

House File 897 - Introduced

HOUSE FILE _____
BY COMMITTEE ON WAYS and MEANS

(SUCCESSOR TO HF 795)
(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 and certification of
2 electricians and installers, providing for inspections,
3 establishing fees, and providing penalties.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1601HZ 82
6 rn/cf/24

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1 1 Section 1. Section 100.1, subsection 7, Code 2007, is
1 2 amended to read as follows:
1 3 7. To administer the fire extinguishing system contractor,
1 4 ~~alarm system contractor, and alarm system installer~~
1 5 certification program established in chapter 100C.
1 6 Sec. 2. Section 100C.1, Code 2007, is amended by adding
1 7 the following new subsections:
1 8 NEW SUBSECTION. 0A. "Alarm system" means a system or
1 9 portion of a combination system that consists of components
1 10 and circuits arranged to monitor and annunciate the status of
1 11 a fire alarm, security alarm, or medical alarm or supervisory
1 12 signal-initiating devices and to initiate the appropriate
1 13 response to those signals.
1 14 NEW SUBSECTION. 0B. "Alarm system contractor" means a
1 15 person engaging in or representing oneself as engaging in the
1 16 activity or business of layout, installation, repair,
1 17 alteration, addition, maintenance, or maintenance inspection
1 18 of alarm systems in this state.
1 19 NEW SUBSECTION. 0C. "Alarm system installer" means an
1 20 employee of an alarm system contractor who is engaged in the
1 21 layout, installation, repair, alteration, addition,
1 22 maintenance, or maintenance inspection of alarm systems.
1 23 Sec. 3. Section 100C.1, subsection 10, Code 2007, is
1 24 amended by striking the subsection and inserting in lieu
1 25 thereof the following:
1 26 10. "Responsible managing employee" means one of the
1 27 following:
1 28 a. An owner, partner, officer, or manager employed
1 29 full-time by a fire extinguishing system contractor who is
1 30 certified by the national institute for certification in
1 31 engineering technologies at a level three in fire protection
1 32 technology, automatic sprinkler system layout, or another
1 33 certification in automatic sprinkler system layout recognized
1 34 by rules adopted by the fire marshal pursuant to section
1 35 100C.7 or who meets any other criteria established by rule.
2 1 b. An owner, partner, officer, or manager employed
2 2 full-time by an alarm system contractor who is certified by
2 3 the national institute for certification in engineering
2 4 technologies in fire alarm systems or security systems at a
2 5 level established by the fire marshal by rule or who meets any
2 6 other criteria established by rule under this chapter. The
2 7 rules may provide for separate endorsements for fire,
2 8 security, and medical alarm systems and may require separate
2 9 qualifications for each.
2 10 Sec. 4. Section 100C.2, Code 2007, is amended to read as
2 11 follows:
2 12 100C.2 CERTIFICATION == EMPLOYEES.
2 13 1. A person shall not act as a fire extinguishing system
2 14 contractor without first obtaining a fire extinguishing system
2 15 contractor's certificate pursuant to this chapter.

2 16 2. A person shall not act as an alarm system contractor
2 17 without first obtaining an alarm system contractor's
2 18 certificate pursuant to this chapter. A person shall not act
2 19 as an alarm system installer without first obtaining an alarm
2 20 system contractor's or alarm system installer's certificate
2 21 pursuant to this chapter.

2 22 ~~2- 3.~~ a. A responsible managing employee may act as a
2 23 responsible managing employee for only one fire extinguishing
2 24 system contractor at a time. The responsible managing
2 25 employee shall not be designated as the responsible managing
2 26 employee for more than two fire extinguishing system
2 27 contractors in any twelve-month period.

2 28 b. A responsible managing employee may act as a
2 29 responsible managing employee for only one alarm system
2 30 contractor at a time. The responsible managing employee shall
2 31 not be designated as the responsible managing employee for
2 32 more than two alarm system contractors in any twelve-month
2 33 period.

2 34 c. A responsible managing employee may serve as the
2 35 responsible managing employee for a fire extinguishing system
3 1 contractor and an alarm system contractor at the same time,
3 2 provided that the fire extinguishing system contractor and the
3 3 alarm system contractor are the same business, and that the
3 4 person designated as the responsible managing employee meets
3 5 the responsible managing employee criteria established for
3 6 each certification.

3 7 ~~3- 4.~~ a. An employee of a certified fire extinguishing
3 8 system contractor working under the direction of a responsible
3 9 managing employee is not required to obtain and maintain an
3 10 individual fire extinguishing system contractor's certificate.

3 11 b. An employee of a certified alarm system contractor who
3 12 is an alarm system installer, and who is not licensed pursuant
3 13 to chapter 103 shall obtain and maintain certification as an
3 14 alarm system installer and shall meet and maintain
3 15 qualifications established by the state fire marshal by rule.

3 16 Sec. 5. Section 100C.3, Code 2007, is amended to read as
3 17 follows:

3 18 100C.3 APPLICATION == INFORMATION TO BE PROVIDED.

3 19 1. A fire extinguishing system contractor, an alarm system
3 20 contractor, or an alarm system installer shall apply for a
3 21 certificate on a form prescribed by the state fire marshal.
3 22 The application shall be accompanied by a fee in an amount
3 23 prescribed by rule pursuant to section 100C.7 and shall
3 24 include all of the following information, as applicable:

3 25 a. The name, address, and telephone number of the
3 26 contractor or installer and, in the case of an installer, the
3 27 name and certification number of the contractor by whom the
3 28 installer is employed, including all legal and fictitious
3 29 names.

3 30 b. Proof of insurance coverage required by section 100C.4.

3 31 c. The name and qualifications of the person designated as
3 32 the contractor's responsible managing employee and of persons
3 33 designated as alternate responsible managing employees.

3 34 d. Any other information deemed necessary by the state
3 35 fire marshal.

4 1 2. Upon receipt of a completed application and prescribed
4 2 fees, if the contractor or installer meets all requirements
4 3 established by this chapter, the state fire marshal shall
4 4 issue a certificate to the ~~fire extinguishing system~~
4 5 contractor or installer within thirty days.

4 6 3. Certificates shall expire and be renewed as established
4 7 by rule pursuant to section 100C.7.

4 8 4. Any change in the information provided in the
4 9 application shall be promptly reported to the state fire
4 10 marshal. When the employment of a responsible managing
4 11 employee is terminated, the ~~fire extinguishing system~~
4 12 contractor shall notify the state fire marshal within thirty
4 13 days after termination.

4 14 Sec. 6. Section 100C.4, Code 2007, is amended to read as
4 15 follows:

4 16 100C.4 INSURANCE.

4 17 1. A fire extinguishing system contractor shall maintain
4 18 general and complete operations liability insurance for the
4 19 layout, installation, repair, alteration, addition,
4 20 maintenance, and inspection of automatic fire extinguishing
4 21 systems in an amount determined by the state fire marshal by
4 22 rule.

