

# House File 795 - Introduced

HOUSE FILE \_\_\_\_\_  
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO HF 236)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

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

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

5 TLSB 1601HV 82

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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.

1 35 6. "Class B master electrician" means a person having the  
2 1 necessary qualifications, training, experience, and technical  
2 2 knowledge to properly plan, lay out, and supervise the  
2 3 installation of electrical wiring, apparatus, and equipment  
2 4 who meets and is subject to the restrictions of section  
2 5 103.10.

2 6 7. "Commercial installation" means an installation  
2 7 intended for commerce, but does not include a residential  
2 8 installation.

2 9 8. "Electrical contractor" means a person affiliated with  
2 10 an electrical contracting firm or business who is licensed by  
2 11 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  
2 16 involving systematic labor or habitual employment and includes

2 17 installations in which agricultural or other products are  
2 18 habitually or customarily processed or stored for others,  
2 19 either by buying or reselling on a fee basis.  
2 20 10. "Inspector" means a person certified as an electrical  
2 21 inspector upon such reasonable conditions as may be adopted by  
2 22 the board. The board may permit more than one class of  
2 23 electrical inspector.

2 24 11. "Life safety installer" means a person who is  
2 25 certified at level two or higher by the national institute for  
2 26 certification in engineering technology (NICET), who is  
2 27 qualified to oversee the installation of life safety systems,  
2 28 including fire alarm, security, and nurse call systems, and  
2 29 who is licensed by the board.

2 30 12. "New electrical installation" means the installation  
2 31 of electrical wiring, apparatus, and equipment for light,  
2 32 heat, power, and other purposes.

2 33 13. "Public use building or facility" means any building  
2 34 or facility designated for public use, including all property  
2 35 owned and occupied or designated for use by the state of Iowa.

3 1 14. "Residential installation" means an installation  
3 2 intended for a single-family or two-family residential  
3 3 dwelling or a multifamily residential dwelling not larger than  
3 4 a four-family dwelling.

3 5 15. "Routine maintenance" means the repair or replacement  
3 6 of existing electrical apparatus or equipment of the same size  
3 7 and type for which no changes in wiring are made.

3 8 16. "Special electrician" means a person having the  
3 9 necessary qualifications, training, and experience in wiring  
3 10 or installing special classes of electrical wiring, apparatus,  
3 11 equipment, or installations which shall include irrigation  
3 12 system wiring, disconnecting and reconnecting of existing air  
3 13 conditioning and refrigeration, and sign installation and who  
3 14 is licensed by the board.

3 15 17. "Unclassified person" means any person, other than an  
3 16 apprentice electrician or other person licensed under this  
3 17 chapter, who, as such person's principal occupation, is  
3 18 engaged in learning and assisting in the installation,  
3 19 alteration, and repair of electrical wiring, apparatus, and  
3 20 equipment as an employee of a person licensed under this  
3 21 chapter, and who is licensed by the board as an unclassified  
3 22 person. For purposes of this chapter, persons who are not  
3 23 engaged in the installation, alteration, or repair of  
3 24 electrical wiring, apparatus, and equipment, either inside or  
3 25 outside buildings, shall not be considered unclassified  
3 26 persons.

3 27 Sec. 2. NEW SECTION. 103.2 ELECTRICAL EXAMINING BOARD  
3 28 CREATED.

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

3 34 2. The 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 e. One member shall be the state fire marshal or a  
4 16 representative of the state fire marshal's office.

4 17 f. One member shall be a local building official employed  
4 18 by a political subdivision to perform electrical inspections  
4 19 for that political subdivision.

4 20 g. One member shall represent a public utility.

4 21 h. One member shall be an engineer licensed pursuant to  
4 22 chapter 542B with a background in electrical engineering.

4 23 3. The public members of the board shall be allowed to  
4 24 participate in administrative, clerical, or ministerial  
4 25 functions incident to giving a licensure examination, but  
4 26 shall not determine the content of the examination or  
4 27 determine the correctness of the answers. Professional

4 28 associations or societies composed of licensed electricians  
4 29 may recommend to the governor the names of potential board  
4 30 members whose profession is representative of that association  
4 31 or society. However, the governor is not bound by the  
4 32 recommendations. A board member shall not be required to be a  
4 33 member of any professional electrician association or society.

4 34 Sec. 3. NEW SECTION. 103.3 TERMS OF OFFICE == EXPENSES  
4 35 == COUNSEL.

5 1 1. Appointments to the board, other than the state fire  
5 2 marshal or a representative of the state fire marshal's  
5 3 office, shall be for three-year staggered terms and shall  
5 4 commence and end as provided by section 69.19. The most  
5 5 recently appointed state fire marshal, or a representative of  
5 6 the state fire marshal's office, shall be appointed to the  
5 7 board on an ongoing basis. Vacancies shall be filled for the  
5 8 unexpired term by appointment of the governor and shall be  
5 9 subject to senate confirmation. Members shall serve no more  
5 10 than three terms or nine years, whichever is least.

5 11 2. Members of the board are entitled to receive all actual  
5 12 expenses incurred in the discharge of their duties within the  
5 13 limits of funds appropriated to the board. Each member of the  
5 14 board may also be eligible to receive compensation as provided  
5 15 in section 7E.6.

5 16 3. The board shall be entitled to the counsel and services  
5 17 of the attorney general. The board may compel the attendance  
5 18 of witnesses, pay witness fees and mileage, take testimony and  
5 19 proofs, and administer oaths concerning any matter within its  
5 20 jurisdiction.

5 21 Sec. 4. NEW SECTION. 103.4 ORGANIZATION OF THE BOARD.

5 22 The board shall elect annually from its members a  
5 23 chairperson and a vice chairperson, and shall hire and provide  
5 24 staff to assist the board in administering this chapter. An  
5 25 executive secretary designated by the board shall report to  
5 26 the state fire marshal for purposes of routine board  
5 27 administrative functions, and shall report directly to the  
5 28 board for purposes of execution of board policy such as  
5 29 application of licensing criteria and processing of  
5 30 applications. The board shall hold at least one meeting  
5 31 quarterly at the location of the board's principal office, and  
5 32 meetings shall be called at other times by the chairperson or  
5 33 four members of the board. At any meeting of the board, a  
5 34 majority of members constitutes a quorum.

5 35 Sec. 5. NEW SECTION. 103.5 OFFICIAL SEAL == BYLAWS.

6 1 The board shall adopt and have an official seal which shall  
6 2 be affixed to all certificates of licensure granted.

6 3 Sec. 6. NEW SECTION. 103.6 POWERS AND DUTIES.

6 4 The board shall:

6 5 1. Adopt rules pursuant to chapter 17A and in doing so  
6 6 shall be governed by the minimum standards set forth in the  
6 7 most current publication of the national electrical code  
6 8 issued and adopted by the national fire protection  
6 9 association, and amendments to the code, which code and  
6 10 amendments shall be filed in the offices of the secretary of  
6 11 state and the board and shall be a public record. The board  
6 12 shall adopt rules reflecting updates to the code and  
6 13 amendments to the code. The board shall promulgate and adopt  
6 14 rules establishing wiring standards that protect public safety  
6 15 and health and property and that apply to all electrical  
6 16 wiring which is installed subject to this chapter.

6 17 2. Revoke, suspend, or refuse to renew any license granted  
6 18 pursuant to this chapter when the licensee:

6 19 a. Fails or refuses to pay any examination, license, or  
6 20 renewal fee required by law.

6 21 b. Is an electrical contractor and fails or refuses to  
6 22 provide and keep in force a public liability insurance policy  
6 23 as required by the board.

6 24 c. Violates any political subdivision's inspection  
6 25 ordinances.

6 26 The board may, in its discretion, revoke, suspend, or  
6 27 refuse to renew any license granted pursuant to this chapter  
6 28 when the licensee violates any provision of the national  
6 29 electrical code as adopted pursuant to subsection 1, this  
6 30 chapter, or any rule adopted pursuant to this chapter.

6 31 3. Adopt rules for continuing education requirements for  
6 32 each classification of licensure established pursuant to this  
6 33 chapter, and adopt all rules, not inconsistent with the law,  
6 34 necessary for the proper performance of the duties of the  
6 35 board.

7 1 4. Provide for the amount and collection of fees for  
7 2 inspection and other services.

7 3 Sec. 7. NEW SECTION. 103.7 ELECTRICIAN AND INSTALLER

7 4 LICENSING AND INSPECTION FUND.

7 5 An electrician and installer licensing and inspection fund  
7 6 is created in the state treasury as a separate fund under the  
7 7 control of the board. All licensing, examination, renewal,  
7 8 and inspection fees shall be deposited into the fund and  
7 9 retained by and for the use of the board. Expenditures from  
7 10 the fund shall be approved by the sole authority of the board  
7 11 in consultation with the state fire marshal. Amounts  
7 12 deposited into the fund shall be considered repayment receipts  
7 13 as defined in section 8.2. Notwithstanding section 8.33, any  
7 14 balance in the fund on June 30 of each fiscal year shall not  
7 15 revert to the general fund of the state, but shall remain  
7 16 available for the purposes of this chapter in subsequent  
7 17 fiscal years. Notwithstanding section 12C.7, subsection 2,  
7 18 interest or earnings on moneys deposited in the fund shall be  
7 19 credited to the fund.

