

Senate Study Bill 3187

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CO=CHAIRPERSON HORN)

Passed Senate, Date _____ Passed House, 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:
5 TLSB 5777SK 81
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1 1 Section 1. NEW SECTION. 103.1 DEFINITIONS.
1 2 As used in this chapter, unless the context otherwise
1 3 requires:
1 4 1. "Apprentice electrician" means any person who as such
1 5 person's principal occupation is engaged in learning and
1 6 assisting in the installation, alteration, and repair of
1 7 electrical wiring, apparatus, and equipment as an employee of
1 8 a person licensed under this chapter, and who is licensed by
1 9 the board and is progressing toward completion of an
1 10 apprenticeship training program registered by the bureau of
1 11 apprenticeship and training of the United States department of
1 12 labor. For purposes of this chapter, persons who are not
1 13 engaged in the installation, alteration, or repair of
1 14 electrical wiring, apparatus, and equipment, either inside or
1 15 outside buildings, shall not be considered apprentice
1 16 electricians.
1 17 2. "Board" means the electrical examining board created
1 18 under section 103.2.
1 19 3. "Class A journeyman electrician" means a person having
1 20 the necessary qualifications, training, experience, and
1 21 technical knowledge to wire for or install electrical wiring,
1 22 apparatus, and equipment and to supervise apprentice
1 23 electricians and who is licensed by the board.
1 24 4. "Class A master electrician" means a person having the
1 25 necessary qualifications, training, experience, and technical
1 26 knowledge to properly plan, lay out, and supervise the
1 27 installation of electrical wiring, apparatus, and equipment
1 28 for light, heat, power, and other purposes and who is licensed
1 29 by the board.
1 30 5. "Class B journeyman electrician" means a person having
1 31 the necessary qualifications, training, experience, and
1 32 technical knowledge to wire for or install electrical wiring,
1 33 apparatus, and equipment who meets and is subject to the
1 34 restrictions of section 103.12.
2 1 6. "Class B master electrician" means a person having the
2 2 necessary qualifications, training, experience, and technical
2 3 knowledge to properly plan, lay out, and supervise the
2 4 installation of electrical wiring, apparatus, and equipment
2 5 who meets and is subject to the restrictions of section
2 6 103.10.
2 7 7. "Commercial installation" means an installation
2 8 intended for commerce, but does not include a residential
2 9 installation.
2 10 8. "Electrical contractor" means a person who is licensed
2 11 by the board as either a class A or class B master electrician
2 12 and who is also registered with the state of Iowa as a
2 13 contractor.
2 14 9. "Industrial installation" means an installation
2 15 intended for use in the manufacture or processing of products
involving systematic labor or habitual employment and includes

2 16 installations in which agricultural or other products are
2 17 habitually or customarily processed or stored for others,
2 18 either by buying or reselling on a fee basis.
2 19 10. "Inspector" means a person certified as an electrical
2 20 inspector upon such reasonable conditions as may be adopted by
2 21 the board. The board may permit more than one class of
2 22 electrical inspector.

2 23 11. "Life safety installer" means a person who is
2 24 certified at level two or higher by the national institute for
2 25 certification in engineering technology, who is qualified to
2 26 oversee the installation of life safety systems, including
2 27 fire alarm, security, and nurse call systems, and who is
2 28 licensed by the board.

2 29 12. "New electrical installation" means the installation
2 30 of electrical wiring, apparatus, and equipment for light,
2 31 heat, power, and other purposes.

2 32 13. "Public use building or facility" means any building
2 33 or facility designated for public use, including all property
2 34 owned and occupied or designated for use by the state of Iowa.

2 35 14. "Residential installation" means an installation
3 1 intended for a single-family or two-family residential
3 2 dwelling or a multifamily residential dwelling not larger than
3 3 a four-family dwelling.

3 4 15. "Routine maintenance" means the repair or replacement
3 5 of existing electrical apparatus or equipment of the same size
3 6 and type for which no changes in wiring are made.

3 7 16. "Special electrician" means a person having the
3 8 necessary qualifications, training, and experience in wiring
3 9 or installing special classes of electrical wiring, apparatus,
3 10 equipment, or installations which shall include irrigation
3 11 system wiring, well pump wiring, air conditioning and
3 12 refrigeration installation, and sign installation and who is
3 13 licensed by the board.

3 14 17. "Unclassified person" means any person, other than an
3 15 apprentice electrician or other person licensed under this
3 16 chapter, who, as such person's principal occupation, is
3 17 engaged in learning and assisting in the installation,
3 18 alteration, and repair of electrical wiring, apparatus, and
3 19 equipment as an employee of a person licensed under this
3 20 chapter, and who is licensed by the board as an unclassified
3 21 person. For purposes of this chapter, persons who are not
3 22 engaged in the installation, alteration, or repair of
3 23 electrical wiring, apparatus, and equipment, either inside or
3 24 outside buildings, shall not be considered unclassified
3 25 persons.

3 26 Sec. 2. NEW SECTION. 103.2 ELECTRICAL EXAMINING BOARD
3 27 CREATED.

3 28 1. An electrical examining board is created within the
3 29 division of state fire marshal of the department of public
3 30 safety. The board shall consist of ten members, seven voting
3 31 and three nonvoting, appointed by the governor and subject to
3 32 senate confirmation, all of whom shall be residents of this
3 33 state.

3 34 2. The voting members shall be as follows:

3 35 a. Two members shall be journeyman electricians, one a
4 1 member of an electrical workers union covered under a
4 2 collective bargaining agreement and one not a member of a
4 3 union.

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

4 10 c. One member shall be an electrical inspector.

4 11 d. Two members, one a union member covered under a
4 12 collective bargaining agreement and one a nonunion member,
4 13 shall not be a member of any of the aforementioned groups and
4 14 shall represent the general public.

4 15 3. The nonvoting members shall be as follows:

4 16 a. One member shall be the state fire marshal or a
4 17 representative of the state fire marshal's office.

4 18 b. One member shall be a local building official employed
4 19 by a political subdivision to perform electrical inspections
4 20 for that political subdivision.

4 21 c. One member shall represent a public utility.

4 22 4. The public members of the board shall be allowed to
4 23 participate in administrative, clerical, or ministerial
4 24 functions incident to giving a licensure examination, but
4 25 shall not determine the content of the examination or
4 26 determine the correctness of the answers. Professional

4 27 associations or societies composed of licensed electricians
4 28 may recommend to the governor the names of potential board
4 29 members whose profession is representative of that association
4 30 or society. However, the governor is not bound by the
4 31 recommendations. A board member shall not be required to be a
4 32 member of any professional electrician association or society.

4 33 Sec. 3. NEW SECTION. 103.3 TERMS OF OFFICE == EXPENSES
4 34 == COUNSEL.

4 35 1. Appointments to the board, other than the state fire
5 1 marshal or a representative of the state fire marshal's
5 2 office, shall be for three-year terms and shall commence and
5 3 end as provided by section 69.19. The state fire marshal, or
5 4 a representative of the state fire marshal's office, shall be
5 5 permanently appointed to the board. Vacancies shall be filled
5 6 for the unexpired term by appointment of the governor and
5 7 shall be subject to senate confirmation. Members shall serve
5 8 no more than three terms or nine years, whichever is least.