4 23 2. An alarm system contractor shall maintain general and
4 24 complete operations liability insurance for the layout,
4 25 installation, repair, alteration, addition, maintenance, and
4 26 inspection of alarm systems in an amount determined by the

4 27 state fire marshal by rule.

4 28 Sec. 7. Section 100C.5, subsection 1, Code 2007, is
4 29 amended to read as follows:

4 30 1. The state fire marshal shall suspend or revoke the
4 31 certificate of any ~~fire extinguishing system~~ contractor or
4 32 installer who fails to maintain compliance with the conditions
4 33 necessary to obtain a certificate. A certificate may also be
4 34 suspended or revoked if any of the following occur:

4 35 a. The employment or relationship of a responsible
5 1 managing employee with a ~~fire extinguishing system~~ contractor
5 2 is terminated, unless the ~~fire extinguishing system~~ contractor
5 3 has included a qualified alternate on the application or an
5 4 application designating a new responsible managing employee is
5 5 filed with the state fire marshal within six months after the
5 6 termination.

5 7 b. The contractor or installer fails to comply with any
5 8 provision of this chapter.

5 9 c. The contractor or installer fails to comply with any
5 10 other applicable codes and ordinances.

5 11 Sec. 8. Section 100C.6, subsection 2, Code 2007, is
5 12 amended to read as follows:

5 13 2. Limit the power of the state or a political subdivision
5 14 of the state to regulate the quality and character of work
5 15 performed by ~~fire extinguishing system~~ contractors or
5 16 installers through a system of fees, permits, and inspections
5 17 designed to ensure compliance with, and aid in the
5 18 administration of, state and local building codes or to
5 19 enforce other local laws for the protection of the public
5 20 health and safety.

5 21 Sec. 9. Section 100C.7, Code 2007, is amended to read as
5 22 follows:

5 23 100C.7 ADMINISTRATION == RULES.

5 24 The state fire marshal shall administer this chapter and,
5 25 after consultation with the fire extinguishing system
5 26 contractors and alarm systems advisory board, shall adopt
5 27 rules pursuant to chapter 17A necessary for the administration
5 28 and enforcement of this chapter.

5 29 Sec. 10. Section 100C.10, Code 2007, is amended to read as
5 30 follows:

5 31 100C.10 FIRE EXTINGUISHING SYSTEM CONTRACTORS AND ALARM
5 32 SYSTEMS ADVISORY BOARD.

5 33 1. A fire extinguishing system contractors and alarm
5 34 systems advisory board is established in the division of state
5 35 fire marshal of the department of public safety and shall
6 1 advise the division on matters pertaining to the application
6 2 and certification of ~~fire extinguishing system~~ contractors and
6 3 installers pursuant to this chapter.

6 4 2. The board shall consist of ~~seven~~ eleven voting members
6 5 appointed by the commissioner of public safety as follows:

6 6 a. Two full-time fire officials of incorporated
6 7 municipalities or counties.

6 8 b. One full-time building official of an incorporated
6 9 municipality or county.

6 10 c. ~~Two~~ Three fire extinguishing system contractors,
6 11 certified pursuant to this chapter, of which at least one
6 12 shall be a water-based fire sprinkler contractor.

6 13 d. Three alarm system contractors, certified pursuant to
6 14 this chapter, at least one of whom shall have experience with
6 15 fire alarm systems, at least one of whom shall have experience
6 16 with security alarm systems, and at least one of whom shall
6 17 have experience with medical alarm systems.

6 18 ~~d. e.~~ One professional engineer or architect licensed in
6 19 the state.

6 20 ~~e. f.~~ One representative of the general public.

6 21 3. The state fire marshal, or the state fire marshal's
6 22 designee, and the chairperson of the electrical examining
6 23 board created in section 103.2 shall be ~~a~~ nonvoting ex officio
6 24 ~~member~~ members of the board.

6 25 4. The commissioner shall initially appoint two members
6 26 for two-year terms, two members for four-year terms, and three
6 27 members for six-year terms. Following the expiration of the
6 28 terms of initially appointed members, each term thereafter
6 29 shall be for a period of six years. No member shall serve
6 30 more than two consecutive terms. Of the appointments to new
6 31 positions on the board which take effect July 1, 2007, the
6 32 commissioner shall make the initial appointments for two,
6 33 four, or six years, at the commissioner's discretion, so that
6 34 the terms of no more than four board members shall expire at
6 35 the same time. If a position on the board becomes vacant

7 1 prior to the expiration of a member's term, the member

7 2 appointed to the vacancy shall serve the balance of the

7 3 unexpired term.

7 4 5. ~~Four~~ Six voting members of the advisory board shall
7 5 constitute a quorum. A majority vote of the board shall be
7 6 required to conduct business.

7 7 Sec. 11. NEW SECTION. 103.1 DEFINITIONS.

7 8 As used in this chapter, unless the context otherwise
7 9 requires:

7 10 1. "Apprentice electrician" means any person who as such
7 11 person's principal occupation is engaged in learning and
7 12 assisting in the installation, alteration, and repair of
7 13 electrical wiring, apparatus, and equipment as an employee of
7 14 a person licensed under this chapter, and who is licensed by
7 15 the board and is progressing toward completion of an
7 16 apprenticeship training program registered by the bureau of
7 17 apprenticeship and training of the United States department of
7 18 labor. For purposes of this chapter, persons who are not
7 19 engaged in the installation, alteration, or repair of
7 20 electrical wiring, apparatus, and equipment, either inside or
7 21 outside buildings, shall not be considered apprentice
7 22 electricians.

7 23 2. "Board" means the electrical examining board created
7 24 under section 103.2.

7 25 3. "Class A journeyman electrician" means a person having
7 26 the necessary qualifications, training, experience, and
7 27 technical knowledge to wire for or install electrical wiring,
7 28 apparatus, and equipment and to supervise apprentice
7 29 electricians and who is licensed by the board.

7 30 4. "Class A master electrician" means a person having the
7 31 necessary qualifications, training, experience, and technical
7 32 knowledge to properly plan, lay out, and supervise the
7 33 installation of electrical wiring, apparatus, and equipment
7 34 for light, heat, power, and other purposes and who is licensed
7 35 by the board.

8 1 5. "Class B journeyman electrician" means a person having
8 2 the necessary qualifications, training, experience, and
8 3 technical knowledge to wire for or install electrical wiring,
8 4 apparatus, and equipment who meets and is subject to the
8 5 restrictions of section 103.12.

8 6 6. "Class B master electrician" means a person having the
8 7 necessary qualifications, training, experience, and technical
8 8 knowledge to properly plan, lay out, and supervise the
8 9 installation of electrical wiring, apparatus, and equipment
8 10 who meets and is subject to the restrictions of section
8 11 103.10.

8 12 7. "Commercial installation" means an installation
8 13 intended for commerce, but does not include a residential
8 14 installation.