7 20 Sec. 8. NEW SECTION. 103.8 PLAN, LAY OUT, OR SUPERVISE  
7 21 CERTAIN ACTIVITIES == LICENSE REQUIRED == EXCEPTIONS.

7 22 Except as provided in sections 103.13 and 103.14, no person  
7 23 shall, for another, plan, lay out, or supervise the  
7 24 installation of wiring, apparatus, or equipment for electrical  
7 25 light, heat, power, and other purposes unless the person is  
7 26 licensed by the board as an electrical contractor, a class A  
7 27 master electrician, or a class B master electrician.

7 28 Sec. 9. NEW SECTION. 103.9 ELECTRICAL CONTRACTOR  
7 29 LICENSE.

7 30 1. An applicant for an electrical contractor license shall  
7 31 either be or employ a licensed class A or class B master  
7 32 electrician, and be registered with the state of Iowa as a  
7 33 contractor.

7 34 2. A contractor who holds a class B master electrician  
7 35 license shall be licensed subject to the restrictions of  
8 1 section 103.10.

8 2 Sec. 10. NEW SECTION. 103.10 CLASS A MASTER ELECTRICIAN  
8 3 LICENSE == QUALIFICATIONS == CLASS B MASTER ELECTRICIAN  
8 4 LICENSE.

8 5 1. An applicant for a class A master electrician license  
8 6 shall have at least one year's experience, acceptable to the  
8 7 board, as a licensed class A or class B journeyman  
8 8 electrician.

8 9 2. In addition, an applicant shall meet examination  
8 10 criteria based upon the most recent national electrical code  
8 11 adopted pursuant to section 103.6 and upon electrical theory,  
8 12 as determined by the board.

8 13 3. a. An applicant who can provide proof acceptable to  
8 14 the board that the applicant has been working in the  
8 15 electrical business and involved in planning for, laying out,  
8 16 supervising, and installing electrical wiring, apparatus, or  
8 17 equipment for light, heat, and power prior to 1990 may be  
8 18 granted a class B master electrician license without taking an  
8 19 examination. An applicant who is issued a class B master  
8 20 electrician license pursuant to this section shall not be  
8 21 authorized to plan, lay out, or supervise the installation of  
8 22 electrical wiring, apparatus, and equipment in a political  
8 23 subdivision which, prior to or after the effective date of  
8 24 this section of this Act, establishes licensing standards  
8 25 which preclude such work by class B master electricians in the  
8 26 political subdivision. The board shall adopt rules  
8 27 establishing procedures relating to the restriction of a class  
8 28 B master electrician license pursuant to this subsection.

8 29 b. A class B master electrician may become licensed as a  
8 30 class A master electrician upon successful passage of the  
8 31 examination prescribed in subsection 2.

8 32 4. A person licensed to plan, lay out, or supervise the  
8 33 installation of electrical wiring, apparatus, or equipment for  
8 34 light, heat, power, and other purposes and supervise  
8 35 apprentice electricians by a political subdivision preceding  
9 1 the effective date of this section of this Act pursuant to a  
9 2 supervised written examination, and who is currently engaged  
9 3 in the electrical contracting industry, shall be issued an  
9 4 applicable statewide license corresponding to that licensure  
9 5 as a class A master electrician or electrical contractor. The  
9 6 board shall adopt by rule certain criteria for city  
9 7 examination standards satisfactory to fulfill this  
9 8 requirement.

9 9 Sec. 11. NEW SECTION. 103.11 WIRING OR INSTALLING ==  
9 10 SUPERVISING APPRENTICES == LICENSE REQUIRED == QUALIFICATIONS.

9 11 1. Except as provided in section 103.13, no person shall,  
9 12 for another, wire for or install electrical wiring, apparatus,  
9 13 or equipment, or supervise an apprentice electrician or  
9 14 unclassified person, unless the person is licensed by the

9 15 board as an electrical contractor, a class A master  
9 16 electrician, a class B master electrician, or a life safety  
9 17 installer, or is licensed as a class A journeyman electrician,  
9 18 a class B journeyman electrician, or a life safety installer  
9 19 and is employed by an electrical contractor, a class A master  
9 20 electrician, a class B master electrician, or a life safety  
9 21 installer.

9 22 2. For purposes of this section, the holder of a life  
9 23 safety installer license shall only supervise those  
9 24 apprentices engaged in the installation of fire alarm  
9 25 equipment and apparatus operating at fifty volts or less.

9 26 Sec. 12. NEW SECTION. 103.12 CLASS A JOURNEYMAN  
9 27 ELECTRICIAN LICENSE QUALIFICATIONS == CLASS B JOURNEYMAN  
9 28 ELECTRICIAN LICENSE.

9 29 1. An applicant for a class A journeyman electrician  
9 30 license shall have successfully completed an apprenticeship  
9 31 training program registered by the bureau of apprenticeship  
9 32 and training of the United States department of labor in  
9 33 accordance with the standards established by that department.  
9 34 An applicant may petition the board to receive a waiver of  
9 35 this requirement. The board shall determine a level of on=  
10 1 the=job experience as an unclassified person sufficient to  
10 2 qualify for a waiver.

10 3 2. In addition, an applicant shall obtain a score of at  
10 4 least seventy=five percent on an examination prescribed and  
10 5 administered by the board based upon the most recent national  
10 6 electrical code adopted pursuant to section 103.6 and upon  
10 7 electrical theory.

10 8 3. a. An applicant who can provide proof acceptable to  
10 9 the board that the applicant has been employed as a journeyman  
10 10 electrician since 1990 may be granted a class B journeyman  
10 11 electrician license without taking an examination. An  
10 12 applicant who is issued a class B journeyman electrician  
10 13 license pursuant to this section shall not be authorized to  
10 14 wire for or install electrical wiring, apparatus, and  
10 15 equipment in a political subdivision which, prior to or after  
10 16 the effective date of this section of this Act, establishes  
10 17 licensing standards which preclude such work by class B  
10 18 journeyman electricians in the political subdivision. The  
10 19 board shall adopt rules establishing procedures relating to  
10 20 the restriction of a class B journeyman electrician license  
10 21 pursuant to this subsection.

10 22 b. A class B journeyman electrician may become licensed as  
10 23 a class A journeyman electrician upon successful passage of  
10 24 the examination prescribed in subsection 2.

10 25 4. A person licensed to wire for or install electrical  
10 26 wiring, apparatus, or equipment or supervise an apprentice  
10 27 electrician by a political subdivision preceding the effective  
10 28 date of this section of this Act pursuant to a supervised  
10 29 written examination, and who is currently engaged in the  
10 30 electrical contracting industry with at least four years'  
10 31 experience, shall be issued an applicable statewide license  
10 32 corresponding to that licensure as a class A journeyman  
10 33 electrician or a class B journeyman electrician. The board  
10 34 shall adopt by rule certain criteria for city examination  
10 35 standards satisfactory to fulfill this requirement.

11 1 Sec. 13. NEW SECTION. 103.13 SPECIAL ELECTRICIAN LICENSE  
11 2 == QUALIFICATIONS.

11 3 The board shall by rule provide for the issuance of special  
11 4 electrician licenses authorizing the licensee to engage in a  
11 5 limited class or classes of electrical work, which class or  
11 6 classes shall be specified on the license. Each licensee  
11 7 shall have experience, acceptable to the board, in each such  
11 8 limited class of work for which the person is licensed.

11 9 Sec. 14. NEW SECTION. 103.14 LIFE SAFETY INSTALLER  
11 10 LICENSE.

11 11 1. A person not otherwise licensed pursuant to this  
11 12 chapter shall not plan, lay out, or install electrical wiring,  
11 13 apparatus, and equipment for components of life safety  
11 14 systems. A person authorized to plan, lay out, or install  
11 15 electrical wiring, apparatus, and equipment for components of  
11 16 life safety systems that operate at fifty volts or less by a  
11 17 political subdivision on the effective date of this section of  
11 18 this Act shall be issued an applicable statewide license  
11 19 corresponding to that authorization as a life safety  
11 20 installer.

11 21 2. On or after the effective date of this section of this  
11 22 Act, any person to be licensed as a life safety installer to  
11 23 plan, lay out, and install electrical wiring, apparatus, and  
11 24 equipment for components of life safety systems shall have at  
11 25 least two years' experience, acceptable to the board, in

11 26 planning, laying out, and installing life safety systems.  
11 27 3. In addition to the requirements of subsections 1 and 2,  
11 28 an applicant for a life safety installer license shall obtain  
11 29 a score of at least seventy-five percent on a level two or  
11 30 higher examination prescribed and administered by the board  
11 31 based on the most recent national institute for certification  
11 32 in engineering technology requirements.

11 33 4. A person licensed as a class A or class B master  
11 34 electrician, or a class A or class B journeyman electrician,  
11 35 who has not successfully passed the examination prescribed in  
12 1 subsection 3 shall be authorized to install electrical wiring,  
12 2 apparatus, and equipment for components of life safety systems  
12 3 if their work is approved by a person who is licensed as a  
12 4 life safety installer.