5 9 2. Members of the board are entitled to receive all actual
5 10 expenses incurred in the discharge of their duties within the
5 11 limits of funds appropriated to the board. Each member of the
5 12 board may also be eligible to receive compensation as provided
5 13 in section 7E.6.

5 14 3. The board shall be entitled to the counsel and services
5 15 of the attorney general. The board may compel the attendance
5 16 of witnesses, pay witness fees and mileage, take testimony and
5 17 proofs, and administer oaths concerning any matter within its
5 18 jurisdiction.

5 19 Sec. 4. NEW SECTION. 103.4 ORGANIZATION OF THE BOARD.

5 20 The board shall elect annually from its members a
5 21 chairperson and a vice chairperson, and shall hire and provide
5 22 staff to assist the board in administering this chapter. The
5 23 board shall hold at least one meeting annually at the location
5 24 of the board's principal office, and meetings shall be called
5 25 at other times by the chairperson or four members of the
5 26 board. At any meeting of the board, a majority of members
5 27 constitutes a quorum.

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

5 29 The board shall adopt and have an official seal which shall
5 30 be affixed to all certificates of licensure granted.

5 31 Sec. 6. NEW SECTION. 103.6 POWERS AND DUTIES.

5 32 The board shall:

5 33 1. Adopt rules pursuant to chapter 17A and in doing so
5 34 shall be governed by the minimum standards set forth in the
5 35 most current publication of the national electrical code
6 1 issued and adopted by the national fire protection
6 2 association, and amendments to the code, which code and
6 3 amendments shall be filed in the offices of the secretary of
6 4 state and the board and shall be a public record. The board
6 5 shall adopt rules reflecting updates to the code and
6 6 amendments to the code. The board shall promulgate and adopt
6 7 rules establishing wiring standards that protect public safety
6 8 and health and property and that apply to all electrical
6 9 wiring which is installed subject to this chapter.

6 10 2. Revoke, suspend, or refuse to renew any license granted
6 11 pursuant to this chapter when the licensee:

6 12 a. Fails or refuses to pay any examination, license, or
6 13 renewal fee required by law.

6 14 b. Is an electrical contractor and fails or refuses to
6 15 provide and keep in force a public liability insurance policy
6 16 as required by the board.

6 17 c. Violates any political subdivision's approved
6 18 inspection ordinances.

6 19 The board may, in its discretion, revoke, suspend, or
6 20 refuse to renew any license granted pursuant to this chapter
6 21 when the licensee violates any provision of the national
6 22 electrical code as adopted pursuant to subsection 1, this
6 23 chapter, or any rule adopted pursuant to this chapter.

6 24 3. Order disconnection of power to any electrical
6 25 installation that is proximately dangerous to health or
6 26 property.

6 27 4. Order removal of electrical wiring, apparatus, or
6 28 equipment from premises when such wiring, apparatus, or
6 29 equipment is proximately dangerous to health or property.

6 30 5. Investigate, for the purpose of identifying dangerous
6 31 electrical wiring or violations of the national electrical
6 32 code as adopted pursuant to subsection 1, any death by
6 33 electrocution that occurs within the state.

6 34 6. Adopt rules for continuing education requirements for
6 35 each classification of licensure established pursuant to this
7 1 chapter, and adopt all rules, not inconsistent with the law,
7 2 necessary for the proper performance of the duties of the

7 3 board.

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

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

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

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

7 24 Sec. 8. NEW SECTION. 103.8 PLAN, LAY OUT, OR SUPERVISE
7 25 CERTAIN ACTIVITIES == LICENSE REQUIRED == EXCEPTIONS.

7 26 Except as provided in sections 103.13 and 103.14, no person
7 27 shall, for another, plan, lay out, or supervise the
7 28 installation of wiring, apparatus, or equipment for electrical
7 29 light, heat, power, and other purposes unless the person is
7 30 licensed by the board as an electrical contractor, a class A
7 31 master electrician, or a class B master electrician.

7 32 Sec. 9. NEW SECTION. 103.9 ELECTRICAL CONTRACTOR
7 33 LICENSE.

7 34 1. An applicant for an electrical contractor license shall
7 35 be a licensed class A or class B master electrician, and be
8 1 registered with the state of Iowa as a contractor.

8 2 2. A contractor who holds a class B master electrician
8 3 license shall be licensed subject to the restrictions of
8 4 section 103.10.

8 5 Sec. 10. NEW SECTION. 103.10 CLASS A MASTER ELECTRICIAN
8 6 LICENSE == QUALIFICATIONS == CLASS B MASTER ELECTRICIAN
8 7 LICENSE.

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

8 12 2. In addition, an applicant shall obtain a score of at
8 13 least seventy-five percent on an examination prescribed and
8 14 administered by the board based upon the most recent national
8 15 electrical code adopted pursuant to section 103.6 and upon
8 16 electrical theory.

8 17 3. a. An applicant who can provide proof acceptable to
8 18 the board that the applicant has been working in the
8 19 electrical business and involved in planning for, laying out,
8 20 supervising, and installing electrical wiring, apparatus, or
8 21 equipment for light, heat, and power prior to 1990 may be
8 22 granted a class B master electrician license without taking an
8 23 examination. An applicant who is issued a class B master
8 24 electrician license pursuant to this section shall not be
8 25 authorized to plan, lay out, or supervise the installation of
8 26 electrical wiring, apparatus, and equipment in a political
8 27 subdivision which, prior to or after the effective date of
8 28 this section of this Act, establishes licensing standards
8 29 which preclude such work by class B master electricians in the
8 30 political subdivision. The board shall adopt rules
8 31 establishing procedures relating to the restriction of a class
8 32 B master electrician license pursuant to this subsection.

8 33 b. A class B master electrician may become licensed as a
8 34 class A master electrician upon successful passage of the
8 35 examination prescribed in subsection 2.

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

9 13 Sec. 11. NEW SECTION. 103.11 WIRING OR INSTALLING ==

9 14 SUPERVISING APPRENTICES LICENSE REQUIRED == QUALIFICATIONS.
9 15 1. Except as provided in section 103.13, no person shall,
9 16 for another, wire for or install electrical wiring, apparatus,
9 17 or equipment, or supervise an apprentice electrician or
9 18 unclassified person, unless the person is licensed by the
9 19 board as an electrical contractor, a class A master
9 20 electrician, a class B master electrician, or a life safety
9 21 installer, or is licensed as a class A journeyman electrician,
9 22 a class B journeyman electrician, or a life safety installer
9 23 and is employed by an electrical contractor, a class A master
9 24 electrician, a class B master electrician, or a life safety
9 25 installer.

9 26 2. For purposes of this section, the holder of a life
9 27 safety installer license shall only supervise those
9 28 apprentices engaged in the installation of fire alarm
9 29 equipment and apparatus operating at fifty volts or less.

9 30 Sec. 12. NEW SECTION. 103.12 CLASS A JOURNEYMAN
9 31 ELECTRICIAN LICENSE QUALIFICATIONS == CLASS B JOURNEYMAN
9 32 ELECTRICIAN LICENSE.

9 33 1. An applicant for a class A journeyman electrician
9 34 license shall have successfully completed an apprenticeship
9 35 training program registered by the bureau of apprenticeship
10 1 and training of the United States department of labor in
10 2 accordance with the standards established by that department.
10 3 An applicant may petition the board to receive a waiver of
10 4 this requirement. The board shall determine a level of on=
10 5 the-job experience as an unclassified person sufficient to
10 6 qualify for a waiver.