8 15 8. "Electrical contractor" means a person affiliated with
8 16 an electrical contracting firm or business who is licensed by
8 17 the board as either a class A or class B master electrician
8 18 and who is also registered with the state of Iowa as a
8 19 contractor.

8 20 9. "Industrial installation" means an installation
8 21 intended for use in the manufacture or processing of products
8 22 involving systematic labor or habitual employment and includes
8 23 installations in which agricultural or other products are
8 24 habitually or customarily processed or stored for others,
8 25 either by buying or reselling on a fee basis.

8 26 10. "Inspector" means a person certified as an electrical
8 27 inspector upon such reasonable conditions as may be adopted by
8 28 the board. The board may permit more than one class of
8 29 electrical inspector.

8 30 11. "New electrical installation" means the installation
8 31 of electrical wiring, apparatus, and equipment for light,
8 32 heat, power, and other purposes.

8 33 12. "Public use building or facility" means any building
8 34 or facility designated for public use, including all property
8 35 owned and occupied or designated for use by the state of Iowa.

9 1 13. "Residential installation" means an installation
9 2 intended for a single-family or two-family residential
9 3 dwelling or a multifamily residential dwelling not larger than
9 4 a four-family dwelling.

9 5 14. "Routine maintenance" means the repair or replacement
9 6 of existing electrical apparatus or equipment of the same size
9 7 and type for which no changes in wiring are made.

9 8 15. "Special electrician" means a person having the
9 9 necessary qualifications, training, and experience in wiring
9 10 or installing special classes of electrical wiring, apparatus,
9 11 equipment, or installations which shall include irrigation
9 12 system wiring, disconnecting and reconnecting of existing air
9 13 conditioning and refrigeration, and sign installation and who

9 14 is licensed by the board.

9 15 16. "Unclassified person" means any person, other than an
9 16 apprentice electrician or other person licensed under this
9 17 chapter, who, as such person's principal occupation, is
9 18 engaged in learning and assisting in the installation,
9 19 alteration, and repair of electrical wiring, apparatus, and
9 20 equipment as an employee of a person licensed under this
9 21 chapter, and who is licensed by the board as an unclassified
9 22 person. For purposes of this chapter, persons who are not
9 23 engaged in the installation, alteration, or repair of
9 24 electrical wiring, apparatus, and equipment, either inside or
9 25 outside buildings, shall not be considered unclassified
9 26 persons.

9 27 Sec. 12. NEW SECTION. 103.2 ELECTRICAL EXAMINING BOARD
9 28 CREATED.

9 29 1. An electrical examining board is created within the
9 30 division of state fire marshal of the department of public
9 31 safety. The board shall consist of eleven voting members
9 32 appointed by the governor and subject to senate confirmation,
9 33 all of whom shall be residents of this state.

9 34 2. The members shall be as follows:

9 35 a. Two members shall be journeyman electricians, one a
10 1 member of an electrical workers union covered under a
10 2 collective bargaining agreement and one not a member of a
10 3 union.

10 4 b. Two members shall be master electricians or electrical
10 5 contractors, one of whom is a contractor signed to a
10 6 collective bargaining agreement or a master electrician
10 7 covered under a collective bargaining agreement and one of
10 8 whom is a nonunion contractor or a master electrician who is
10 9 not a member of a union.

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

10 11 d. Two members, one a union member covered under a
10 12 collective bargaining agreement and one a nonunion member,
10 13 shall not be a member of any of the aforementioned groups and
10 14 shall represent the general public.

10 15 e. One member shall be the state fire marshal or a
10 16 representative of the state fire marshal's office.

10 17 f. One member shall be a local building official employed
10 18 by a political subdivision to perform electrical inspections
10 19 for that political subdivision.

10 20 g. One member shall represent a public utility.

10 21 h. One member shall be an engineer licensed pursuant to
10 22 chapter 542B with a background in electrical engineering.

10 23 3. The public members of the board shall be allowed to
10 24 participate in administrative, clerical, or ministerial
10 25 functions incident to giving a licensure examination, but
10 26 shall not determine the content of the examination or
10 27 determine the correctness of the answers. Professional
10 28 associations or societies composed of licensed electricians
10 29 may recommend to the governor the names of potential board
10 30 members whose profession is representative of that association
10 31 or society. However, the governor is not bound by the
10 32 recommendations. A board member shall not be required to be a
10 33 member of any professional electrician association or society.

10 34 Sec. 13. NEW SECTION. 103.3 TERMS OF OFFICE == EXPENSES
10 35 == COUNSEL.

11 1 1. Appointments to the board, other than the state fire
11 2 marshal or a representative of the state fire marshal's
11 3 office, shall be for three-year staggered terms and shall
11 4 commence and end as provided by section 69.19. The most
11 5 recently appointed state fire marshal, or a representative of
11 6 the state fire marshal's office, shall be appointed to the
11 7 board on an ongoing basis. Vacancies shall be filled for the
11 8 unexpired term by appointment of the governor and shall be
11 9 subject to senate confirmation. Members shall serve no more
11 10 than three terms or nine years, whichever is least.

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

11 16 3. The board shall be entitled to the counsel and services
11 17 of the attorney general. The board may compel the attendance
11 18 of witnesses, pay witness fees and mileage, take testimony and
11 19 proofs, and administer oaths concerning any matter within its
11 20 jurisdiction.

11 21 Sec. 14. NEW SECTION. 103.4 ORGANIZATION OF THE BOARD.

11 22 The board shall elect annually from its members a
11 23 chairperson and a vice chairperson, and shall hire and provide
11 24 staff to assist the board in administering this chapter. An

11 25 executive secretary designated by the board shall report to
11 26 the state fire marshal for purposes of routine board
11 27 administrative functions, and shall report directly to the
11 28 board for purposes of execution of board policy such as
11 29 application of licensing criteria and processing of
11 30 applications. The board shall hold at least one meeting
11 31 quarterly at the location of the board's principal office, and
11 32 meetings shall be called at other times by the chairperson or
11 33 four members of the board. At any meeting of the board, a
11 34 majority of members constitutes a quorum.

11 35 Sec. 15. NEW SECTION. 103.5 OFFICIAL SEAL == BYLAWS.

12 1 The board shall adopt and have an official seal which shall
12 2 be affixed to all certificates of licensure granted.

12 3 Sec. 16. NEW SECTION. 103.6 POWERS AND DUTIES.

12 4 The board shall:

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

12 17 2. Revoke, suspend, or refuse to renew any license granted
12 18 pursuant to this chapter when the licensee:

12 19 a. Fails or refuses to pay any examination, license, or
12 20 renewal fee required by law.

12 21 b. Is an electrical contractor and fails or refuses to
12 22 provide and keep in force a public liability insurance policy
12 23 and surety bond as required by the board.

12 24 c. Violates any political subdivision's inspection
12 25 ordinances.