12 5 Sec. 15. NEW SECTION. 103.15 APPRENTICE ELECTRICIAN ==  
12 6 UNCLASSIFIED PERSON.

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

12 21 2. A person shall be licensed as an unclassified person by  
12 22 the board to perform electrical work if the work is performed  
12 23 under the personal supervision of a person actually licensed  
12 24 to perform such work and the licensed and unclassified persons  
12 25 are employed by the same employer. After one hundred  
12 26 continuous days of employment as a nonlicensed unclassified  
12 27 person, the unclassified person must receive a license from  
12 28 the board. Licensed persons shall not permit unclassified  
12 29 persons to perform electrical work except under the personal  
12 30 supervision of a person actually licensed to perform such  
12 31 work. Unclassified persons shall not supervise the  
12 32 performance of electrical work or make assignments of  
12 33 electrical work to unclassified persons. Electrical  
12 34 contractors employing unclassified persons performing  
12 35 electrical work shall maintain records establishing compliance  
13 1 with this section, which shall designate all unclassified  
13 2 persons performing electrical work.

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

13 14 4. For purposes of this section, "the direct personal on=  
13 15 the=job supervision and control and in the immediate presence  
13 16 of a licensee" shall mean the licensee and the apprentice  
13 17 electrician or unclassified person shall be working at the  
13 18 same project location but shall not require that the licensee  
13 19 and apprentice electrician or unclassified person be within  
13 20 sight of one another at all times.

13 21 5. An apprentice electrician shall not install, alter, or  
13 22 repair electrical equipment except as provided in this  
13 23 section, and the licensee employing or supervising an  
13 24 apprentice electrician shall not authorize or permit such  
13 25 actions by the apprentice electrician.

13 26 Sec. 16. NEW SECTION. 103.16 LICENSE EXAMINATIONS.

13 27 1. Examinations for licensure shall be given as often as  
13 28 deemed necessary by the board, but no less than one time per  
13 29 month. The scope of the examinations and the methods of  
13 30 procedure shall be prescribed by the board. The examinations  
13 31 given by the board shall be the experior assessment  
13 32 examination, or a successor examination approved by the board,  
13 33 or an examination prepared by a third-party testing service  
13 34 which is substantially equivalent to the experior assessment  
13 35 examination, or a successor examination approved by the board.

14 1 2. An examination may be given by representatives of the

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

14 19 Sec. 17. NEW SECTION. 103.17 DISCLOSURE OF CONFIDENTIAL  
14 20 INFORMATION == CRIMINAL PENALTY.

14 21 A member of the board shall not disclose information  
14 22 relating to the following:

- 14 23 1. Criminal history or prior misconduct of an applicant.
- 14 24 2. Information relating to the contents of an examination.
- 14 25 3. Information relating to examination results other than  
14 26 a final score except for information about the results of an  
14 27 examination given to the person who took the examination.

14 28 A member of the board who willfully communicates or seeks  
14 29 to communicate such information, and any person who willfully  
14 30 requests, obtains, or seeks to obtain such information, is  
14 31 guilty of a simple misdemeanor.

14 32 Sec. 18. NEW SECTION. 103.18 LICENSE RENEWAL ==  
14 33 CONTINUING EDUCATION.

14 34 In order to renew a class A master electrician, class B  
14 35 master electrician, class A journeyman electrician, or class B  
15 1 journeyman electrician license issued pursuant to this  
15 2 chapter, the licensee shall be required to complete eighteen  
15 3 contact hours of continuing education courses approved by the  
15 4 board during the three-year period for which a license is  
15 5 granted. The contact hours shall include a minimum of six  
15 6 contact hours studying the national electrical code described  
15 7 in section 103.6, and the remaining contact hours may include  
15 8 study of electrical circuit theory, blueprint reading,  
15 9 transformer and motor theory, electrical circuits and devices,  
15 10 control systems, programmable controllers, and microcomputers  
15 11 or any other study of electrical-related material that is  
15 12 approved by the board. Any additional hours studying the  
15 13 national electrical code shall be acceptable. For purposes of  
15 14 this section, "contact hour" means fifty minutes of classroom  
15 15 attendance at an approved course under a qualified instructor  
15 16 approved by the board.

15 17 Sec. 19. NEW SECTION. 103.19 LICENSES == EXPIRATION ==  
15 18 APPLICATION == FEES.

15 19 1. Licenses issued pursuant to this chapter shall expire  
15 20 every three years, with the exception of licenses for  
15 21 apprentice electricians and unclassified persons, which shall  
15 22 expire on an annual basis. All license applications shall  
15 23 include the applicant's social security number. The board  
15 24 shall establish the fees to be payable for examination and  
15 25 license issuance and renewal in amounts not to exceed the  
15 26 following:

15 27 a. For examinations:

15 28 (1) Class A master electrician, one hundred twenty-five  
15 29 dollars.

15 30 (2) Class A journeyman electrician, sixty dollars.

15 31 (3) Life safety installer, sixty dollars.

15 32 b. For each year of the three-year license period for  
15 33 issuance and renewal:

15 34 (1) Electrical contractor, one hundred twenty-five  
15 35 dollars.

16 1 (2) Class A master electrician, class B master  
16 2 electrician, one hundred twenty-five dollars.

16 3 (3) Class A journeyman electrician, class B journeyman  
16 4 electrician, life safety installer, or special electrician,  
16 5 twenty-five dollars.

16 6 c. For apprentice electricians, twenty dollars.

16 7 2. The holder of an expired license may renew the license  
16 8 for a period of three months from the date of expiration upon  
16 9 payment of the license fee plus ten percent of the renewal fee  
16 10 for each month or portion thereof past the expiration date.

16 11 All holders of licenses expired for more than three months  
16 12 shall apply for a new license.

16 13 Sec. 20. NEW SECTION. 103.20 LICENSEE STATUS ==  
16 14 EMPLOYMENT == DEATH.  
16 15 1. Individuals performing electrical work in a capacity  
16 16 for which licensure is required pursuant to this chapter shall  
16 17 be employed by the authority or company obtaining a permit for  
16 18 the performance of such work, and shall possess a valid  
16 19 license issued by the board.

16 20 2. Upon the death of an electrical contractor, a class A  
16 21 master electrician, a class B master electrician, or a life  
16 22 safety installer, the board may permit a representative to  
16 23 carry on the business of the decedent for a period not to  
16 24 exceed six months for the purpose of completing work under  
16 25 contract to comply with this chapter. Such representative  
16 26 shall furnish all public liability and property damage  
16 27 insurance required by the board.

16 28 Sec. 21. NEW SECTION. 103.21 LICENSES WITHOUT  
16 29 EXAMINATION == RECIPROCITY WITH OTHER STATES.

16 30 To the extent that any other state which provides for the  
16 31 licensing of electricians provides for similar action, the  
16 32 board may grant licenses, without examination, of the same  
16 33 grade and class to an electrician who has been licensed by  
16 34 such other state for at least one year, upon payment by the  
16 35 applicant of the required fee, and upon the board being  
17 1 furnished with proof that the qualifications of the applicant  
17 2 are equal to the qualifications of holders of similar licenses  
17 3 in this state.

17 4 Sec. 22. NEW SECTION. 103.22 CHAPTER INAPPLICABILITY.  
17 5 The provisions of this chapter shall not:

17 6 1. Apply to a person licensed as an engineer pursuant to  
17 7 chapter 542B, registered as an architect pursuant to chapter  
17 8 544A, or licensed as a landscape architect pursuant to chapter  
17 9 544B providing consultations and developing plans concerning  
17 10 electrical installations who is exclusively engaged in the  
17 11 practice of the person's profession.

17 12 2. Require employees of municipal corporations, electric  
17 13 membership or cooperative associations, public utility  
17 14 corporations, rural water associations or districts,  
17 15 railroads, telecommunications companies, franchised cable  
17 16 television operators, or commercial or industrial companies  
17 17 performing manufacturing, installation, and repair work for  
17 18 such employer to hold licenses while acting within the scope  
17 19 of their employment.

17 20 3. Require any person doing work for which a license would  
17 21 otherwise be required under this chapter to hold a license  
17 22 issued under this chapter if the person is the holder of a  
17 23 valid license issued by any political subdivision, so long as  
17 24 the person makes electrical installations only in the  
17 25 jurisdictional limits of such political subdivision and such  
17 26 license issued by the political subdivision meets the  
17 27 requirements of this chapter.

17 28 4. Apply to the installation, maintenance, repair, or  
17 29 alteration of vertical transportation or passenger conveyors,  
17 30 elevators, moving walks, dumbwaiters, stagelifts, manlifts, or  
17 31 appurtenances thereto beyond the terminals of the controllers.  
17 32 The licensing of elevator contractors or constructors shall  
17 33 not be considered a part of the licensing requirements of this  
17 34 chapter.

17 35 5. Require a license of any person who engages any  
18 1 electrical appliance where approved electrical supply is  
18 2 already installed.