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

10 12 3. a. An applicant who can provide proof acceptable to
10 13 the board that the applicant has been employed as a journeyman
10 14 electrician since 1990 may be granted a class B journeyman
10 15 electrician license without taking an examination. An
10 16 applicant who is issued a class B journeyman electrician
10 17 license pursuant to this section shall not be authorized to
10 18 wire for or install electrical wiring, apparatus, and
10 19 equipment in a political subdivision which, prior to or after
10 20 the effective date of this section of this Act, establishes
10 21 licensing standards which preclude such work by class B
10 22 journeyman electricians in the political subdivision. The
10 23 board shall adopt rules establishing procedures relating to
10 24 the restriction of a class B journeyman electrician license
10 25 pursuant to this subsection.

10 26 b. A class B journeyman electrician may become licensed as
10 27 a class A journeyman electrician upon successful passage of
10 28 the examination prescribed in subsection 2.

10 29 4. A person licensed to wire for or install electrical
10 30 wiring, apparatus, or equipment or supervise an apprentice
10 31 electrician by a political subdivision preceding the effective
10 32 date of this section of this Act pursuant to a supervised
10 33 written examination, and who is currently engaged in the
10 34 electrical contracting industry with at least four years'
10 35 experience, shall be issued an applicable statewide license
11 1 corresponding to that licensure as a class A journeyman
11 2 electrician or a class B journeyman electrician. The board
11 3 shall adopt by rule certain criteria for city examination
11 4 standards satisfactory to fulfill this requirement.

11 5 Sec. 13. NEW SECTION. 103.13 SPECIAL ELECTRICIAN LICENSE
11 6 == QUALIFICATIONS.

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

11 13 Sec. 14. NEW SECTION. 103.14 LIFE SAFETY INSTALLER
11 14 LICENSE.

11 15 1. A person not otherwise licensed pursuant to this
11 16 chapter shall not plan, lay out, or install electrical wiring,
11 17 apparatus, and equipment for components of life safety
11 18 systems. A person authorized to plan, lay out, or install
11 19 electrical wiring, apparatus, and equipment for components of
11 20 life safety systems that operate at fifty volts or less by a
11 21 political subdivision on the effective date of this section of
11 22 this Act shall be issued an applicable statewide license
11 23 corresponding to that authorization as a life safety
11 24 installer.

11 25 2. On or after the effective date of this section of this
11 26 Act, any person to be licensed as a life safety installer to
11 27 plan, lay out, and install electrical wiring, apparatus, and
11 28 equipment for components of life safety systems shall have at
11 29 least two years' experience, acceptable to the board, in
11 30 planning, laying out, and installing life safety systems.

11 31 3. In addition to the requirements of subsections 1 and 2,
11 32 an applicant for a life safety installer license shall obtain
11 33 a score of at least seventy-five percent on a level two or
11 34 higher examination prescribed and administered by the board
11 35 based on the most recent national institute for certification
12 1 in engineering technology requirements.

12 2 4. A person licensed as a class A or class B master
12 3 electrician, or a class A or class B journeyman electrician,
12 4 who has not successfully passed the examination prescribed in
12 5 subsection 3 shall be authorized to install electrical wiring,
12 6 apparatus, and equipment for components of life safety systems
12 7 if their work is approved by a person who is licensed as a
12 8 life safety installer.

12 9 Sec. 15. NEW SECTION. 103.15 APPRENTICE ELECTRICIAN ==
12 10 UNCLASSIFIED PERSON.

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

12 26 2. A person shall be licensed as an unclassified person by
12 27 the board and pay a licensing fee to perform electrical work
12 28 if the work is performed under the personal supervision of a
12 29 person actually licensed to perform such work and the licensed
12 30 and unclassified persons are employed by the same employer.
12 31 After one hundred days of employment as a nonlicensed
12 32 unclassified person, the unclassified person must receive a
12 33 license from the board and pay the applicable license fee.
12 34 Licensed persons shall not permit unclassified persons to
12 35 perform electrical work except under the personal supervision

13 1 of a person actually licensed to perform such work.
13 2 Unclassified persons shall not supervise the performance of
13 3 electrical work or make assignments of electrical work to
13 4 unclassified persons. Electrical contractors employing
13 5 unclassified persons performing electrical work shall maintain
13 6 records establishing compliance with this section, which shall
13 7 designate all unclassified persons performing electrical work.

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

13 19 4. For purposes of this section, "the direct personal on-
13 20 the-job supervision and control and in the immediate presence
13 21 of a licensee" shall mean the licensee and the apprentice
13 22 electrician or unclassified person shall be working at the
13 23 same project location but shall not require that the licensee
13 24 and apprentice electrician or unclassified person be within
13 25 sight of one another at all times.

13 26 5. An apprentice electrician shall not install, alter, or
13 27 repair electrical equipment except as provided in this
13 28 section, and the licensee employing or supervising an
13 29 apprentice electrician shall not authorize or permit such
13 30 actions by the apprentice electrician.

13 31 Sec. 16. NEW SECTION. 103.16 LICENSE EXAMINATIONS.

13 32 1. Examinations for licensure shall be given as often as
13 33 deemed necessary by the board, but no less than one time per
13 34 month. The scope of the examinations and the methods of
13 35 procedure shall be prescribed by the board. The examinations

14 1 given by the board shall be the experior assessment
14 2 examination, or a successor examination approved by the board,
14 3 or an examination prepared by a third=party testing service
14 4 which is substantially equivalent to the experior assessment
14 5 examination, or a successor examination approved by the board.
14 6 2. An examination may be given by representatives of the
14 7 board. As soon as practicable after the close of each
14 8 examination, a report shall be filed in the office of the
14 9 secretary of the board by the board. The report shall show
14 10 the action of the board upon each application and the
14 11 secretary of the board shall notify each applicant of the
14 12 result of the applicant's examination. Applicants who fail
14 13 the examination once shall be allowed to take the examination
14 14 at the next scheduled time. Thereafter, the applicant shall
14 15 be allowed to take the examination at the discretion of the
14 16 board. An applicant who has failed the examination may
14 17 request, in writing, information from the board concerning the
14 18 applicant's examination grade and subject areas or questions
14 19 which the applicant failed to answer correctly, except that if
14 20 the board administers a uniform, standardized examination, the
14 21 board shall only be required to provide the examination grade
14 22 and such other information concerning the applicant's
14 23 examination results which are available to the board.

14 24 Sec. 17. NEW SECTION. 103.17 DISCLOSURE OF CONFIDENTIAL
14 25 INFORMATION == CRIMINAL PENALTY.
14 26 A member of the board shall not disclose information
14 27 relating to the following:
14 28 1. Criminal history or prior misconduct of an applicant.
14 29 2. Information relating to the contents of an examination.
14 30 3. Information relating to examination results other than
14 31 a final score except for information about the results of an
14 32 examination given to the person who took the examination.

14 33 A member of the board who willfully communicates or seeks
14 34 to communicate such information, and any person who willfully
14 35 requests, obtains, or seeks to obtain such information, is
15 1 guilty of a simple misdemeanor.