12 26 The board may, in its discretion, revoke, suspend, or
12 27 refuse to renew any license granted pursuant to this chapter
12 28 when the licensee violates any provision of the national
12 29 electrical code as adopted pursuant to subsection 1, this
12 30 chapter, or any rule adopted pursuant to this chapter.

12 31 3. Adopt rules for continuing education requirements for
12 32 each classification of licensure established pursuant to this
12 33 chapter, and adopt all rules, not inconsistent with the law,
12 34 necessary for the proper performance of the duties of the
12 35 board.

13 1 4. Provide for the amount and collection of fees for
13 2 inspection and other services.

13 3 Sec. 17. NEW SECTION. 103.7 ELECTRICIAN AND INSTALLER
13 4 LICENSING AND INSPECTION FUND.

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

13 20 Sec. 18. NEW SECTION. 103.8 PLAN, LAY OUT, OR SUPERVISE
13 21 CERTAIN ACTIVITIES == LICENSE REQUIRED == EXCEPTIONS.

13 22 Except as provided in sections 103.13 and 103.14, no person
13 23 shall, for another, plan, lay out, or supervise the
13 24 installation of wiring, apparatus, or equipment for electrical
13 25 light, heat, power, and other purposes unless the person is
13 26 licensed by the board as an electrical contractor, a class A
13 27 master electrician, or a class B master electrician.

13 28 Sec. 19. NEW SECTION. 103.9 ELECTRICAL CONTRACTOR
13 29 LICENSE.

13 30 1. An applicant for an electrical contractor license shall
13 31 either be or employ a licensed class A or class B master
13 32 electrician, and be registered with the state of Iowa as a
13 33 contractor.

13 34 2. A contractor who holds a class B master electrician
13 35 license shall be licensed subject to the restrictions of

14 1 section 103.10.
14 2 Sec. 20. NEW SECTION. 103.10 CLASS A MASTER ELECTRICIAN
14 3 LICENSE == QUALIFICATIONS == CLASS B MASTER ELECTRICIAN
14 4 LICENSE.
14 5 1. An applicant for a class A master electrician license
14 6 shall have at least one year's experience, acceptable to the
14 7 board, as a licensed class A or class B journeyman
14 8 electrician.
14 9 2. In addition, an applicant shall meet examination
14 10 criteria based upon the most recent national electrical code
14 11 adopted pursuant to section 103.6 and upon electrical theory,
14 12 as determined by the board.
14 13 3. a. An applicant who can provide proof acceptable to
14 14 the board that the applicant has been working in the
14 15 electrical business and involved in planning for, laying out,
14 16 supervising, and installing electrical wiring, apparatus, or
14 17 equipment for light, heat, and power prior to 1990 may be
14 18 granted a class B master electrician license without taking an
14 19 examination. An applicant who is issued a class B master
14 20 electrician license pursuant to this section shall not be
14 21 authorized to plan, lay out, or supervise the installation of
14 22 electrical wiring, apparatus, and equipment in a political
14 23 subdivision which, prior to or after the effective date of
14 24 this section of this Act, establishes licensing standards
14 25 which preclude such work by class B master electricians in the
14 26 political subdivision. The board shall adopt rules
14 27 establishing procedures relating to the restriction of a class
14 28 B master electrician license pursuant to this subsection.
14 29 b. A class B master electrician may become licensed as a
14 30 class A master electrician upon successful passage of the
14 31 examination prescribed in subsection 2.
14 32 4. A person licensed to plan, lay out, or supervise the
14 33 installation of electrical wiring, apparatus, or equipment for
14 34 light, heat, power, and other purposes and supervise
14 35 apprentice electricians by a political subdivision preceding
15 1 the effective date of this section of this Act pursuant to a
15 2 supervised written examination, and who is currently engaged
15 3 in the electrical contracting industry, shall be issued an
15 4 applicable statewide license corresponding to that licensure
15 5 as a class A master electrician or electrical contractor. The
15 6 board shall adopt by rule certain criteria for city
15 7 examination standards satisfactory to fulfill this
15 8 requirement.
15 9 Sec. 21. NEW SECTION. 103.11 WIRING OR INSTALLING ==
15 10 SUPERVISING APPRENTICES == LICENSE REQUIRED == QUALIFICATIONS.
15 11 Except as provided in section 103.13, no person shall, for
15 12 another, wire for or install electrical wiring, apparatus, or
15 13 equipment, or supervise an apprentice electrician or
15 14 unclassified person, unless the person is licensed by the
15 15 board as an electrical contractor, a class A master
15 16 electrician, a class B master electrician, or is licensed as a
15 17 class A journeyman electrician, or a class B journeyman
15 18 electrician, and is employed by an electrical contractor, a
15 19 class A master electrician, a class B master electrician.
15 20 Sec. 22. NEW SECTION. 103.12 CLASS A JOURNEYMAN
15 21 ELECTRICIAN LICENSE QUALIFICATIONS == CLASS B JOURNEYMAN
15 22 ELECTRICIAN LICENSE.
15 23 1. An applicant for a class A journeyman electrician
15 24 license shall have successfully completed an apprenticeship
15 25 training program registered by the bureau of apprenticeship
15 26 and training of the United States department of labor in
15 27 accordance with the standards established by that department.
15 28 An applicant may petition the board to receive a waiver of
15 29 this requirement. The board shall determine a level of on=
15 30 the-job experience as an unclassified person sufficient to
15 31 qualify for a waiver.
15 32 2. In addition, an applicant shall obtain a score of at
15 33 least seventy-five percent on an examination prescribed and
15 34 administered by the board based upon the most recent national
15 35 electrical code adopted pursuant to section 103.6 and upon
16 1 electrical theory.
16 2 3. a. An applicant who can provide proof acceptable to
16 3 the board that the applicant has been employed as a journeyman
16 4 electrician since 1990 may be granted a class B journeyman
16 5 electrician license without taking an examination. An
16 6 applicant who is issued a class B journeyman electrician
16 7 license pursuant to this section shall not be authorized to
16 8 wire for or install electrical wiring, apparatus, and
16 9 equipment in a political subdivision which, prior to or after
16 10 the effective date of this section of this Act, establishes
16 11 licensing standards which preclude such work by class B

16 12 journeyman electricians in the political subdivision. The
16 13 board shall adopt rules establishing procedures relating to
16 14 the restriction of a class B journeyman electrician license
16 15 pursuant to this subsection.

16 16 b. A class B journeyman electrician may become licensed as
16 17 a class A journeyman electrician upon successful passage of
16 18 the examination prescribed in subsection 2.

16 19 4. A person licensed to wire for or install electrical
16 20 wiring, apparatus, or equipment or supervise an apprentice
16 21 electrician by a political subdivision preceding the effective
16 22 date of this section of this Act pursuant to a supervised
16 23 written examination, and who is currently engaged in the
16 24 electrical contracting industry with at least four years'
16 25 experience, shall be issued an applicable statewide license
16 26 corresponding to that licensure as a class A journeyman
16 27 electrician or a class B journeyman electrician. The board
16 28 shall adopt by rule certain criteria for city examination
16 29 standards satisfactory to fulfill this requirement.