18 3 6. Prohibit an owner of property from performing work on  
18 4 the owner's principal residence, if such residence is an  
18 5 existing dwelling rather than new construction and is not  
18 6 larger than a single-family dwelling, or farm property,  
18 7 excluding commercial or industrial installations or  
18 8 installations in public use buildings or facilities, or  
18 9 require such owner to be licensed under this chapter. In  
18 10 order to qualify for inapplicability pursuant to this  
18 11 subsection, a residence shall qualify for the homestead tax  
18 12 exemption.

18 13 7. Require that any person be a member of a labor union in  
18 14 order to be licensed.

18 15 8. Apply to a person who is qualified pursuant to  
18 16 administrative rules relating to the storage and handling of  
18 17 liquefied petroleum gases while engaged in installing,  
18 18 servicing, testing, replacing, or maintaining propane gas  
18 19 utilization equipment, or gas piping systems of which the  
18 20 equipment is a part, and related or connected accessory  
18 21 systems or equipment necessary to the operation of the  
18 22 equipment.

18 23 9. Apply to a person who meets the requirements for a well



18 24 contractor pursuant to administrative rules while engaged in  
18 25 installing, servicing, testing, replacing, or maintaining a  
18 26 well or well equipment, or piping systems of which the  
18 27 equipment is a part, and related or connected accessory  
18 28 systems or equipment necessary to the operation of the  
18 29 equipment.

18 30 10. Apply to a person other than a life safety installer  
18 31 engaged in the design, installation, erection, repair,  
18 32 maintenance, or alteration of class two or class three remote  
18 33 control, signaling, or power-limited circuits, optical fiber  
18 34 cables or other cabling, or communications circuits, including  
18 35 raceways, as defined in the national electrical code for  
19 1 voice, video, audio, and data signals in commercial or  
19 2 residential premises.

19 3 Sec. 23. NEW SECTION. 103.23 ELECTRICAL INSTALLATIONS ==  
19 4 SUBJECT TO INSPECTION.

19 5 The inspection and enforcement provisions of this chapter  
19 6 shall apply to the following:

19 7 1. All new electrical installations for commercial or  
19 8 industrial applications, including installations both inside  
19 9 and outside of buildings, and for public use buildings and  
19 10 facilities and any installation at the request of the owner.

19 11 2. All new electrical installations for residential  
19 12 applications in excess of single-family residential  
19 13 applications.

19 14 3. All new electrical installations for single-family  
19 15 residential applications requiring new electrical service  
19 16 equipment.

19 17 4. Existing electrical installations observed during  
19 18 inspection which constitute an electrical hazard. Existing  
19 19 installations shall not be deemed to constitute an electrical  
19 20 hazard if the wiring when originally installed was installed  
19 21 in accordance with the electrical code in force at the time of  
19 22 installation and has been maintained in that condition.

19 23 Sec. 24. NEW SECTION. 103.24 STATE INSPECTION ==  
19 24 INAPPLICABILITY IN CERTAIN POLITICAL SUBDIVISIONS ==  
19 25 ELECTRICAL INSPECTORS == CERTIFICATE OF QUALIFICATION.

19 26 1. No person other than the holder of an electrical  
19 27 inspector's certificate of qualification shall be appointed to  
19 28 act as an electrical inspector and to enforce this chapter as  
19 29 an electrical inspector and to enforce this chapter or any  
19 30 applicable resolution or ordinance within the inspector's  
19 31 jurisdiction. The board shall establish by rule standards for  
19 32 the certification and decertification of state electrical  
19 33 inspectors, and certified electrical inspector continuing  
19 34 education requirements.

19 35 2. State inspection shall not apply within the  
20 1 jurisdiction of any political subdivision which, pursuant to  
20 2 section 103.29, provides by resolution or ordinance standards  
20 3 of electrical wiring and its installation that are not less  
20 4 than those prescribed by the board or by this chapter and  
20 5 which further provides by resolution or ordinance for the  
20 6 inspection of electrical installations within the limits of  
20 7 such subdivision by a certified electrical inspector. A copy  
20 8 of the certificate of each electrical inspector shall be  
20 9 provided to the board by the political subdivision issuing the  
20 10 certificate.

20 11 3. State inspection shall not apply to routine  
20 12 maintenance.

20 13 Sec. 25. NEW SECTION. 103.25 REQUEST FOR INSPECTION ==  
20 14 FEES.

20 15 At or before commencement of any installation required to  
20 16 be inspected by the board, the licensee or owner making such  
20 17 installation shall submit to the state fire marshal's office a  
20 18 request for inspection. The board shall prescribe the methods  
20 19 by which the request may be submitted, which may include  
20 20 electronic submission or through a form prescribed by the  
20 21 board that can be submitted either through the mail or by a  
20 22 fax transmission. The board shall also prescribe methods by  
20 23 which inspection fees can be paid, which may include  
20 24 electronic methods of payment. If the board or the state fire  
20 25 marshal's office becomes aware that a person has failed to  
20 26 file a necessary request for inspection, the board or the  
20 27 state fire marshal's office shall send a written notification  
20 28 by certified mail that the request must be filed within  
20 29 fourteen days. Any person filing a late request for  
20 30 inspection shall pay a delinquency fee in an amount to be  
20 31 determined by the board. Failure to file a late request  
20 32 within fourteen days shall be subject to a civil penalty to be  
20 33 determined by the board by rule.

20 34 Sec. 26. NEW SECTION. 103.26 CONDEMNATION ==

20 35 DISCONNECTION == OPPORTUNITY TO CORRECT NONCOMPLIANCE.

21 1 If the inspector finds that any installation or portion of  
21 2 an installation is not in compliance with accepted standards  
21 3 of construction for safety to health and property, based upon  
21 4 minimum standards set forth in the local electrical code or  
21 5 the national electrical code adopted by the board pursuant to  
21 6 section 103.6, the inspector shall by written order condemn  
21 7 the installation or noncomplying portion or order service to  
21 8 such installation disconnected and shall send a copy of such  
21 9 order to the board, the state fire marshal, and the electrical  
21 10 utility supplying power involved. If the installation or the  
21 11 noncomplying portion is such as to seriously and proximately  
21 12 endanger human health or property, the order of the inspector  
21 13 when approved by the inspector's superior shall require  
21 14 immediate condemnation and disconnection by the applicant. In  
21 15 all other cases, the order of the inspector shall establish a  
21 16 reasonable period of time for the installation to be brought  
21 17 into compliance with accepted standards of construction for  
21 18 safety to health and property prior to the effective date  
21 19 established in such order for condemnation or disconnection.

21 20 Sec. 27. NEW SECTION. 103.27 CONDEMNATION OR  
21 21 DISCONNECTION ORDER == SERVICE.

21 22 1. A copy of each condemnation or disconnection order  
21 23 shall be served personally or by regular mail upon the  
21 24 property owner at the property owner's last known address, the  
21 25 licensee making the installation, and such other persons as  
21 26 the board by rule may direct.

21 27 2. The electrical utility supplying power shall be served  
21 28 with a copy of any order which requires immediate  
21 29 disconnection or prohibits energizing an installation.

21 30 Sec. 28. NEW SECTION. 103.28 CERTIFICATE OF SAFE  
21 31 OPERATION == DISMISSAL OF CONDEMNATION OR DISCONNECTION ORDER.

21 32 1. No electrical installation subject to inspection under  
21 33 this chapter shall be newly connected or reconnected for use  
21 34 until the electrical inspector has filed with the electrical  
21 35 utility supplying power a certificate stating that the  
22 1 electrical inspector has approved such energization.

22 2 2. If the electrical inspector determines that an  
22 3 electrical installation subject to inspection by the board is  
22 4 not in compliance with accepted standards of construction for  
22 5 safety to health and property, based upon minimum standards  
22 6 adopted by the board pursuant to this chapter, the inspector  
22 7 shall issue a correction order. A correction order made  
22 8 pursuant to this section shall be served personally or by  
22 9 United States mail only upon the licensee making the  
22 10 installation. The correction order shall order the licensee  
22 11 to make the installation comply with the standards, noting  
22 12 specifically what changes are required. The order shall  
22 13 specify a date, not more than seventeen calendar days from the  
22 14 date of the order, when a new inspection shall be made. When  
22 15 the installation is brought into compliance to the  
22 16 satisfaction of the inspector, the inspector shall file with  
22 17 the electrical utility supplying power a certificate stating  
22 18 that the electrical inspector has approved energization.

22 19 3. An electrical utility supplier may refuse service  
22 20 without liability for such refusal until the provisions of  
22 21 this section have been met.

22 22 Sec. 29. NEW SECTION. 103.29 POLITICAL SUBDIVISIONS ==  
22 23 INSPECTIONS == AUTHORITY OF POLITICAL SUBDIVISIONS.