15 2 Sec. 18. NEW SECTION. 103.18 LICENSE RENEWAL ==
15 3 CONTINUING EDUCATION.
15 4 In order to renew a license issued pursuant to this
15 5 chapter, the licensee shall be required to complete eighteen
15 6 contact hours of continuing education courses approved by the
15 7 board during the three=year period for which a license is
15 8 granted. The contact hours shall include a minimum of six
15 9 contact hours studying the national electrical code described
15 10 in section 103.6, and the remaining contact hours may include
15 11 study of electrical circuit theory, blueprint reading,
15 12 transformer and motor theory, electrical circuits and devices,
15 13 control systems, programmable controllers, and microcomputers
15 14 or any other study of electrical=related material that is
15 15 approved by the board. Any additional hours studying the
15 16 national electrical code shall be acceptable. For purposes of
15 17 this section, "contact hour" means fifty minutes of classroom
15 18 attendance at an approved course under a qualified instructor
15 19 approved by the board.

15 20 Sec. 19. NEW SECTION. 103.19 LICENSES == EXPIRATION ==
15 21 APPLICATION == FEES.
15 22 All licenses issued pursuant to this chapter shall expire
15 23 every three years. All license applications shall include the
15 24 applicant's social security number. The board shall establish
15 25 the fees to be payable for examination and license issuance
15 26 and renewal in amounts not to exceed the following:
15 27 1. For examinations:
15 28 a. Class A master electrician, one hundred twenty=five
15 29 dollars.
15 30 b. Class A journeyman electrician, sixty dollars.
15 31 c. Life safety installer, sixty dollars.
15 32 2. For each year of the three=year license period for
15 33 issuance and renewal:
15 34 a. Electrical contractor, one hundred twenty=five dollars.
15 35 b. Class A master electrician, class B master electrician,
16 1 one hundred twenty=five dollars.
16 2 c. Class A journeyman electrician, class B journeyman
16 3 electrician, life safety installer, or special electrician,
16 4 twenty=five dollars.
16 5 3. For each year of the three=year license period for an
16 6 apprentice electrician, and for an unclassified person, twenty
16 7 dollars.
16 8 The holder of an expired license may renew the license for
16 9 a period of three months from the date of expiration upon
16 10 payment of the license fee plus ten percent of the renewal fee
16 11 for each month or portion thereof past the expiration date.

16 12 All holders of licenses expired for more than three months
16 13 shall apply for a new license.

16 14 Sec. 20. NEW SECTION. 103.20 DEATH OF LICENSEE ==
16 15 REPRESENTATIVE TO CARRY ON BUSINESS == INSURANCE REQUIRED.

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

16 24 Sec. 21. NEW SECTION. 103.21 LICENSES WITHOUT
16 25 EXAMINATION == RECIPROCITY WITH OTHER STATES.

16 26 1. To the extent that any other state which provides for
16 27 the licensing of electricians provides for similar action, the
16 28 board may grant licenses, without examination, of the same
16 29 grade and class to an electrician who has been licensed by
16 30 such other state for at least one year, upon payment by the
16 31 applicant of the required fee, and upon the board being
16 32 furnished with proof that the qualifications of the applicant
16 33 are equal to the qualifications of holders of similar licenses
16 34 in this state.

16 35 2. A temporary ninety-day license may be granted to a
17 1 person licensed in another state, territory, or possession of
17 2 the United States, or the District of Columbia, as prescribed
17 3 by rule, provided that before practicing within this state the
17 4 person shall have applied for temporary licensure and shall
17 5 have paid the fee to be established by the board by rule.

17 6 Sec. 22. NEW SECTION. 103.22 CHAPTER INAPPLICABILITY.

17 7 The provisions of this chapter shall not:

17 8 1. Apply to a person licensed as an engineer pursuant to
17 9 chapter 542B or registered as an architect pursuant to chapter
17 10 544A providing consultations and developing plans concerning
17 11 electrical installations who is exclusively engaged in the
17 12 practice of the person's profession.

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

17 19 3. Require any person doing work for which a license would
17 20 otherwise be required under this chapter to hold a license
17 21 issued under this chapter if the person is the holder of a
17 22 valid license issued by any political subdivision, so long as
17 23 the person makes electrical installations only in the
17 24 jurisdictional limits of such political subdivision and such
17 25 license issued by the political subdivision meets the
17 26 requirements of this chapter.

17 27 4. Apply to the installation, maintenance, repair, or
17 28 alteration of vertical transportation or passenger conveyors,
17 29 elevators, moving walks, dumbwaiters, stagelifts, manlifts, or
17 30 appurtenances thereto beyond the terminals of the controllers.
17 31 The licensing of elevator contractors or constructors shall
17 32 not be considered a part of the licensing requirements of this
17 33 chapter.

17 34 5. Require a license of any person who engages any
17 35 electrical appliance where approved electrical outlets are
18 1 already installed.

18 2 6. Prohibit an owner of property from performing work on
18 3 the owner's principal residence, if such residence is not
18 4 larger than a single-family dwelling, or farm property,
18 5 excluding commercial or industrial installations or
18 6 installations in public use buildings or facilities, or
18 7 require such owner to be licensed under this chapter.

18 8 7. Require that any person be a member of a labor union in
18 9 order to be licensed.

18 10 Sec. 23. NEW SECTION. 103.23 ELECTRICAL INSTALLATIONS ==
18 11 SUBJECT TO INSPECTION.

18 12 The inspection and enforcement provisions of this chapter
18 13 shall apply to the following:

18 14 1. All new electrical installations for commercial or
18 15 industrial applications, including installations both inside
18 16 and outside of buildings, and for public use buildings and
18 17 facilities and any installation at the request of the owner.

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

18 21 3. All new electrical installations for single-family
18 22 residential applications requiring new electrical service

18 23 equipment.

18 24 4. Existing electrical installations observed during
18 25 inspection which constitute an electrical hazard. Existing
18 26 installations shall not be deemed to constitute an electrical
18 27 hazard if the wiring when originally installed was installed
18 28 in accordance with the electrical code in force at the time of
18 29 installation and has been maintained in that condition.

18 30 Sec. 24. NEW SECTION. 103.24 STATE INSPECTION ==
18 31 INAPPLICABILITY IN CERTAIN POLITICAL SUBDIVISIONS ==
18 32 ELECTRICAL INSPECTORS == CERTIFICATE OF QUALIFICATION.

18 33 1. No person other than the holder of an electrical
18 34 inspector's certificate of qualification shall be appointed to
18 35 act as an electrical inspector and to enforce this chapter as
19 1 an electrical inspector and to enforce this chapter or any
19 2 applicable resolution or ordinance within the inspector's
19 3 jurisdiction. The board shall establish by rule standards for
19 4 the certification and decertification of state electrical
19 5 inspectors, and certified electrical inspector continuing
19 6 education requirements.

19 7 2. State inspection shall not apply within the
19 8 jurisdiction of any political subdivision which, pursuant to
19 9 section 103.29, provides by resolution or ordinance standards
19 10 of electrical wiring and its installation that are not less
19 11 than those prescribed by the board or by this chapter and
19 12 which further provides by resolution or ordinance for the
19 13 inspection of electrical installations within the limits of
19 14 such subdivision by a certified electrical inspector. A copy
19 15 of the certificate of each electrical inspector shall be
19 16 provided to the board by the political subdivision issuing the
19 17 certificate.

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

19 20 Sec. 25. NEW SECTION. 103.25 REQUEST FOR INSPECTION ==
19 21 FEES.

