	(h) <u>Electrical installer license renewal</u>	45.00
13	(i) <u>Electrical installer license revival</u>	55.00
14	(j) Limited electrical installer license	55.00
15	(h k) Limited electrical installer license renewal	45.00
16	(i l) Limited electrical installer license revival	55.00
17	(j m) Limited electrical installer trainee registration and working li-	
18	cense	30.00
19	(i) At the time the limited electrical installer trainee applies	
20	for a limited electrical installer license, the pro rata value of	
21	any remaining time on a limited electrical installer trainee work-	
22	ing license shall be credited toward the purchase of the limited	
23	electrical installer license.	
24	(4) Five-year licenses, in accordance with sections 54-1008 and	
25	54-1013, Idaho Code:	
26	(a) Apprentice electrician registration and working license	\$50.00
27	(i) At the time the apprentice applies for a journeyman electrici-	
28	an license, the pro rata value of any remaining time on an ap-	
29	prentice electrician working license shall be credited toward the	
30	purchase of the journeyman electrician license.	

31 SECTION 9. That Section 54-1017, Idaho Code, be, and the same is hereby
32 amended to read as follows:

33 54-1017. VIOLATIONS OF ~~ACT~~ CHAPTER A MISDEMEANOR. Any person, part-
34 nership, company, firm, association or corporation who shall engage in the
35 trade, business or calling of an electrical contractor, journeyman elec-
36 trician, master electrician, electrical installer, limited electrical
37 installer, limited electrical contractor, limited electrical installer
38 trainee or apprentice electrician without a license or required registra-
39 tion as provided for by this ~~act~~ chapter, or who shall violate any of the
40 provisions of this ~~act~~ chapter, or the rules of the Idaho electrical board
41 or of the administrator of the division of building safety herein provided
42 for, or who shall refuse to perform any duty lawfully enjoined upon him by
43 the administrator within the prescribed time, or who shall fail, neglect,
44 or refuse to obey any lawful order given or made by the administrator shall
45 be guilty of a misdemeanor and shall be subject to the civil penalties es-
46 tablished by administrative rule but not to exceed one thousand dollars
47 (\$1,000). Each day of such violation shall constitute a separate offense. A
48 violation will be considered a second or additional offense only if it occurs
49 within one (1) year from the first violation.