22 24 1. A political subdivision performing electrical  
22 25 inspections prior to December 31, 2007, shall continue to  
22 26 perform such inspections. After December 31, 2012, a  
22 27 political subdivision may choose to discontinue performing its  
22 28 own inspections and permit the board to have jurisdiction over  
22 29 inspections in the political subdivision. If a political  
22 30 subdivision seeks to discontinue its own inspections prior to  
22 31 December 31, 2012, the political subdivision shall petition  
22 32 the board. If a unanimous vote of the board finds that a  
22 33 political subdivision's inspections are inadequate by reason  
22 34 of misfeasance, malfeasance, or nonfeasance, the board may  
22 35 suspend or revoke the political subdivision's authority to  
23 1 perform its own inspections, subject to appeal according to  
23 2 the procedure set forth in section 103.35 and judicial review  
23 3 pursuant to section 17A.19. A political subdivision not  
23 4 performing electrical inspections prior to December 31, 2007,  
23 5 may make provision for inspection of electrical installations  
23 6 within its jurisdiction, in which case it shall keep on file  
23 7 with the board copies of its current inspection ordinances or  
23 8 resolutions and electrical codes.

23 9 2. A political subdivision performing electrical  
23 10 inspections pursuant to subsection 1 prior to December 31,

23 11 2007, may maintain a different supervision ratio than the  
23 12 ratio of three apprentice electricians and unclassified  
23 13 persons to one licensee specified in section 103.15,  
23 14 subsection 3, but may not exceed that ratio. A political  
23 15 subdivision which begins performing electrical inspections  
23 16 after December 31, 2007, shall maintain the specified  
23 17 three-to-one ratio unless the board approves a petition by the  
23 18 political subdivision for a lower ratio. A political  
23 19 subdivision which discontinues performing electrical  
23 20 inspections and permits the board to have jurisdiction over  
23 21 inspections shall maintain the specified three-to-one  
23 22 supervision ratio, and may not petition for a lower ratio  
23 23 unless the political subdivision subsequently resumes  
23 24 performing electrical inspections.

23 25 3. A political subdivision that performs electrical  
23 26 inspections may set appropriate permit fees to pay for such  
23 27 inspections. A political subdivision shall not require any  
23 28 person holding a license from the board to pay any license fee  
23 29 or take any examination if the person holds a current license  
23 30 issued by the board which is of a classification equal to or  
23 31 greater than the classification needed to do the work  
23 32 proposed. Any such political subdivision may provide a  
23 33 requirement that each person doing electrical work within the  
23 34 jurisdiction of such political subdivision have on file with  
23 35 the political subdivision a copy of the current license issued  
24 1 by the board or such other evidence of such license as may be  
24 2 provided by the board.

24 3 4. A political subdivision is authorized to determine what  
24 4 work may be performed by a class B licensee within the  
24 5 jurisdictional limits of the political subdivision.

24 6 5. A political subdivision that performs electrical  
24 7 inspections shall act as the authority having jurisdiction for  
24 8 electrical inspections and for amending the national  
24 9 electrical code adopted by the board pursuant to section 103.6  
24 10 for work performed within the jurisdictional limits of the  
24 11 political subdivision, provided those inspections and  
24 12 amendments conform to the requirements of this chapter. Any  
24 13 action by a political subdivision with respect to amendments  
24 14 to the national electrical code shall be filed with the board  
24 15 prior to enforcement by the political subdivision, and shall  
24 16 not be less stringent than the minimum standards established  
24 17 by the board by rule.

24 18 6. A political subdivision may grant a variance or  
24 19 interpret the national electrical code in a manner which  
24 20 deviates from a standard interpretation on an exception basis  
24 21 for a one-time installation or planned installation so long as  
24 22 such a variance or interpretation does not present an  
24 23 electrical hazard or danger to life or property.

24 24 Sec. 30. NEW SECTION. 103.30 INSPECTIONS NOT REQUIRED.

24 25 Nothing in this chapter shall be construed to require the  
24 26 work of employees of municipal corporations, railroads,  
24 27 electric membership or cooperative associations, public  
24 28 utility corporations, rural water associations or districts,  
24 29 or telecommunications systems to be inspected while acting  
24 30 within the scope of their employment.

24 31 Sec. 31. NEW SECTION. 103.31 SUPPLIER OF ELECTRICAL  
24 32 SERVICE == LIABILITY.

24 33 Upon inspection and approval by any certified inspector,  
24 34 all liability upon any supplier of electrical service for  
24 35 subsequent damage or loss arising from any installation shall  
25 1 be terminated, except for any acts of gross negligence by such  
25 2 supplier.

25 3 Sec. 32. NEW SECTION. 103.32 STATE INSPECTION  
25 4 PROCEDURES.

25 5 1. An inspection shall be made within three business days  
25 6 of the submission of a request for an inspection as provided  
25 7 in section 103.25. When necessary, circuits may be energized  
25 8 by the authorized installer prior to inspection but the  
25 9 installation shall remain subject to condemnation and  
25 10 disconnection and subject to any appropriate restrictions or  
25 11 limitations as determined by the board.

25 12 2. Where wiring is to be concealed, the inspector must be  
25 13 notified within a reasonable time to complete rough-in  
25 14 inspections prior to concealment, exclusive of Saturdays,  
25 15 Sundays, and holidays. If wiring is concealed before rough-in  
25 16 inspections without adequate notice having been given to the  
25 17 inspector, the person responsible for having enclosed the  
25 18 wiring shall be responsible for all costs resulting from  
25 19 uncovering and replacing the cover material.

25 20 3. State inspection procedures and policies shall be  
25 21 established by the board. The state fire marshal, or the

25 22 state fire marshal's designee, shall enforce the procedures  
25 23 and policies, and enforce the provisions of the national  
25 24 electrical code adopted by the board.  
25 25 4. Except when an inspection reveals that an installation  
25 26 or portion of an installation is not in compliance with  
25 27 accepted standards of construction for safety to health and  
25 28 property, based upon minimum standards set forth in the local  
25 29 electrical code or the national electrical code adopted by the  
25 30 board pursuant to section 103.6, such that an order of  
25 31 condemnation or disconnection is warranted pursuant to section  
25 32 103.26, an inspector shall not add to, modify, or amend a  
25 33 construction plan as originally approved by the state fire  
25 34 marshal in the course of conducting an inspection.

25 35 5. Management and supervision of inspectors, including  
26 1 hiring decisions, disciplinary action, promotions, and work  
26 2 schedules are the responsibility of the state fire marshal  
26 3 acting in accordance with applicable law and pursuant to any  
26 4 applicable collective bargaining agreement. The state fire  
26 5 marshal and the board shall jointly determine work  
26 6 territories, regions, or districts for inspectors and  
26 7 continuing education and ongoing training requirements  
26 8 applicable to inspectors. An inspector subject to  
26 9 disciplinary action pursuant to this subsection shall be  
26 10 entitled to an appeal according to the procedure set forth in  
26 11 section 103.35 and judicial review pursuant to section 17A.19.

26 12 6. The board shall establish a web-based licensure  
26 13 verification database for access by a state or local inspector  
26 14 for verification of licensee status. The database shall  
26 15 include the name of every person licensed under this chapter  
26 16 and a corresponding licensure number. Inspectors shall be  
26 17 authorized to request the name and license number of any  
26 18 person working at a jobsite subject to inspection for  
26 19 verification of licensee status. Licensees under this chapter  
26 20 shall be required to carry a copy of their current license and  
26 21 photo identification at all times when employed on a jobsite  
26 22 for compliance with this subsection.

26 23 Sec. 33. NEW SECTION. 103.33 STATE INSPECTION FEES.

26 24 1. All state electrical inspection fees shall be due and  
26 25 payable to the board at or before commencement of the  
26 26 installation and shall be forwarded with the request for  
26 27 inspection. Inspection fees provided in this section shall  
26 28 not apply within the jurisdiction of any political subdivision  
26 29 if the political subdivision has adopted an ordinance or  
26 30 resolution pursuant to this chapter.

26 31 2. The board shall establish the fees for inspections in  
26 32 amounts not to exceed:

26 33 a. For each separate inspection of an installation,  
26 34 replacement, alteration, or repair, twenty-five dollars.

26 35 b. For services, change of services, temporary services,  
27 1 additions, alterations, or repairs on either primary or  
27 2 secondary services as follows:

27 3 (1) Zero to one hundred ampere capacity, twenty-five  
27 4 dollars plus five dollars per branch circuit or feeder.

27 5 (2) One hundred one to two hundred ampere capacity,  
27 6 thirty-five dollars plus five dollars per branch circuit or  
27 7 feeder.

27 8 (3) For each additional one hundred ampere capacity or  
27 9 fraction thereof, twenty dollars plus five dollars per branch  
27 10 circuit or feeder.

27 11 c. For field irrigation system inspections, sixty dollars  
27 12 for each unit inspected.

27 13 d. For the first reinspection required as a result of a  
27 14 correction order, fifty dollars; a second reinspection  
27 15 required as a result of noncompliance with the same correction  
27 16 order, seventy-five dollars; and subsequent reinspections  
27 17 associated with the same correction order, one hundred dollars  
27 18 for each reinspection.

27 19 3. When an inspection is requested by an owner, the  
27 20 minimum fee shall be thirty dollars plus five dollars per  
27 21 branch circuit or feeder. The fee for fire and accident  
27 22 inspections shall be computed at the rate of forty-seven  
27 23 dollars per hour, and mileage and other expenses shall be  
27 24 reimbursed as provided by the office of the state fire  
27 25 marshal.