19 22 At or before commencement of any installation required to
19 23 be inspected by the board, the licensee or owner making such
19 24 installation shall submit to the board a request for
19 25 inspection. The board shall prescribe the methods by which
19 26 the request may be submitted, which may include electronic
19 27 submission or through a form prescribed by the board that can
19 28 be submitted either through the mail or by a fax transmission.
19 29 The board shall also prescribe methods by which inspection
19 30 fees can be paid, which may include electronic methods of
19 31 payment. If the board becomes aware that a person has failed
19 32 to file a necessary request for inspection, the board shall
19 33 send a written notification by certified mail that the request
19 34 must be filed within fourteen days. Any person filing a late
19 35 request for inspection shall pay a delinquency fee in an
20 1 amount to be determined by the board. Failure to file a late
20 2 request within fourteen days shall be subject to a civil
20 3 penalty to be determined by the board by rule.

20 4 Sec. 26. NEW SECTION. 103.26 CONDEMNATION ==
20 5 DISCONNECTION == OPPORTUNITY TO CORRECT NONCOMPLIANCE.

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

20 25 Sec. 27. NEW SECTION. 103.27 CONDEMNATION OR
20 26 DISCONNECTION ORDER == SERVICE.

20 27 1. A copy of each condemnation or disconnection order
20 28 shall be served personally or by regular mail upon the
20 29 property owner at the property owner's last known address, the
20 30 licensee making the installation, and such other persons as
20 31 the board by rule may direct.

20 32 2. The electrical utility supplying power shall be served
20 33 with a copy of any order which requires immediate

20 34 disconnection or prohibits energizing an installation.
20 35 Sec. 28. NEW SECTION. 103.28 CERTIFICATE OF SAFE
21 1 OPERATION == DISMISSAL OF CONDEMNATION OR DISCONNECTION ORDER.
21 2 No electrical installation subject to inspection by the
21 3 board shall be newly connected or reconnected for use until
21 4 there is filed with the electrical utility supplying power a
21 5 certificate of the property owner or licensed electrician
21 6 directing the work that inspection has been requested and that
21 7 the conditions of the installation are safe for energization.
21 8 In all cases when an order of condemnation or disconnection
21 9 has been issued against the installation or any part thereof,
21 10 prior to connection or reconnection there shall also first be
21 11 filed with the electrical utility supplying the power a copy
21 12 of an order of the inspector or the board dismissing such
21 13 prior order of condemnation or disconnection or approving the
21 14 installation as being in compliance with accepted standards of
21 15 construction for safety to human health and property, based
21 16 upon minimum standards set forth in the national electrical
21 17 code adopted by the board. An electrical utility supplier may
21 18 refuse service without liability for such refusal until such
21 19 conditions have been met. With respect to transient projects,
21 20 the certificate shall also contain a certification that the
21 21 request for inspection has been or will be filed with the
21 22 board so as to be received by the board at least five days
21 23 prior to the date and time energization of the installation by
21 24 the utility is to occur, and that the request for inspection
21 25 states such date and time, and it shall be the responsibility
21 26 of the board to have inspection made of such transient project
21 27 prior to the date and time at which the request states
21 28 energization is to occur.

21 29 Sec. 29. NEW SECTION. 103.29 POLITICAL SUBDIVISION
21 30 INSPECTIONS == AUTHORITY OF POLITICAL SUBDIVISION.
21 31 1. A political subdivision performing electrical
21 32 inspections prior to December 31, 2006, shall continue to
21 33 perform such inspections. If the board finds that a political
21 34 subdivision's inspections are not adequate, the board may
21 35 revoke the political subdivision's authority to perform its
22 1 own inspections. A political subdivision not performing
22 2 electrical inspections prior to December 31, 2006, may make
22 3 provision for inspection of electrical installations within
22 4 its jurisdiction, in which case it shall keep on file with the
22 5 board copies of its current inspection ordinances or
22 6 resolutions and electrical codes.

22 7 2. A political subdivision that performs electrical
22 8 inspections may set appropriate permit fees to pay for such
22 9 inspections. A political subdivision shall not require any
22 10 person holding a license from the board to pay any license fee
22 11 or take any examination if the person holds a current license
22 12 issued by the board which is of a classification equal to or
22 13 greater than the classification needed to do the work
22 14 proposed. Any such political subdivision may provide a
22 15 requirement that each person doing electrical work within the
22 16 jurisdiction of such political subdivision have on file with
22 17 the political subdivision a copy of the current license issued
22 18 by the board or such other evidence of such license as may be
22 19 provided by the board.

22 20 Sec. 30. NEW SECTION. 103.30 INSPECTIONS NOT REQUIRED.
22 21 Nothing in this chapter shall be construed to require the
22 22 work of employees of municipal corporations, railroads,
22 23 electric membership or cooperative associations, public
22 24 utility corporations, or telecommunications systems to be
22 25 inspected while acting within the scope of their employment.

22 26 Sec. 31. NEW SECTION. 103.31 SUPPLIER OF ELECTRICAL
22 27 SERVICE == LIABILITY.
22 28 Upon inspection and approval by any certified inspector,
22 29 all liability upon any supplier of electrical service for
22 30 subsequent damage or loss arising from any installation shall
22 31 be terminated, except for any acts of gross negligence by such
22 32 supplier.

22 33 Sec. 32. NEW SECTION. 103.32 STATE INSPECTION
22 34 PROCEDURES.

22 35 1. An inspection shall be made within three business days
23 1 of the submission of a request for an inspection as provided
23 2 in section 103.25. When necessary, circuits may be energized
23 3 by the authorized installer prior to inspection but the
23 4 installation shall remain subject to condemnation and
23 5 disconnection.

23 6 2. Where wiring is to be concealed, the inspector must be
23 7 notified within a reasonable time to complete a rough-in
23 8 inspection prior to concealment, exclusive of Saturdays,
23 9 Sundays, and holidays. If wiring is concealed before rough-in

23 10 inspection without adequate notice having been given to the
23 11 inspector, the person responsible for having enclosed the
23 12 wiring shall be responsible for all costs resulting from
23 13 uncovering and replacing the cover material.
23 14 Sec. 33. NEW SECTION. 103.33 STATE INSPECTION FEES.
23 15 1. All state electrical inspection fees shall be due and
23 16 payable to the board at or before commencement of the
23 17 installation and shall be forwarded with the request for
23 18 inspection. Inspection fees provided in this section shall
23 19 not apply within the jurisdiction of any political subdivision
23 20 if the political subdivision has adopted an ordinance or
23 21 resolution pursuant to this chapter.

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

23 24 a. For each separate inspection of an installation,
23 25 replacement, alteration, or repair, twenty-five dollars.

23 26 b. For services, change of services, temporary services,
23 27 additions, alterations, or repairs on either primary or
23 28 secondary services as follows:

23 29 (1) Zero to one hundred ampere capacity, twenty-five
23 30 dollars plus five dollars per branch circuit or feeder.

23 31 (2) One hundred one to two hundred ampere capacity,
23 32 thirty-five dollars plus five dollars per branch circuit or
23 33 feeder.

23 34 (3) For each additional one hundred ampere capacity or
23 35 fraction thereof, twenty dollars plus five dollars per branch
24 1 circuit or feeder.

24 2 c. For field irrigation system inspections, sixty dollars
24 3 for each unit inspected.

