

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 201

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO ELECTRICAL CONTRACTORS AND JOURNEYMEN; AMENDING SECTION  
2 54-1016, IDAHO CODE, TO PROVIDE CERTAIN EXEMPTIONS, TO PROVIDE FOR PRE-  
3 EMPTION OF LOCAL JURISDICTIONS AND THE STATE FIRE MARSHAL FOR CERTAIN  
4 EXEMPTIONS, AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMER-  
5 GENCY.  
6

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

8 SECTION 1. That Section 54-1016, Idaho Code, be, and the same is hereby  
9 amended to read as follows:

10 54-1016. EXEMPTIONS. (1) Nothing in this chapter shall be deemed to  
11 apply to:

12 (a) Any regulated utility, telephone company, rural telephone cooper-  
13 ative or municipal communications utility, or its employees, in the in-  
14 stallation or maintenance of communication circuits, wires and apparat-  
15 us by or for such entities or their communications service customers;

16 (b) Any electrical public utility, or its employees, in the instal-  
17 lation and maintenance of electrical wiring, circuits, apparatus and  
18 equipment by or for such public utility, or comprising a part of its  
19 plants, lines or system;

20 (c) Modular buildings as defined in section 39-4301, Idaho Code, that  
21 are constructed in the state of Idaho for installation on building sites  
22 outside the state; provided however, that no modular building shall be  
23 installed on a building site in the state of Idaho until it has been ap-  
24 proved and bears the insignia of approval of the division as being in  
25 compliance with the requirements set forth in section 39-4304, Idaho  
26 Code.

27 (2) The licensing provisions of this chapter shall not apply to:

28 (a) Any property owner performing noncommercial electrical work in  
29 the owner's primary or secondary residence, or associated outbuildings  
30 or land associated with the entire property on which those buildings  
31 sit, except that homeowner installations of renewable power generation  
32 connected to the community power grid shall be subject to a ~~pre-plan~~  
33 preplan review in accordance with local jurisdictions' policies and  
34 procedures prior to the purchase of a permit;

35 (b) Any person regularly employed as a maintenance electrician per-  
36 forming electrical maintenance work on the premises owned and operated  
37 by his employer, provided that electrical work is limited to mainte-  
38 nance and replacement of electrical fixtures, electrical conductors,  
39 electrical equipment and electrical apparatus on a like-for-like ba-  
40 sis;

41 (c) Any telephone company, rural telephone cooperative, or municipal  
42 communications utility, its employees, its subsidiaries, and employees

1 of the subsidiaries performing work on customer-owned facilities under  
2 the exclusive control of the telephone company, rural telephone cooper-  
3 ative, or municipal communications utility;

4 (d) Any telephone company, rural telephone cooperative, or municipal  
5 communications utility, its employees, its subsidiaries, and employ-  
6 ees of the subsidiaries performing repair work on customer-owned facil-  
7 ities at the request of the customer;

8 (e) Any electrical public utility, rural electrical cooperative, mu-  
9 nicipal power utility, its employees, its subsidiaries, and employees  
10 of the subsidiaries performing work on customer-owned facilities under  
11 the exclusive control of the electrical public utility, rural electri-  
12 cal cooperative, or municipal power utility; and

13 (f) Any electrical public utility, rural electrical cooperative, mu-  
14 nicipal power utility, its employees, its subsidiaries, and employees  
15 of the subsidiaries performing emergency repair work on customer-owned  
16 facilities at the request of the customer.

17 (g) A fire department employee who is acting in his official capacity as  
18 a representative of his agency when he is replacing, maintaining, or re-  
19 pairing a hard-wired smoke or carbon monoxide alarm at the request of a  
20 homeowner in one (1) or two (2) family dwelling unit, provided that such  
21 fire department employee has received annual training regarding elec-  
22 trical safety and installation of the devices identified in this para-  
23 graph.

24 (h) A limited electrical contractor, limited electrical installer, or  
25 employee of a company holding a limited electrical contractor license  
26 who is installing or replacing a fire alarm communication device. A  
27 person provided for in this paragraph shall not be required to obtain a  
28 permit or design plans and shall not be required to have the fire alarm  
29 communication device inspected by the authorities having jurisdiction  
30 after the installation or replacement of the fire alarm communication  
31 device.

32 (3) The licensing provisions of this chapter shall not apply to indi-  
33 viduals licensed pursuant to chapter 50, title 54, Idaho Code, or certifi-  
34 cated pursuant to chapter 26, title 54, Idaho Code, as follows:

35 (a) Individuals holding a current heating, ventilation and air condi-  
36 tioning (HVAC) license or a current plumbing certification may install  
37 electrical circuitry and make connections from the disconnecting means  
38 to a water heater as long as the disconnect is in sight from the unit and  
39 the circuit from the disconnecting means to the water heater is no more  
40 than fifty (50) feet long.

41 (b) Individuals holding a current HVAC license may install:

42 (i) Electrical space heaters with no attached ductwork;

43 (ii) Electrical connections to HVAC equipment from the discon-  
44 necting means to the unit as long as the disconnect is in sight from  
45 the unit and the circuit from the disconnecting means to the HVAC  
46 equipment is no more than fifty (50) feet long; and

47 (iii) Ventilating fans, except ducted range hoods in residences.

48 (c) HVAC licensees may install control wiring of twenty-four (24) volts  
49 or less for HVAC equipment of five (5) tons or less in capacity. Plumb-

1 ing certificate holders are not authorized to install control wiring in  
2 HVAC equipment, regardless of voltage.

3 (d) Individuals holding a current limited energy electrical license  
4 may install electrical circuitry and make connections from utilization  
5 equipment installed under the restricted category of the limited elec-  
6 trical installer license to outlets, as long as those outlets are in  
7 sight from such utilization equipment and not more than fifty (50) feet  
8 from such utilization equipment. Outlets shall be installed by others.

9 (4) To the extent that a plumbing or HVAC installation permit issued by  
10 the Idaho division of building safety includes any part of an electrical in-  
11 stallation, the permit issued and inspection performed shall be sufficient  
12 to satisfy the permitting and inspecting requirements of this chapter if all  
13 required permit fees have been paid.

14 (5) Approval and certification requirements of product and equipment  
15 as set forth in this chapter and in the adopted edition of the national elec-  
16 trical code do not apply to industrial machinery unless the board has made a  
17 determination that such product, machine or classes of products and machines  
18 present an undue hazard to life and property.

19 (6) Apprentice registration requirements shall not apply to high  
20 school students enrolled in an educational program recognized by the board  
21 in which the performance of electrical installation is a formal component of  
22 the program. The exemption is limited to students performing residential  
23 installations as part of such program under the constant on-the-job super-  
24 vision of a licensed journeyman electrician, and a permit for the work is  
25 obtained from the authority having jurisdiction. Work hours performed by  
26 such students shall not apply toward apprentice work requirements.

27 (7) Neither local jurisdictions nor the state fire marshal shall have  
28 the authority to amend the exemptions provided for in this section or to  
29 adopt any ordinance, law, or rule in conflict with the provisions of this  
30 section.

31 SECTION 2. An emergency existing therefor, which emergency is hereby  
32 declared to exist, this act shall be in full force and effect on and after its  
33 passage and approval.