27 26 4. For installations requiring more than six months in the  
27 27 process of construction and in excess of three hundred dollars  
27 28 total inspection fees, the persons responsible for the  
27 29 installation may, after a minimum filing fee of one hundred  
27 30 dollars, pay a prorated fee for each month and submit it with  
27 31 an order for payment initiated by the electrical inspector.

27 32 Sec. 34. NEW SECTION. 103.34 CONDEMNATION OR

27 33 DISCONNECTION ORDERS == APPEALS == DISPOSITION OF ORDERS

27 34 PENDING APPEAL.

27 35 1. Any person aggrieved by a condemnation or disconnection  
28 1 order issued by the state fire marshal's office may appeal  
28 2 from the order by filing a written notice of appeal with the  
28 3 board within ten days after the date the order was served upon  
28 4 the owner or within ten days after the order was filed with  
28 5 the board, whichever is later.

28 6 2. Upon receipt of the notice of appeal from a  
28 7 condemnation or disconnection order because the electrical  
28 8 installation is proximately dangerous to health or property,  
28 9 the order appealed from shall not be stayed unless  
28 10 countermanded by the board.

28 11 3. Upon receipt of notice of appeal from a condemnation or  
28 12 disconnection order because the electrical installation is not  
28 13 in compliance with accepted standards of construction for  
28 14 safety to health and property, except as provided in  
28 15 subsection 2, the order appealed from shall be stayed until  
28 16 final decision of the board and the board shall notify the  
28 17 property owner and the electrical contractor, class A master  
28 18 electrician, class B master electrician, fire alarm installer,  
28 19 or special electrician making the installation. The power  
28 20 supplier shall also be notified in those instances in which  
28 21 the order has been served on such supplier.

28 22 Sec. 35. NEW SECTION. 103.35 APPEAL PROCEDURES.

28 23 1. Upon receipt of a notice of appeal, the chairperson or  
28 24 executive secretary of the board may designate a hearing  
28 25 officer from among the board members to hear the appeal or may  
28 26 set the matter for hearing before the full board at its next  
28 27 regular meeting. A majority of the board shall make the  
28 28 decision.

28 29 2. Upon receiving the notice of appeal, the board shall  
28 30 notify all persons served with the order appealed from. Such  
28 31 persons may join in the hearing and give testimony in their  
28 32 own behalf. The board shall set the hearing date on a date  
28 33 not more than fourteen days after receipt of the notice of  
28 34 appeal unless otherwise agreed by the interested parties and  
28 35 the board.

29 1 Sec. 36. NEW SECTION. 103.36 SUSPENSION, REVOCATION, OR  
29 2 REPRIMAND.

29 3 The board, by a simple majority vote of the entire board,  
29 4 may suspend for a period not exceeding two years, or revoke  
29 5 the certificate of licensure of, or reprimand any licensee who  
29 6 is found guilty of any of the following acts or offenses:  
29 7 1. Fraud in procuring a certificate of licensure.  
29 8 2. Professional incompetency.  
29 9 3. Knowingly making misleading, deceptive, untrue, or  
29 10 fraudulent representations in the practice of the licensee's  
29 11 profession or engaging in unethical conduct or practice  
29 12 harmful to the public. Proof of actual injury need not be  
29 13 established.

29 14 4. Habitual intoxication or addiction to the use of drugs.

29 15 5. Conviction of a felony under the laws of the United  
29 16 States, this state, any other state, territory, or possession  
29 17 of the United States, the District of Columbia, or any foreign  
29 18 country. A copy of the record of conviction or plea of guilty  
29 19 is conclusive evidence of such conviction.

29 20 6. Revocation or suspension of licensure, or other  
29 21 disciplinary action by the licensing authority of another  
29 22 state, territory, or possession of the United States, the  
29 23 District of Columbia, or any foreign country. A certified  
29 24 copy of the record or order of suspension, revocation, or  
29 25 other disciplinary action is prima facie evidence of such  
29 26 fact.

29 27 7. Fraud in representations as to skill or ability.

29 28 8. Use of untruthful or improbable statements in  
29 29 advertisements.

29 30 9. Willful or repeated violations of this chapter.

29 31 Sec. 37. NEW SECTION. 103.37 PROCEDURE.

29 32 Proceedings for any action under section 103.36 shall be  
29 33 commenced by filing with the board written charges against the  
29 34 accused. Upon the filing of charges, the board shall conduct  
29 35 an investigation into the charges. The board shall designate  
30 1 a time and place for a hearing, and shall notify the accused  
30 2 of this action and furnish the accused a copy of all charges  
30 3 at least thirty days prior to the date of the hearing. The  
30 4 accused has the right to appear personally or by counsel, to  
30 5 cross-examine witnesses, or to produce witnesses in defense.

30 6 Sec. 38. NEW SECTION. 103.38 INJUNCTION.

30 7 Any person who is not legally authorized to practice in  
30 8 this state according to this chapter, who practices, or in

30 9 connection with the person's name, uses any designation  
30 10 tending to imply or designate the person as authorized to  
30 11 practice in this state according to this chapter, may be  
30 12 restrained by permanent injunction.

30 13 Sec. 39. NEW SECTION. 103.39 CRIMINAL VIOLATIONS.  
30 14 A person who violates a permanent injunction issued  
30 15 pursuant to section 103.38 or presents or attempts to file as  
30 16 the person's own the certificate of licensure of another, or  
30 17 who gives false or forged evidence of any kind to the board in  
30 18 obtaining a certificate of licensure, or who falsely  
30 19 impersonates another practitioner of like or different name,  
30 20 or who uses or attempts to use a revoked certificate of  
30 21 licensure, is guilty of a fraudulent practice under chapter  
30 22 714.

30 23 Sec. 40. NEW SECTION. 103.40 CIVIL PENALTY.  
30 24 1. In addition to any other penalties provided for in this  
30 25 chapter, the board may by order impose a civil penalty upon a  
30 26 person who is not licensed under this chapter and who does any  
30 27 of the following:

30 28 a. Is employed in a capacity in which the person engages  
30 29 in or offers to engage in the activities authorized pursuant  
30 30 to this chapter.

30 31 b. Uses or employs the words "electrical contractor",  
30 32 "class A master electrician", "class B master electrician",  
30 33 "class A journeyman electrician", "class B journeyman  
30 34 electrician", or "life safety installer", or implies  
30 35 authorization to provide or offer those services, or otherwise  
31 1 uses or advertises any title, word, figure, sign, card,  
31 2 advertisement, or other symbol or description tending to  
31 3 convey the impression that the person is an "electrical  
31 4 contractor", "class A master electrician", "class B master  
31 5 electrician", "class A journeyman electrician", "class B  
31 6 journeyman electrician", or "life safety installer".

31 7 c. Gives false or forged evidence of any kind to the board  
31 8 or any member of the board in obtaining or attempting to  
31 9 obtain a certificate of licensure.

31 10 d. Falsely impersonates any individual licensed pursuant  
31 11 to this chapter.

31 12 e. Uses or attempts to use an expired, suspended, revoked,  
31 13 or nonexistent certificate of licensure.

31 14 f. Knowingly aids or abets an unlicensed person who  
31 15 engages in any activity identified in this subsection.

31 16 2. A civil penalty imposed shall not exceed one thousand  
31 17 dollars for each offense. Each day of a continued violation  
31 18 constitutes a separate offense, except that offenses resulting  
31 19 from the same or common facts or circumstances shall be  
31 20 considered a single offense.

31 21 3. In determining the amount of a civil penalty to be  
31 22 imposed, the board may consider any of the following:

31 23 a. Whether the amount imposed will be a substantial  
31 24 economic deterrent to the violation.

31 25 b. The circumstances leading to the violation.

31 26 c. The severity of the violation and the risk of harm to  
31 27 the public.

31 28 d. The economic benefits gained by the violator as a  
31 29 result of noncompliance.

31 30 e. The interest of the public.

31 31 4. Before issuing an order under this section, the board  
31 32 shall provide the person written notice and the opportunity to  
31 33 request a hearing on the record. The hearing must be  
31 34 requested within thirty days of the issuance of the notice and  
31 35 shall be conducted in the same manner as provided in section  
32 1 103.37.

32 2 5. The board, in connection with a proceeding under this  
32 3 section, may issue subpoenas to compel the attendance and  
32 4 testimony of witnesses and the disclosure of evidence, and may  
32 5 request the attorney general to bring an action to enforce the  
32 6 subpoena.

32 7 6. A person aggrieved by the imposition of a civil penalty  
32 8 under this section may seek judicial review in accordance with  
32 9 section 17A.19.

32 10 7. If a person fails to pay a civil penalty within thirty  
32 11 days after entry of an order under subsection 1, or if the  
32 12 order is stayed pending an appeal within ten days after the  
32 13 court enters a final judgment in favor of the board, the board  
32 14 shall notify the attorney general. The attorney general may  
32 15 commence an action to recover the amount of the penalty,  
32 16 including reasonable attorney fees and costs.

32 17 8. An action to enforce an order under this section may be  
32 18 joined with an action for an injunction.