16 30 Sec. 23. NEW SECTION. 103.13 SPECIAL ELECTRICIAN LICENSE
16 31 == QUALIFICATIONS.

16 32 The board shall by rule provide for the issuance of special
16 33 electrician licenses authorizing the licensee to engage in a
16 34 limited class or classes of electrical work, which class or
16 35 classes shall be specified on the license. Each licensee
17 1 shall have experience, acceptable to the board, in each such
17 2 limited class of work for which the person is licensed.

17 3 Sec. 24. NEW SECTION. 103.14 ALARM INSTALLATIONS.

17 4 A person who is not licensed pursuant to this chapter may
17 5 plan, lay out, or install electrical wiring, apparatus, and
17 6 equipment for components of alarm systems that operate at
17 7 seventy volt/amps (VA) or less, only if the person is
17 8 certified to conduct such work pursuant to chapter 100C.
17 9 Installations of alarm systems that operate at seventy
17 10 volt/amps (VA) or less are subject to inspection by state
17 11 inspectors as provided in section 103.32, except that reports
17 12 of such inspections, if the installation being inspected was
17 13 performed by a person certified pursuant to chapter 100C,
17 14 shall be submitted to the state fire marshal and any action
17 15 taken on a report of an inspection of an installation
17 16 performed by a person certified pursuant to chapter 100C shall
17 17 be taken by or at the direction of the state fire marshal,
17 18 unless the installation has been found to exceed the authority
17 19 granted to the certificate holder pursuant to chapter 100C and
17 20 therefore to be in violation of this chapter.

17 21 Sec. 25. NEW SECTION. 103.15 APPRENTICE ELECTRICIAN ==
17 22 UNCLASSIFIED PERSON.

17 23 1. A person shall be licensed by the board and pay a
17 24 licensing fee to work as an apprentice electrician while
17 25 participating in an apprenticeship training program registered
17 26 by the bureau of apprenticeship and training of the United
17 27 States department of labor in accordance with the standards
17 28 established by that department. An apprenticeship shall be
17 29 limited to six years from the date of licensure, unless
17 30 extended by the board upon a finding that a hardship existed
17 31 which prevented completion of the apprenticeship program.
17 32 Such licensure shall entitle the licensee to act as an
17 33 apprentice to an electrical contractor, a class A master
17 34 electrician, a class B master electrician, a class A
17 35 journeyman electrician, or a class B journeyman electrician as
18 1 provided in subsection 3.

18 2 2. A person shall be licensed as an unclassified person by
18 3 the board to perform electrical work if the work is performed
18 4 under the personal supervision of a person actually licensed
18 5 to perform such work and the licensed and unclassified persons
18 6 are employed by the same employer. After one hundred
18 7 continuous days of employment as a nonlicensed unclassified
18 8 person, the unclassified person must receive a license from
18 9 the board. Licensed persons shall not permit unclassified
18 10 persons to perform electrical work except under the personal
18 11 supervision of a person actually licensed to perform such
18 12 work. Unclassified persons shall not supervise the
18 13 performance of electrical work or make assignments of
18 14 electrical work to unclassified persons. Electrical
18 15 contractors employing unclassified persons performing
18 16 electrical work shall maintain records establishing compliance
18 17 with this section, which shall designate all unclassified
18 18 persons performing electrical work.

18 19 3. Apprentice electricians and unclassified persons shall
18 20 do no electrical wiring except under the direct personal on-
18 21 the-job supervision and control and in the immediate presence
18 22 of a licensee pursuant to this chapter. Such supervision

18 23 shall include both on-the-job training and related classroom
18 24 training as approved by the board. The licensee may employ or
18 25 supervise apprentice electricians and unclassified persons at
18 26 a ratio not to exceed three apprentice electricians and
18 27 unclassified persons to one licensee, except that such ratio
18 28 and the other requirements of this section shall not apply to
18 29 apprenticeship classroom training.

18 30 4. For purposes of this section, "the direct personal on-
18 31 the-job supervision and control and in the immediate presence
18 32 of a licensee" shall mean the licensee and the apprentice
18 33 electrician or unclassified person shall be working at the
18 34 same project location but shall not require that the licensee
18 35 and apprentice electrician or unclassified person be within
19 1 sight of one another at all times.

19 2 5. An apprentice electrician shall not install, alter, or
19 3 repair electrical equipment except as provided in this
19 4 section, and the licensee employing or supervising an
19 5 apprentice electrician shall not authorize or permit such
19 6 actions by the apprentice electrician.

19 7 Sec. 26. NEW SECTION. 103.16 LICENSE EXAMINATIONS.

19 8 1. Examinations for licensure shall be given as often as
19 9 deemed necessary by the board, but no less than one time per
19 10 month. The scope of the examinations and the methods of
19 11 procedure shall be prescribed by the board. The examinations
19 12 given by the board shall be the experior assessment
19 13 examination, or a successor examination approved by the board,
19 14 or an examination prepared by a third-party testing service
19 15 which is substantially equivalent to the experior assessment
19 16 examination, or a successor examination approved by the board.

19 17 2. An examination may be given by representatives of the
19 18 board. As soon as practicable after the close of each
19 19 examination, a report shall be filed in the office of the
19 20 secretary of the board by the board. The report shall show
19 21 the action of the board upon each application and the
19 22 secretary of the board shall notify each applicant of the
19 23 result of the applicant's examination. Applicants who fail
19 24 the examination once shall be allowed to take the examination
19 25 at the next scheduled time. Thereafter, the applicant shall
19 26 be allowed to take the examination at the discretion of the
19 27 board. An applicant who has failed the examination may
19 28 request, in writing, information from the board concerning the
19 29 applicant's examination grade and subject areas or questions
19 30 which the applicant failed to answer correctly, except that if
19 31 the board administers a uniform, standardized examination, the
19 32 board shall only be required to provide the examination grade
19 33 and such other information concerning the applicant's
19 34 examination results which are available to the board.

19 35 Sec. 27. NEW SECTION. 103.17 DISCLOSURE OF CONFIDENTIAL
20 1 INFORMATION == CRIMINAL PENALTY.

20 2 A member of the board shall not disclose information
20 3 relating to the following:

- 20 4 1. Criminal history or prior misconduct of an applicant.
- 20 5 2. Information relating to the contents of an examination.
- 20 6 3. Information relating to examination results other than
20 7 a final score except for information about the results of an
20 8 examination given to the person who took the examination.

20 9 A member of the board who willfully communicates or seeks
20 10 to communicate such information, and any person who willfully
20 11 requests, obtains, or seeks to obtain such information, is
20 12 guilty of a simple misdemeanor.