24 4 d. For the first reinspection required as a result of a
24 5 correction order, fifty dollars; a second reinspection
24 6 required as a result of noncompliance with the same correction
24 7 order, seventy-five dollars; and subsequent reinspections
24 8 associated with the same correction order, one hundred dollars
24 9 for each reinspection.

24 10 3. When an inspection is requested by an owner, the
24 11 minimum fee shall be thirty dollars plus five dollars per
24 12 branch circuit or feeder. The fee for fire and accident
24 13 inspections shall be computed at the rate of forty-seven
24 14 dollars per hour, and mileage and other expenses shall be
24 15 reimbursed as provided by the office of the state fire
24 16 marshal.

24 17 4. For installations requiring more than six months in the
24 18 process of construction and in excess of three hundred dollars
24 19 total inspection fees, the persons responsible for the
24 20 installation may, after a minimum filing fee of one hundred
24 21 dollars, pay a prorated fee for each month and submit it with
24 22 an order for payment initiated by the electrical inspector.

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

24 26 1. Any person aggrieved by a condemnation or disconnection
24 27 order issued may appeal from the order by filing a written
24 28 notice of appeal with the board within ten days after the date
24 29 the order was served upon the owner or within ten days after
24 30 the order was filed with the board, whichever is later.

24 31 2. Upon receipt of the notice of appeal from a
24 32 condemnation or disconnection order because the electrical
24 33 installation is proximately dangerous to health or property,
24 34 the order appealed from shall not be stayed unless
24 35 countermanded by the board.

25 1 3. Upon receipt of notice of appeal from a condemnation or
25 2 disconnection order because the electrical installation is not
25 3 in compliance with accepted standards of construction for
25 4 safety to health and property, the order appealed from shall
25 5 be stayed until final decision of the board and the board
25 6 shall notify the property owner and the electrical contractor,
25 7 class A master electrician, class B master electrician, fire
25 8 alarm installer, or special electrician making the
25 9 installation. The power supplier shall also be notified in
25 10 those instances in which the order has been served on such
25 11 supplier.

25 12 Sec. 35. NEW SECTION. 103.35 APPEAL PROCEDURES.

25 13 1. Upon receipt of a notice of appeal, the chairperson or
25 14 executive secretary of the board may designate a hearing
25 15 officer from among the board members to hear the appeal or may
25 16 set the matter for hearing before the full board at its next
25 17 regular meeting. A majority of the board shall make the
25 18 decision.

25 19 2. Upon receiving the notice of appeal, the board shall
25 20 notify all persons served with the order appealed from. Such

25 21 persons may join in the hearing and give testimony in their
25 22 own behalf. The board shall set the hearing date on a date
25 23 not more than fourteen days after receipt of the notice of
25 24 appeal unless otherwise agreed by the interested parties and
25 25 the board.

25 26 Sec. 36. NEW SECTION. 103.36 SUSPENSION, REVOCATION, OR
25 27 REPRIMAND.

25 28 The board, by a simple majority vote of the entire board,
25 29 may suspend for a period not exceeding two years, or revoke
25 30 the certificate of licensure of, or reprimand any licensee who
25 31 is found guilty of any of the following acts or offenses:

25 32 1. Fraud in procuring a certificate of licensure.

25 33 2. Professional incompetency.

25 34 3. Knowingly making misleading, deceptive, untrue, or
25 35 fraudulent representations in the practice of the licensee's
26 1 profession or engaging in unethical conduct or practice
26 2 harmful to the public. Proof of actual injury need not be
26 3 established.

26 4 4. Habitual intoxication or addiction to the use of drugs.

26 5 5. Conviction of a felony under the laws of the United
26 6 States, this state, any other state, territory, or possession
26 7 of the United States, the District of Columbia, or any foreign
26 8 country. A copy of the record of conviction or plea of guilty
26 9 is conclusive evidence of such conviction.

26 10 6. Revocation or suspension of licensure, or other
26 11 disciplinary action by the licensing authority of another
26 12 state, territory, or possession of the United States, the
26 13 District of Columbia, or any foreign country. A certified
26 14 copy of the record or order of suspension, revocation, or
26 15 other disciplinary action is prima facie evidence of such
26 16 fact.

26 17 7. Fraud in representations as to skill or ability.

26 18 8. Use of untruthful or improbable statements in
26 19 advertisements.

26 20 9. Willful or repeated violations of this chapter.

26 21 Sec. 37. NEW SECTION. 103.37 PROCEDURE.

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

26 31 Sec. 38. NEW SECTION. 103.38 INJUNCTION.

26 32 Any person who is not legally authorized to practice in
26 33 this state according to this chapter, who practices, or in
26 34 connection with the person's name, uses any designation
26 35 tending to imply or designate the person as authorized to
27 1 practice in this state according to this chapter, may be
27 2 restrained by permanent injunction.

27 3 Sec. 39. NEW SECTION. 103.39 CRIMINAL VIOLATIONS.

27 4 A person who violates a permanent injunction issued
27 5 pursuant to section 103.38 or presents or attempts to file as
27 6 the person's own the certificate of licensure of another, or
27 7 who gives false or forged evidence of any kind to the board in
27 8 obtaining a certificate of licensure, or who falsely
27 9 impersonates another practitioner of like or different name,
27 10 or who uses or attempts to use a revoked certificate of
27 11 licensure, is guilty of a fraudulent practice under chapter
27 12 714.

27 13 Sec. 40. NEW SECTION. 103.40 CIVIL PENALTY.

27 14 1. In addition to any other penalties provided for in this
27 15 chapter, the board may by order impose a civil penalty upon a
27 16 person who is not licensed under this chapter and who does any
27 17 of the following:

27 18 a. Is employed in a capacity in which the person engages
27 19 in or offers to engage in the activities authorized pursuant
27 20 to this chapter.

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

27 32 c. Gives false or forged evidence of any kind to the board
27 33 or any member of the board in obtaining or attempting to
27 34 obtain a certificate of licensure.
27 35 d. Falsely impersonates any individual licensed pursuant
28 1 to this chapter.
28 2 e. Uses or attempts to use an expired, suspended, revoked,
28 3 or nonexistent certificate of licensure.
28 4 f. Knowingly aids or abets an unlicensed person who
28 5 engages in any activity identified in this subsection.
28 6 2. A civil penalty imposed shall not exceed one thousand
28 7 dollars for each offense. Each day of a continued violation
28 8 constitutes a separate offense, except that offenses resulting
28 9 from the same or common facts or circumstances shall be
28 10 considered a single offense.
28 11 3. In determining the amount of a civil penalty to be
28 12 imposed, the board may consider any of the following:
28 13 a. Whether the amount imposed will be a substantial
28 14 economic deterrent to the violation.
28 15 b. The circumstances leading to the violation.
28 16 c. The severity of the violation and the risk of harm to
28 17 the public.
28 18 d. The economic benefits gained by the violator as a
28 19 result of noncompliance.
28 20 e. The interest of the public.
28 21 4. Before issuing an order under this section, the board
28 22 shall provide the person written notice and the opportunity to
28 23 request a hearing on the record. The hearing must be
28 24 requested within thirty days of the issuance of the notice and
28 25 shall be conducted in the same manner as provided in section
28 26 103.37.
28 27 5. The board, in connection with a proceeding under this
28 28 section, may issue subpoenas to compel the attendance and
28 29 testimony of witnesses and the disclosure of evidence, and may
28 30 request the attorney general to bring an action to enforce the
28 31 subpoena.
28 32 6. A person aggrieved by the imposition of a civil penalty
28 33 under this section may seek judicial review in accordance with
28 34 section 17A.19.
28 35 7. If a person fails to pay a civil penalty within thirty
29 1 days after entry of an order under subsection 1, or if the
29 2 order is stayed pending an appeal within ten days after the
29 3 court enters a final judgment in favor of the board, the board
29 4 shall notify the attorney general. The attorney general may
29 5 commence an action to recover the amount of the penalty,
29 6 including reasonable attorney fees and costs.
29 7 8. An action to enforce an order under this section may be
29 8 joined with an action for an injunction.
29 9 Sec. 41. EFFECTIVE DATES. Sections 1 through 5, section
29 10 6, subsections 1 and 6, and section 17, being deemed of
29 11 immediate importance, take effect upon enactment. Sections 23
29 12 through 35 of this Act take effect January 1, 2008. The
29 13 remaining sections and subsections of this Act take effect
29 14 January 1, 2007.