32 19 Sec. 41. EFFECTIVE DATES. Sections 1 through 5, section

32 20 6, subsections 1 and 6, and section 17 of this Act, being  
32 21 deemed of immediate importance, take effect upon enactment.  
32 22 Sections 23 through 35 of this Act take effect January 1,  
32 23 2009. The remaining sections and subsections of this Act take  
32 24 effect January 1, 2008.

#### 32 25 EXPLANATION

32 26 This bill provides for a statewide system of licensure for  
32 27 electricians and life safety installers, provisions regarding  
32 28 electrical inspections, and specifies related licensing and  
32 29 inspection fees. The new statewide licensure system  
32 30 supplements current licensure of electricians on a city-by=  
32 31 city basis, permitting electricians to practice on a  
32 32 statewide, as well as local, basis.

32 33 The bill provides for the creation of an 11-member  
32 34 electrical examining board within the state fire marshal  
32 35 division of the department of public safety.

33 1 The bill establishes several powers and duties relating to  
33 2 the activities of the board. The board shall be authorized to  
33 3 adopt rules to administer the chapter, and in so doing shall  
33 4 be governed by the minimum standards set forth in the national  
33 5 electrical code issued and adopted by the national fire  
33 6 protection association. The rules shall establish wiring  
33 7 standards that protect public safety and health and property  
33 8 and that apply to all electrical wiring installed pursuant to  
33 9 the chapter. Additional powers and duties of the board  
33 10 include the ability to revoke, suspend, or refuse to renew any  
33 11 license under specified circumstances, to adopt rules for  
33 12 continuing education requirements, and to specify fee levels  
33 13 and collection procedures.

33 14 The bill creates an electrician and installer licensing and  
33 15 inspection fund in the state treasury as a separate fund under  
33 16 the control of the board. The bill provides that all  
33 17 licensing, registration, examination, renewal, and inspection  
33 18 fees deposited or paid into the fund are appropriated and made  
33 19 available to the board, that the balance shall not revert to  
33 20 the general fund, and that expenditures from the fund shall be  
33 21 approved solely by the board in consultation with the state  
33 22 fire marshal.

33 23 The bill provides that in order to, for another, plan, lay  
33 24 out, or supervise the installation of electrical wiring,  
33 25 apparatus, or equipment for light, heat, or power, an  
33 26 individual must be licensed by the board as an electrical  
33 27 contractor, a class A master electrician, or a class B master  
33 28 electrician, as defined in the bill. The bill provides that  
33 29 an applicant for an electrical contractor license shall either  
33 30 be or employ a licensed class A or class B master electrician,  
33 31 and be registered with the state of Iowa as a contractor.

33 32 The bill provides that an applicant for a class A master  
33 33 electrician license shall have at least one year's experience,  
33 34 acceptable to the board, as a licensed class A or class B  
33 35 journeyman electrician, and meet specified examination  
34 1 criteria. An applicant who establishes that they have been  
34 2 working in the electrical business and involved in planning  
34 3 for, laying out, supervising, and installing electrical  
34 4 wiring, apparatus, or equipment for light, heat, and power  
34 5 prior to 1990 may be granted a class B master electrician  
34 6 license without being tested, valid unless a political  
34 7 subdivision establishes standards not permitting such work by  
34 8 a class B master electrician. Additionally, the bill states  
34 9 that a person licensed to plan, lay out, or supervise the  
34 10 installation of electrical wiring, apparatus, or equipment for  
34 11 light, heat, power, and other purposes by a political  
34 12 subdivision preceding the effective date of the applicable  
34 13 section of the bill pursuant to a supervised written  
34 14 examination and who is currently engaged in the electrical  
34 15 contracting industry, shall be issued an applicable  
34 16 corresponding statewide license with the board adopting by  
34 17 rule criteria for political subdivision examination standards.

34 18 The bill provides that a person shall not, for another,  
34 19 wire for or install electrical wiring, apparatus, or  
34 20 equipment, or supervise an apprentice electrician or  
34 21 unclassified person, unless licensed by the board as an  
34 22 electrical contractor, a class A master electrician, a class B  
34 23 master electrician, or a life safety installer, or is licensed  
34 24 as a class A or B journeyman electrician or life safety  
34 25 installer and employed by an electrical contractor, class A or  
34 26 B master electrician, or a life safety installer as defined in  
34 27 the bill.

34 28 The bill provides that an applicant for a class A  
34 29 journeyman electrician license shall have successfully  
34 30 completed an apprenticeship training program and have obtained

34 31 a score of at least 75 percent on an examination prescribed  
34 32 and administered by the board. An applicant who can provide  
34 33 proof that they have been employed as a journeyman electrician  
34 34 since 1990 can be granted a class B journeyman electrician  
34 35 license without being tested subject to political subdivision  
35 1 restrictions similar to those applicable for class B master  
35 2 electricians. The bill provides that a person licensed to  
35 3 wire for or install electrical wiring, electrical apparatus,  
35 4 or electrical equipment or supervise an apprentice electrician  
35 5 by a political subdivision preceding the effective date of the  
35 6 applicable section of the bill pursuant to a supervised  
35 7 written examination, and who is currently engaged in the  
35 8 electrical contracting industry with at least four years'  
35 9 experience, shall be issued an applicable corresponding  
35 10 statewide license, with the board adopting rules for criteria  
35 11 for city examination standards.

35 12 The bill provides for a special electrician license  
35 13 authorizing the licensee to engage in a limited class or  
35 14 classes of electrical work. Additionally, the bill provides  
35 15 for the licensing of a life safety installer. The bill  
35 16 provides that a person authorized to plan, lay out, or install  
35 17 electrical wiring, electrical apparatus, and electrical  
35 18 equipment for components of life safety systems that operate  
35 19 at 50 volts or less by a political subdivision on the  
35 20 applicable section of the bill's effective date shall be  
35 21 issued an applicable statewide license corresponding to that  
35 22 authorization, and that on or after the effective date of the  
35 23 applicable section of the bill, a person licensed as a life  
35 24 safety installer to plan, lay out, and install electrical  
35 25 wiring, electrical apparatus, and electrical equipment for  
35 26 components of life safety systems shall have at least two  
35 27 years' experience, acceptable to the board, in planning,  
35 28 laying out, and installing life safety systems. Additionally,  
35 29 the bill specifies that an applicant for a life safety  
35 30 installer license shall obtain a score of at least 75 percent  
35 31 on an examination prescribed and administered by the board.  
35 32 The bill provides that a person licensed as a class A or class  
35 33 B master electrician, or a class A or class B journeyman  
35 34 electrician, who has not successfully passed the examination  
35 35 shall be authorized to install electrical wiring, apparatus,  
36 1 and equipment for components of life safety systems if their  
36 2 work is approved by a person who is licensed as a life safety  
36 3 installer.

36 4 The bill additionally includes provisions pertaining to  
36 5 apprentice electricians and unclassified persons employed by  
36 6 licensees. The bill provides that a person shall be licensed  
36 7 to work as an apprentice electrician while participating in an  
36 8 apprenticeship training program, and that a person is eligible  
36 9 as an apprentice electrician for only one apprenticeship,  
36 10 which shall be limited to six years from the date of licensure  
36 11 unless extended for hardship. A person shall be licensed as  
36 12 an unclassified person to perform electrical work if the work  
36 13 is performed under the personal supervision of a person  
36 14 actually licensed to perform such work and the licensed and  
36 15 unclassified persons are employed by the same employer. The  
36 16 bill provides that apprentice electricians and unclassified  
36 17 persons shall do no electrical wiring except under the direct  
36 18 personal on-the-job supervision and control in specified  
36 19 ratios in the immediate presence of a licensee pursuant to the  
36 20 bill. The bill provides that an unlicensed unclassified  
36 21 person must obtain licensure as an unclassified person within  
36 22 100 days of continuous employment.

36 23 The bill specifies the types of licensing examinations and  
36 24 specifies examination frequencies and procedures. The bill  
36 25 provides a criminal penalty of a simple misdemeanor for a  
36 26 board member who discloses listed confidential information  
36 27 relating to applicants and examinations.

36 28 The bill provides that with respect to class A master  
36 29 electricians, class B master electricians, class A journeyman  
36 30 electricians, and class B journeyman electricians, licenses  
36 31 shall expire every three years, and specifies examination,  
36 32 issuance, and renewal fees for the various classifications of  
36 33 licensure. The bill also provides that to renew a license,  
36 34 the licensee shall be required to complete 18 contact hours of  
36 35 continuing education courses approved by the board per three=  
37 1 year of licensure. The contact hours shall include a minimum  
37 2 of six contact hours studying the national electrical code.  
37 3 With respect to apprentice electricians and unclassified  
37 4 persons, the bill provides that licenses shall expire  
37 5 annually.