20 13 Sec. 28. NEW SECTION. 103.18 LICENSE RENEWAL ==
20 14 CONTINUING EDUCATION.

20 15 In order to renew a class A master electrician, class B
20 16 master electrician, class A journeyman electrician, or class B
20 17 journeyman electrician license issued pursuant to this
20 18 chapter, the licensee shall be required to complete eighteen
20 19 contact hours of continuing education courses approved by the
20 20 board during the three-year period for which a license is
20 21 granted. The contact hours shall include a minimum of six
20 22 contact hours studying the national electrical code described
20 23 in section 103.6, and the remaining contact hours may include
20 24 study of electrical circuit theory, blueprint reading,
20 25 transformer and motor theory, electrical circuits and devices,
20 26 control systems, programmable controllers, and microcomputers
20 27 or any other study of electrical-related material that is
20 28 approved by the board. Any additional hours studying the
20 29 national electrical code shall be acceptable. For purposes of
20 30 this section, "contact hour" means fifty minutes of classroom
20 31 attendance at an approved course under a qualified instructor
20 32 approved by the board.

20 33 Sec. 29. NEW SECTION. 103.19 LICENSES == EXPIRATION ==

20 34 APPLICATION == FEES.

20 35 1. Licenses issued pursuant to this chapter shall expire
21 1 every three years, with the exception of licenses for
21 2 apprentice electricians and unclassified persons, which shall
21 3 expire on an annual basis. All license applications shall
21 4 include the applicant's social security number. The board
21 5 shall establish the fees to be payable for examination and
21 6 license issuance and renewal in amounts not to exceed the
21 7 following:

21 8 a. For examinations:

21 9 (1) Class A master electrician, one hundred twenty-five
21 10 dollars.

21 11 (2) Class A journeyman electrician, sixty dollars.

21 12 b. For each year of the three-year license period for
21 13 issuance and renewal:

21 14 (1) Electrical contractor, one hundred twenty-five
21 15 dollars.

21 16 (2) Class A master electrician, class B master
21 17 electrician, one hundred twenty-five dollars.

21 18 (3) Class A journeyman electrician, class B journeyman
21 19 electrician, or special electrician, twenty-five dollars.

21 20 c. For apprentice electricians, twenty dollars.

21 21 2. The holder of an expired license may renew the license
21 22 for a period of three months from the date of expiration upon
21 23 payment of the license fee plus ten percent of the renewal fee
21 24 for each month or portion thereof past the expiration date.
21 25 All holders of licenses expired for more than three months
21 26 shall apply for a new license.

21 27 Sec. 30. NEW SECTION. 103.20 LICENSEE STATUS ==
21 28 EMPLOYMENT == DEATH.

21 29 1. Individuals performing electrical work in a capacity
21 30 for which licensure is required pursuant to this chapter shall
21 31 be employed by the authority or company obtaining a permit for
21 32 the performance of such work, and shall possess a valid
21 33 license issued by the board.

21 34 2. Upon the death of an electrical contractor, a class A
21 35 master electrician, or a class B master electrician, the board
22 1 may permit a representative to carry on the business of the
22 2 decedent for a period not to exceed six months for the purpose
22 3 of completing work under contract to comply with this chapter.
22 4 Such representative shall furnish all public liability and
22 5 property damage insurance required by the board.

22 6 Sec. 31. NEW SECTION. 103.21 LICENSES WITHOUT
22 7 EXAMINATION == RECIPROCITY WITH OTHER STATES.

22 8 To the extent that any other state which provides for the
22 9 licensing of electricians provides for similar action, the
22 10 board may grant licenses, without examination, of the same
22 11 grade and class to an electrician who has been licensed by
22 12 such other state for at least one year, upon payment by the
22 13 applicant of the required fee, and upon the board being
22 14 furnished with proof that the qualifications of the applicant
22 15 are equal to the qualifications of holders of similar licenses
22 16 in this state.

22 17 Sec. 32. NEW SECTION. 103.22 CHAPTER INAPPLICABILITY.

22 18 The provisions of this chapter shall not:

22 19 1. Apply to a person licensed as an engineer pursuant to
22 20 chapter 542B, registered as an architect pursuant to chapter
22 21 544A, licensed as a landscape architect pursuant to chapter
22 22 544B, or designated as lighting certified by the national
22 23 council on qualifications for the lighting professions
22 24 providing consultations and developing plans concerning
22 25 electrical installations who is exclusively engaged in the
22 26 practice of the person's profession.

22 27 2. Require employees of municipal corporations, electric
22 28 membership or cooperative associations, public utility
22 29 corporations, rural water associations or districts,
22 30 railroads, telecommunications companies, franchised cable
22 31 television operators, or commercial or industrial companies
22 32 performing manufacturing, installation, and repair work for
22 33 such employer to hold licenses while acting within the scope
22 34 of their employment.

22 35 3. Require any person doing work for which a license would
23 1 otherwise be required under this chapter to hold a license
23 2 issued under this chapter if the person is the holder of a
23 3 valid license issued by any political subdivision, so long as
23 4 the person makes electrical installations only in the
23 5 jurisdictional limits of such political subdivision and such
23 6 license issued by the political subdivision meets the
23 7 requirements of this chapter.

23 8 4. Apply to the installation, maintenance, repair, or
23 9 alteration of vertical transportation or passenger conveyors,

23 10 elevators, moving walks, dumbwaiters, stagelifts, manlifts, or
23 11 appurtenances thereto beyond the terminals of the controllers.
23 12 The licensing of elevator contractors or constructors shall
23 13 not be considered a part of the licensing requirements of this
23 14 chapter.

23 15 5. Require a license of any person who engages any
23 16 electrical appliance where approved electrical supply is
23 17 already installed.

23 18 6. Prohibit an owner of property from performing work on
23 19 the owner's principal residence, if such residence is an
23 20 existing dwelling rather than new construction and is not
23 21 larger than a single-family dwelling, or farm property,
23 22 excluding commercial or industrial installations or
23 23 installations in public use buildings or facilities, or
23 24 require such owner to be licensed under this chapter. In
23 25 order to qualify for inapplicability pursuant to this
23 26 subsection, a residence shall qualify for the homestead tax
23 27 exemption.

23 28 7. Require that any person be a member of a labor union in
23 29 order to be licensed.

23 30 8. Apply to a person who is qualified pursuant to
23 31 administrative rules relating to the storage and handling of
23 32 liquefied petroleum gases while engaged in installing,
23 33 servicing, testing, replacing, or maintaining propane gas
23 34 utilization equipment, or gas piping systems of which the
23 35 equipment is a part, and related or connected accessory
24 1 systems or equipment necessary to the operation of the
24 2 equipment.

24 3 9. Apply to a person who meets the requirements for a well
24 4 contractor pursuant to administrative rules while engaged in
24 5 installing, servicing, testing, replacing, or maintaining a
24 6 well or well equipment, or piping systems of which the
24 7 equipment is a part, and related or connected accessory
24 8 systems or equipment necessary to the operation of the
24 9 equipment.