29 15 EXPLANATION

29 16 This bill provides for a statewide system of licensure for
29 17 electricians and life safety installers, provisions regarding
29 18 electrical inspections, and specifies related licensing and
29 19 inspection fees. The new statewide licensure system
29 20 supplements current licensure of electricians on a city-by=
29 21 city basis, permitting electricians to practice on a
29 22 statewide, as well as local, basis.
29 23 The bill provides for the creation of a 10-member
29 24 electrical examining board within the state fire marshal
29 25 division of the department of public safety.
29 26 The bill establishes several powers and duties relating to
29 27 the activities of the board. The board shall be authorized to
29 28 adopt rules to administer the chapter, and in so doing shall
29 29 be governed by the minimum standards set forth in the national
29 30 electrical code issued and adopted by the national fire
29 31 protection association. The rules shall establish wiring
29 32 standards that protect public safety and health and property
29 33 and that apply to all electrical wiring installed pursuant to
29 34 the chapter. Additional powers and duties of the board
29 35 include the ability to revoke, suspend, or refuse to renew any
30 1 license under specified circumstances, to order disconnection
30 2 of power to any electrical installation that is proximately
30 3 dangerous to health and property, to remove electrical wiring
30 4 and apparatus from premises when such wiring and apparatus is
30 5 proximately dangerous to health and property, to investigate
30 6 any death by electrocution that occurs within the state, to
30 7 adopt rules for continuing education requirements, and to

30 8 specify fee levels and collection procedures.

30 9 The bill creates an electrician and installer licensing and
30 10 inspection fund in the state treasury as a separate fund under
30 11 the control of the board. The bill provides that all
30 12 licensing, registration, examination, renewal, and inspection
30 13 fees deposited or paid into the fund are appropriated and made
30 14 available to the board, and that the balance shall not revert
30 15 to the general fund.

30 16 The bill provides that in order to, for another, plan, lay
30 17 out, or supervise the installation of electrical wiring,
30 18 apparatus, or equipment for light, heat, or power, an
30 19 individual must be licensed by the board as an electrical
30 20 contractor, a class A master electrician, or a class B master
30 21 electrician, as defined in the bill. The bill provides that
30 22 an applicant for an electrical contractor license shall be a
30 23 licensed class A or class B master electrician, and be
30 24 registered with the state of Iowa as a contractor.

30 25 The bill provides that an applicant for a class A master
30 26 electrician license shall have at least one year's experience,
30 27 acceptable to the board, as a licensed class A or class B
30 28 journeyman electrician, and obtain a score of at least 75
30 29 percent on an examination prescribed and administered by the
30 30 board. An applicant who establishes that they have been
30 31 working in the electrical business and involved in planning
30 32 for, laying out, supervising, and installing electrical
30 33 wiring, apparatus, or equipment for light, heat, and power
30 34 prior to 1990 may be granted a class B master electrician
30 35 license without being tested, valid unless a political
31 1 subdivision establishes standards not permitting such work by
31 2 a class B master electrician. Additionally, the bill states
31 3 that a person licensed to plan, lay out, or supervise the
31 4 installation of electrical wiring, apparatus, or equipment for
31 5 light, heat, power, and other purposes by a political
31 6 subdivision preceding the applicable section of the bill's
31 7 effective date pursuant to a supervised written examination
31 8 and who is currently engaged in the electrical contracting
31 9 industry, shall be issued an applicable corresponding
31 10 statewide license corresponding, with the board adopting by
31 11 rule criteria for political subdivision examination standards.

31 12 The bill provides that a person shall not, for another,
31 13 wire for or install electrical wiring, apparatus, or
31 14 equipment, or supervise an apprentice electrician or
31 15 unclassified person, unless licensed by the board as an
31 16 electrical contractor, a class A master electrician, a class B
31 17 master electrician, or a life safety installer, or is licensed
31 18 as a class A or B journeyman electrician or life safety
31 19 installer and employed by an electrical contractor, class A or
31 20 B master electrician, or a life safety installer as defined in
31 21 the bill.

31 22 The bill provides that an applicant for a class A
31 23 journeyman electrician license shall have successfully
31 24 completed an apprenticeship training program and have obtained
31 25 a score of at least 75 percent on an examination prescribed
31 26 and administered by the board. An applicant who can provide
31 27 proof that they have been employed as a journeyman electrician
31 28 since 1990 can be granted a class B journeyman electrician
31 29 license without being tested subject to political subdivision
31 30 restrictions similar to those applicable for class B master
31 31 electricians. The bill provides that a person licensed to
31 32 wire for or install electrical wiring, electrical apparatus,
31 33 or electrical equipment or supervise an apprentice electrician
31 34 by a political subdivision preceding the applicable section of
31 35 the bill's effective date pursuant to a supervised written
32 1 examination, and who is currently engaged in the electrical
32 2 contracting industry with at least four years' experience,
32 3 shall be issued an applicable corresponding statewide license,
32 4 with the board adopting rules for criteria for city
32 5 examination standards.

32 6 The bill provides for a special electrician license
32 7 authorizing the licensee to engage in a limited class or
32 8 classes of electrical work. Additionally, the bill provides
32 9 for the licensing of a life safety installer. The bill
32 10 provides that a person authorized to plan, lay out, or install
32 11 electrical wiring, electrical apparatus, and electrical
32 12 equipment for components of life safety systems that operate
32 13 at 50 volts or less by a political subdivision on the
32 14 applicable section of the bill's effective date shall be
32 15 issued an applicable statewide license corresponding to that
32 16 authorization, and that on or after the bill's effective date,
32 17 a person licensed as a life safety installer to plan, lay out,
32 18 and install electrical wiring, electrical apparatus, and

32 19 electrical equipment for components of life safety systems
32 20 shall have at least two years' experience, acceptable to the
32 21 board, in planning, laying out, and installing life safety
32 22 systems. Additionally, the bill specifies that an applicant
32 23 for a life safety installer license shall obtain a score of at
32 24 least 75 percent on an examination prescribed and administered
32 25 by the board. The bill provides that a person licensed as a
32 26 class A or class B master electrician, or a class A or class B
32 27 journeyman electrician, who has not successfully passed the
32 28 examination shall be authorized to install electrical wiring,
32 29 apparatus, and equipment for components of life safety systems
32 30 if their work is approved by a person who is licensed as a
32 31 life safety installer.