37 6 The bill provides for the continuation of business by a



37 7 licensee by a representative for a period of six months  
37 8 following the licensee's death, and provides for reciprocity  
37 9 with other states. The bill specifies that individuals  
37 10 performing electrical work in a capacity for which licensure  
37 11 is required shall be employed by the authority or company  
37 12 obtaining a permit for the performance of such work, and shall  
37 13 possess a valid license issued by the board. The bill  
37 14 contains a chapter inapplicability section, including  
37 15 inapplicability to a person licensed as an engineer or  
37 16 architect providing consultations and developing plans  
37 17 concerning electrical installations while exclusively engaged  
37 18 in the practice of their profession, and employees of  
37 19 specified entities while acting within the scope of their  
37 20 employment. The bill provides that persons who hold a valid  
37 21 license issued by any political subdivision are not required  
37 22 to obtain state licensure, so long as they make electrical  
37 23 installations only in the jurisdictional limits of that  
37 24 political subdivision and the license issued by the political  
37 25 subdivision meets the requirements of the bill. Further, the  
37 26 bill's provisions shall not apply to vertical transportation  
37 27 or passenger conveyors, elevators, moving walks, dumbwaiters,  
37 28 stagelifts, manlifts, or appurtenances, shall not require a  
37 29 license of any person who engages any electrical appliance  
37 30 where approved electrical supply is already installed,  
37 31 prohibit an owner of property from performing work on the  
37 32 owner's principal residence under specified circumstances, or  
37 33 require that any person be a member of a labor union in order  
37 34 to be licensed. Additionally, the bill is inapplicable to  
37 35 persons qualified pursuant to administrative rules relating to

38 1 the storage and handling of liquefied petroleum gases while  
38 2 engaged in specified activities, and to persons meeting  
38 3 administrative rule requirements for well contractors while  
38 4 engaged in specified tasks. Finally, the bill is inapplicable  
38 5 to persons other than life safety installers engaged in work  
38 6 relating to class two or class three remote control,  
38 7 signaling, or power-limited circuits, optical fiber cables or  
38 8 other cabling, or communications circuits, including raceways,  
38 9 as defined in the national electrical code.

38 10 The bill specifies inspection procedures and requirements

38 11 applicable to all new electrical installations for commercial

38 12 or industrial applications, including installations both

38 13 inside and outside of buildings, and for public use buildings

38 14 and facilities and any installation at the request of the

38 15 owner, all new electrical installations for residential

38 16 applications in excess of single-family residential

38 17 applications, all new electrical installations for single-

38 18 family residential applications requiring new electrical

38 19 service equipment, and existing electrical installations

38 20 observed during inspection which constitute an electrical

38 21 hazard, with the caveat that existing installations shall not

38 22 be deemed to constitute an electrical hazard if the wiring

38 23 when originally installed was installed in accordance with the

38 24 electrical code in force at the time of installation and has

38 25 been maintained in that condition.

38 26 The bill provides that state inspection shall not apply

38 27 within the jurisdiction of any political subdivision which

38 28 provides by resolution or ordinance standards of electrical

38 29 wiring and its installation that are not less than those

38 30 prescribed by the board or by the Code chapter established by

38 31 the bill and which further provides by resolution or ordinance

38 32 for the inspection of electrical installations within the

38 33 limits of such subdivision by a certified electrical

38 34 inspector. The bill provides that only the holder of an

38 35 electrical inspector's certificate of qualification shall be

39 1 appointed to act as electrical inspector, and provides that

39 2 the board shall establish by rule standards for the

39 3 certification and decertification of state electrical

39 4 inspectors, and certified electrical inspector continuing

39 5 education requirements.

39 6 The bill specifies procedures relating to a request for

39 7 inspection at or before commencement of any installation

39 8 required to be inspected, and provides penalties for the

39 9 failure to do so. The bill provides that if an inspector

39 10 finds that any installation or portion of an installation is

39 11 not in compliance with accepted standards of construction for

39 12 safety to health and property, the inspector may issue written

39 13 condemnation orders, or orders for disconnection, with the

39 14 immediacy of such orders and opportunities to remedy the

39 15 noncompliance varying with the extent to which the

39 16 noncompliance is found to be a serious and proximate danger to

39 17 human health and property. The bill provides that before an

39 18 electrical installation subject to inspection is either newly  
39 19 connected or reconnected, there must be filed with the  
39 20 electrical utility supplying power a certificate by the  
39 21 inspector stating that the conditions of the installation are  
39 22 safe for energization. The bill specifies additional  
39 23 procedures relating to inspections for new installations, and  
39 24 provides that when an installation is brought into compliance  
39 25 to the satisfaction of the inspector, the inspector shall file  
39 26 with the electrical utility supplying power a certificate  
39 27 stating that the electrical inspector has approved  
39 28 energization.

39 29 The bill provides that all political subdivisions  
39 30 performing electrical inspections prior to December 31, 2007,  
39 31 shall continue performing them. The bill states that after  
39 32 December 31, 2012, a political subdivision may choose to  
39 33 discontinue performing its own inspections and permit the  
39 34 board to have jurisdiction over inspections. A political  
39 35 subdivision may petition the board to discontinue performing  
40 1 its own inspections prior to December 31, 2012, and authority  
40 2 may be revoked by the board, subject to appeal procedures, if  
40 3 by unanimous vote the board finds just cause as specified in  
40 4 the bill. The bill also provides that a political subdivision  
40 5 not performing electrical inspections prior to December 31,  
40 6 2007, may make provision for inspection of electrical  
40 7 installations within its jurisdiction. The bill provides that  
40 8 a political subdivision that performs electrical inspections  
40 9 may set appropriate permit fees, and that a political  
40 10 subdivision shall not require payment of any license fee or  
40 11 the taking of any examination if a person holds a current  
40 12 license issued by the board which is of a classification equal  
40 13 to or greater than the classification needed to do the work  
40 14 proposed. However, a political subdivision may require the  
40 15 filing of a copy of the current license issued by the board or  
40 16 such other evidence of such license.

40 17 The bill provides that a political subdivision performing  
40 18 electrical inspections prior to December 31, 2007, may  
40 19 maintain a different supervision ratio than the ratio of three  
40 20 apprentice electricians and unclassified persons to one  
40 21 licensee specified in Code section 103.15, subsection 3, but  
40 22 may not exceed that ratio. If a political subdivision begins  
40 23 performing electrical inspections after December 31, 2007, the  
40 24 bill provides that the three-to-one ratio applies unless a  
40 25 petition by the political subdivision for a lower ratio is  
40 26 approved by the board. The bill provides that a political  
40 27 subdivision which discontinues performing electrical  
40 28 inspections and permits the board to have jurisdiction over  
40 29 inspections shall maintain the three-to-one ratio and may not  
40 30 petition for a lower one unless the political subdivision  
40 31 subsequently resumes performing electrical inspections. The  
40 32 bill permits a political subdivision to determine what work  
40 33 may be performed by a class B licensee within the  
40 34 jurisdictional limits of the political subdivision, and states  
40 35 that any action by a political subdivision with respect to  
41 1 amendments to the national electrical code adopted by the  
41 2 board shall be filed with the board prior to enforcement by  
41 3 the political subdivision, and shall not be less than the  
41 4 minimum standards established by the board by rule.  
41 5 Additionally, the bill provides that a political subdivision  
41 6 may grant a variance or interpret the national electrical code  
41 7 in a manner which deviates from a standard interpretation on  
41 8 an exception basis for a one-time installation or planned  
41 9 installation so long as such a variance or interpretation does  
41 10 not present an electrical hazard or danger to life or  
41 11 property.

41 12 The bill specifies instances where inspections shall not be  
41 13 required, specifies state inspection procedures, establishes  
41 14 inspection and reinspection fees, and provides that such fees  
41 15 shall not apply within the jurisdiction of any political  
41 16 subdivision if the political subdivision has adopted an  
41 17 ordinance or resolution as previously explained regarding  
41 18 conducting its own inspections. The bill states that except  
41 19 when an inspection reveals that an order of condemnation or  
41 20 disconnection is warranted, an inspector shall not add to,  
41 21 modify, or amend a construction plan as originally approved by  
41 22 the state fire marshal in the course of conducting an  
41 23 inspection. The bill provides that management and supervision  
41 24 of inspectors are the responsibility of the state fire  
41 25 marshal, that the state fire marshal and the board shall  
41 26 jointly determine work territories and continuing education  
41 27 and training requirements applicable to inspectors, and  
41 28 provides for an appeals process for inspectors subject to

41 29 disciplinary action. Further, the bill requires the board to  
41 30 establish a web-based licensure verification database for  
41 31 access by inspectors for verification of licensee status on  
41 32 job sites, and specifies identification procedures. The bill  
41 33 additionally provides that the state fire marshal, or the  
41 34 state fire marshal's designee, shall enforce the procedures  
41 35 and policies determined by the board, and the provisions of  
42 1 the national electrical code adopted by the board.  
42 2 The bill provides for an appeal process, and provides  
42 3 suspension, revocation, reprimand, and penalty provisions.  
42 4 Provisions of the bill relating primarily to definitions  
42 5 and the establishment of the electrician examining board take  
42 6 effect upon enactment. Provisions relating primarily to  
42 7 establishing the various categories of licensure take effect  
42 8 January 1, 2008. Provisions relating primarily to inspections  
42 9 take effect January 1, 2009.  
42 10 LSB 1601HV 82  
42 11 rn:nh/cf/24