24 10 10. Apply to a person other than a person performing alarm
24 11 system installations engaged in the design, installation,
24 12 erection, repair, maintenance, or alteration of class two or
24 13 class three remote control, signaling, or power-limited
24 14 circuits, optical fiber cables or other cabling, or
24 15 communications circuits, including raceways, as defined in the
24 16 national electrical code for voice, video, audio, and data
24 17 signals in commercial or residential premises.

24 18 Sec. 33. NEW SECTION. 103.23 ELECTRICAL INSTALLATIONS ==
24 19 SUBJECT TO INSPECTION.

24 20 The inspection and enforcement provisions of this chapter
24 21 shall apply to the following:

24 22 1. All new electrical installations for commercial or
24 23 industrial applications, including installations both inside
24 24 and outside of buildings, and for public use buildings and
24 25 facilities and any installation at the request of the owner.

24 26 2. All new electrical installations for residential
24 27 applications in excess of single-family residential
24 28 applications.

24 29 3. All new electrical installations for single-family
24 30 residential applications requiring new electrical service
24 31 equipment.

24 32 4. Existing electrical installations observed during
24 33 inspection which constitute an electrical hazard. Existing
24 34 installations shall not be deemed to constitute an electrical
24 35 hazard if the wiring when originally installed was installed
25 1 in accordance with the electrical code in force at the time of
25 2 installation and has been maintained in that condition.

25 3 Sec. 34. NEW SECTION. 103.24 STATE INSPECTION ==
25 4 INAPPLICABILITY IN CERTAIN POLITICAL SUBDIVISIONS ==
25 5 ELECTRICAL INSPECTORS == CERTIFICATE OF QUALIFICATION.

25 6 1. No person other than the holder of an electrical
25 7 inspector's certificate of qualification shall be appointed to
25 8 act as an electrical inspector and to enforce this chapter as
25 9 an electrical inspector and to enforce this chapter or any
25 10 applicable resolution or ordinance within the inspector's
25 11 jurisdiction. The board shall establish by rule standards for
25 12 the certification and decertification of state electrical
25 13 inspectors, and certified electrical inspector continuing
25 14 education requirements.

25 15 2. State inspection shall not apply within the
25 16 jurisdiction of any political subdivision which, pursuant to
25 17 section 103.29, provides by resolution or ordinance standards
25 18 of electrical wiring and its installation that are not less
25 19 than those prescribed by the board or by this chapter and
25 20 which further provides by resolution or ordinance for the

25 21 inspection of electrical installations within the limits of
25 22 such subdivision by a certified electrical inspector. A copy
25 23 of the certificate of each electrical inspector shall be
25 24 provided to the board by the political subdivision issuing the
25 25 certificate.

25 26 3. State inspection shall not apply to routine
25 27 maintenance.

25 28 Sec. 35. NEW SECTION. 103.25 REQUEST FOR INSPECTION ==
25 29 FEES.

25 30 At or before commencement of any installation required to
25 31 be inspected by the board, the licensee or owner making such
25 32 installation shall submit to the state fire marshal's office a
25 33 request for inspection. The board shall prescribe the methods
25 34 by which the request may be submitted, which may include
25 35 electronic submission or through a form prescribed by the
26 1 board that can be submitted either through the mail or by a
26 2 fax transmission. The board shall also prescribe methods by
26 3 which inspection fees can be paid, which may include
26 4 electronic methods of payment. If the board or the state fire
26 5 marshal's office becomes aware that a person has failed to
26 6 file a necessary request for inspection, the board or the
26 7 state fire marshal's office shall send a written notification
26 8 by certified mail that the request must be filed within
26 9 fourteen days. Any person filing a late request for
26 10 inspection shall pay a delinquency fee in an amount to be
26 11 determined by the board. Failure to file a late request
26 12 within fourteen days shall be subject to a civil penalty to be
26 13 determined by the board by rule.

26 14 Sec. 36. NEW SECTION. 103.26 CONDEMNATION ==
26 15 DISCONNECTION == OPPORTUNITY TO CORRECT NONCOMPLIANCE.

26 16 If the inspector finds that any installation or portion of
26 17 an installation is not in compliance with accepted standards
26 18 of construction for safety to health and property, based upon
26 19 minimum standards set forth in the local electrical code or
26 20 the national electrical code adopted by the board pursuant to
26 21 section 103.6, the inspector shall by written order condemn
26 22 the installation or noncomplying portion or order service to
26 23 such installation disconnected and shall send a copy of such
26 24 order to the board, the state fire marshal, and the electrical
26 25 utility supplying power involved. If the installation or the
26 26 noncomplying portion is such as to seriously and proximately
26 27 endanger human health or property, the order of the inspector
26 28 when approved by the inspector's superior shall require
26 29 immediate condemnation and disconnection by the applicant. In
26 30 all other cases, the order of the inspector shall establish a
26 31 reasonable period of time for the installation to be brought
26 32 into compliance with accepted standards of construction for
26 33 safety to health and property prior to the effective date
26 34 established in such order for condemnation or disconnection.

26 35 Sec. 37. NEW SECTION. 103.27 CONDEMNATION OR
27 1 DISCONNECTION ORDER == SERVICE.

27 2 1. A copy of each condemnation or disconnection order
27 3 shall be served personally or by regular mail upon the
27 4 property owner at the property owner's last known address, the
27 5 licensee making the installation, and such other persons as
27 6 the board by rule may direct.

27 7 2. The electrical utility supplying power shall be served
27 8 with a copy of any order which requires immediate
27 9 disconnection or prohibits energizing an installation.

27 10 Sec. 38. NEW SECTION. 103.28 CERTIFICATE OF SAFE
27 11 OPERATION == DISMISSAL OF CONDEMNATION OR DISCONNECTION ORDER.

27 12 1. No electrical installation subject to inspection under
27 13 this chapter shall be newly connected or reconnected for use
27 14 until the electrical inspector has filed with the electrical
27 15 utility supplying power a certificate stating that the
27 16 electrical inspector has approved such energization.

27 17 2. If the electrical inspector determines that an
27 18 electrical installation subject to inspection by the board is
27 19 not in compliance with accepted standards of construction for
27 20 safety to health and property, based upon minimum standards
27 21 adopted by the board pursuant to this chapter, the inspector
27 22 shall issue a correction order. A correction order made
27 23 pursuant to this section shall be served personally or by
27 24 United States mail only upon the licensee making the
27 25 installation. The correction order shall order the licensee
27 26 to make the installation comply with the standards, noting
27 27 specifically what changes are required. The order shall
27 28 specify a date, not more than seventeen calendar days from the
27 29 date of the order, when a new inspection shall be made. When
27 30 the installation is brought into compliance to the
27 31 satisfaction of the inspector, the inspector shall file with

27 32 the electrical utility supplying power a certificate stating
27 33 that the electrical inspector has approved energization.