32 32 The bill additionally includes provisions pertaining to
32 33 apprentice electricians and unclassified persons employed by
32 34 licensees. The bill provides that a person shall be licensed
32 35 to work as an apprentice electrician while participating in an
33 1 apprenticeship training program, and that a person is eligible
33 2 as an apprentice electrician for only one apprenticeship,
33 3 which shall be limited to six years from the date of licensure
33 4 unless extended for hardship. A person shall be licensed as
33 5 an unclassified person to perform electrical work if the work
33 6 is performed under the personal supervision of a person
33 7 actually licensed to perform such work and the licensed and
33 8 unclassified persons are employed by the same employer. The
33 9 bill provides that apprentice electricians and unclassified
33 10 persons shall do no electrical wiring except under the direct
33 11 personal on-the-job supervision and control in specified
33 12 ratios in the immediate presence of a licensee pursuant to the
33 13 bill. The bill provides that an unlicensed unclassified
33 14 person must obtain licensure as an unclassified person within
33 15 100 days of employment.

33 16 The bill specifies the types of licensing examinations and
33 17 specifies examination frequencies and procedures. The bill
33 18 provides a criminal penalty of a simple misdemeanor for a
33 19 board member who discloses listed confidential information
33 20 relating to applicants and examinations.

33 21 The bill provides that licenses pursuant to the bill's
33 22 provisions shall expire every three years, and specifies
33 23 examination, issuance, and renewal fees for the various
33 24 classifications of licensure. The bill also provides that to
33 25 renew a license, the licensee shall be required to complete 18
33 26 contact hours of continuing education courses approved by the
33 27 board per three-year of licensure. The contact hours shall
33 28 include a minimum of six contact hours studying the national
33 29 electrical code.

33 30 The bill provides for the continuation of business by a
33 31 licensee by a representative for a period of six months
33 32 following the licensee's death, and provides for reciprocity
33 33 and temporary licensure. The bill contains a chapter
33 34 inapplicability section, including inapplicability to a person
33 35 licensed as an engineer or architect providing consultations
34 1 and developing plans concerning electrical installations while
34 2 exclusively engaged in the practice of their profession, and
34 3 employees of specified entities while acting within the scope
34 4 of their employment. The bill provides that persons who hold
34 5 a valid license issued by any political subdivision are not
34 6 required to obtain state licensure, so long as they make
34 7 electrical installations only in the jurisdictional limits of
34 8 that political subdivision and the license issued by the
34 9 political subdivision meets the requirements of the bill.
34 10 Further, the bill's provisions shall not apply to vertical
34 11 transportation or passenger conveyors, elevators, moving
34 12 walks, dumbwaiters, stagelifts, manlifts, or appurtenances,
34 13 shall not require a license of any person who engages any
34 14 electrical appliance where approved electrical outlets are
34 15 already installed, prohibit an owner of property from
34 16 performing work on the owner's principal residence under
34 17 specified circumstances, or require that any person be a
34 18 member of a labor union in order to be licensed.

34 19 The bill specifies inspection procedures and requirements
34 20 applicable to all new electrical installations for commercial
34 21 or industrial applications, including installations both
34 22 inside and outside of buildings, and for public use buildings
34 23 and facilities and any installation at the request of the
34 24 owner, all new electrical installations for residential
34 25 applications in excess of single-family residential
34 26 applications, all new electrical installations for single=
34 27 family residential applications requiring new electrical
34 28 service equipment, and existing electrical installations
34 29 observed during inspection which constitute an electrical

34 30 hazard, with the caveat that existing installations shall not
34 31 be deemed to constitute an electrical hazard if the wiring
34 32 when originally installed was installed in accordance with the
34 33 electrical code in force at the time of installation and has
34 34 been maintained in that condition.

34 35 The bill provides that state inspection shall not apply
35 1 within the jurisdiction of any political subdivision which
35 2 provides by resolution or ordinance standards of electrical
35 3 wiring and its installation that are not less than those
35 4 prescribed by the board or by the Code chapter established by
35 5 the bill and which further provides by resolution or ordinance
35 6 for the inspection of electrical installations within the
35 7 limits of such subdivision by a certified electrical
35 8 inspector. The bill provides that only the holder of an
35 9 electrical inspector's certificate of qualification shall be
35 10 appointed to act as electrical inspector, and provides that
35 11 the board shall establish by rule standards for the
35 12 certification and decertification of state electrical
35 13 inspectors, and certified electrical inspector continuing
35 14 education requirements.

35 15 The bill specifies procedures relating to a request for
35 16 inspection at or before commencement of any installation
35 17 required to be inspected, and provides penalties for the
35 18 failure to do so. The bill provides that if an inspector
35 19 finds that any installation or portion of an installation is
35 20 not in compliance with accepted standards of construction for
35 21 safety to health and property, the inspector may issue written
35 22 condemnation orders, or orders for disconnection, with the
35 23 immediacy of such orders and opportunities to remedy the
35 24 noncompliance varying with the extent to which the
35 25 noncompliance is found to be a serious and proximate danger to
35 26 human health and property. The bill provides that before an
35 27 electrical installation subject to inspection is either newly
35 28 connected or reconnected, there must be filed with the
35 29 electrical utility supplying power a certificate of the
35 30 property owner or licensed electrician directing the work that
35 31 inspection has been requested and that the conditions of the
35 32 installation are safe for energization. The bill provides
35 33 that when an order of condemnation or disconnection has been
35 34 issued, prior to connection or reconnection there shall first
35 35 be filed with the electrical utility supplying the power a
36 1 copy of an order of the inspector or the board dismissing the
36 2 prior order.

36 3 The bill provides that all political subdivisions
36 4 performing electrical inspections prior to December 31, 2006,
36 5 shall continue performing them; that if the board finds that a
36 6 political subdivision's inspections are not adequate, the
36 7 board may revoke the political subdivision's authority to
36 8 perform its own inspections; and that a political subdivision
36 9 not performing electrical inspections prior to December 31,
36 10 2006, may make provision for inspection of electrical
36 11 installations within its jurisdiction. The bill provides that
36 12 a political subdivision that performs electrical inspections
36 13 may set appropriate permit fees, and that a political
36 14 subdivision shall not require payment of any license fee or
36 15 the taking of any examination if a person holds a current
36 16 license issued by the board which is of a classification equal
36 17 to or greater than the classification needed to do the work
36 18 proposed. However, a political subdivision may require the
36 19 filing of a copy of the current license issued by the board or
36 20 such other evidence of such license.

36 21 The bill specifies instances where inspections shall not be
36 22 required, specifies state inspection procedures, establishes
36 23 inspection and reinspection fees, and provides that such fees
36 24 shall not apply within the jurisdiction of any political
36 25 subdivision if the has adopted an ordinance or resolution as
36 26 previously explained regarding conducting its own inspections.

36 27 The bill provides for an appeal process, and provides
36 28 suspension, revocation, reprimand, and penalty provisions.
36 29 Provisions of the bill relating primarily to definitions
36 30 and the establishment of the electrician examining board take
36 31 effect upon enactment. Provisions relating primarily to
36 32 establishing the various categories of licensure take effect
36 33 January 1, 2007. Provisions relating primarily to inspections
36 34 take effect January 1, 2008.

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37 1 rn:nh/cf/24