27 34 3. An electrical utility supplier may refuse service
27 35 without liability for such refusal until the provisions of
28 1 this section have been met.

28 2 Sec. 39. NEW SECTION. 103.29 POLITICAL SUBDIVISIONS ==
28 3 INSPECTIONS == AUTHORITY OF POLITICAL SUBDIVISIONS.

28 4 1. A political subdivision performing electrical
28 5 inspections prior to December 31, 2007, shall continue to
28 6 perform such inspections. After December 31, 2012, a
28 7 political subdivision may choose to discontinue performing its
28 8 own inspections and permit the board to have jurisdiction over
28 9 inspections in the political subdivision. If a political
28 10 subdivision seeks to discontinue its own inspections prior to
28 11 December 31, 2012, the political subdivision shall petition
28 12 the board. If a unanimous vote of the board finds that a
28 13 political subdivision's inspections are inadequate by reason
28 14 of misfeasance, malfeasance, or nonfeasance, the board may
28 15 suspend or revoke the political subdivision's authority to
28 16 perform its own inspections, subject to appeal according to
28 17 the procedure set forth in section 103.35 and judicial review
28 18 pursuant to section 17A.19. A political subdivision not
28 19 performing electrical inspections prior to December 31, 2007,
28 20 may make provision for inspection of electrical installations
28 21 within its jurisdiction, in which case it shall keep on file
28 22 with the board copies of its current inspection ordinances or
28 23 resolutions and electrical codes.

28 24 2. A political subdivision performing electrical
28 25 inspections pursuant to subsection 1 prior to December 31,
28 26 2007, may maintain a different supervision ratio than the
28 27 ratio of three apprentice electricians and unclassified
28 28 persons to one licensee specified in section 103.15,
28 29 subsection 3, but may not exceed that ratio. A political
28 30 subdivision which begins performing electrical inspections
28 31 after December 31, 2007, shall maintain the specified
28 32 three-to-one ratio unless the board approves a petition by the
28 33 political subdivision for a lower ratio. A political
28 34 subdivision which discontinues performing electrical
28 35 inspections and permits the board to have jurisdiction over
29 1 inspections shall maintain the specified three-to-one
29 2 supervision ratio, and may not petition for a lower ratio
29 3 unless the political subdivision subsequently resumes
29 4 performing electrical inspections.

29 5 3. A political subdivision that performs electrical
29 6 inspections may set appropriate permit fees to pay for such
29 7 inspections. A political subdivision shall not require any
29 8 person holding a license from the board to pay any license fee
29 9 or take any examination if the person holds a current license
29 10 issued by the board which is of a classification equal to or
29 11 greater than the classification needed to do the work
29 12 proposed. Any such political subdivision may provide a
29 13 requirement that each person doing electrical work within the
29 14 jurisdiction of such political subdivision have on file with
29 15 the political subdivision a copy of the current license issued
29 16 by the board or such other evidence of such license as may be
29 17 provided by the board.

29 18 4. A political subdivision is authorized to determine what
29 19 work may be performed by a class B licensee within the
29 20 jurisdictional limits of the political subdivision.

29 21 5. A political subdivision that performs electrical
29 22 inspections shall act as the authority having jurisdiction for
29 23 electrical inspections and for amending the national
29 24 electrical code adopted by the board pursuant to section 103.6
29 25 for work performed within the jurisdictional limits of the
29 26 political subdivision, provided those inspections and
29 27 amendments conform to the requirements of this chapter. Any
29 28 action by a political subdivision with respect to amendments
29 29 to the national electrical code shall be filed with the board
29 30 prior to enforcement by the political subdivision, and shall
29 31 not be less stringent than the minimum standards established
29 32 by the board by rule.

29 33 6. A political subdivision may grant a variance or
29 34 interpret the national electrical code in a manner which
29 35 deviates from a standard interpretation on an exception basis
30 1 for a one-time installation or planned installation so long as
30 2 such a variance or interpretation does not present an
30 3 electrical hazard or danger to life or property.

30 4 Sec. 40. NEW SECTION. 103.30 INSPECTIONS NOT REQUIRED.

30 5 Nothing in this chapter shall be construed to require the
30 6 work of employees of municipal corporations, railroads,
30 7 electric membership or cooperative associations, public

30 8 utility corporations, rural water associations or districts,
30 9 or telecommunications systems to be inspected while acting
30 10 within the scope of their employment.

30 11 Sec. 41. NEW SECTION. 103.32 STATE INSPECTION
30 12 PROCEDURES.

30 13 1. An inspection shall be made within three business days
30 14 of the submission of a request for an inspection as provided
30 15 in section 103.25. When necessary, circuits may be energized
30 16 by the authorized installer prior to inspection but the
30 17 installation shall remain subject to condemnation and
30 18 disconnection and subject to any appropriate restrictions or
30 19 limitations as determined by the board.

30 20 2. Where wiring is to be concealed, the inspector must be
30 21 notified within a reasonable time to complete rough-in
30 22 inspections prior to concealment, exclusive of Saturdays,
30 23 Sundays, and holidays. If wiring is concealed before rough-in
30 24 inspections without adequate notice having been given to the
30 25 inspector, the person responsible for having enclosed the
30 26 wiring shall be responsible for all costs resulting from
30 27 uncovering and replacing the cover material.

30 28 3. State inspection procedures and policies shall be
30 29 established by the board. The state fire marshal, or the
30 30 state fire marshal's designee, shall enforce the procedures
30 31 and policies, and enforce the provisions of the national
30 32 electrical code adopted by the board.

30 33 4. Except when an inspection reveals that an installation
30 34 or portion of an installation is not in compliance with
30 35 accepted standards of construction for safety to health and
31 1 property, based upon minimum standards set forth in the local
31 2 electrical code or the national electrical code adopted by the
31 3 board pursuant to section 103.6, such that an order of
31 4 condemnation or disconnection is warranted pursuant to section
31 5 103.26, an inspector shall not add to, modify, or amend a
31 6 construction plan as originally approved by the state fire
31 7 marshal in the course of conducting an inspection.

31 8 5. Management and supervision of inspectors, including
31 9 hiring decisions, disciplinary action, promotions, and work
31 10 schedules are the responsibility of the state fire marshal
31 11 acting in accordance with applicable law and pursuant to any
31 12 applicable collective bargaining agreement. The state fire
31 13 marshal and the board shall jointly determine work
31 14 territories, regions, or districts for inspectors and
31 15 continuing education and ongoing training requirements
31 16 applicable to inspectors. An inspector subject to
31 17 disciplinary action pursuant to this subsection shall be
31 18 entitled to an appeal according to the procedure set forth in
31 19 section 103.35 and judicial review pursuant to section 17A.19.

31 20 6. The board shall establish a web-based licensure
31 21 verification database for access by a state or local inspector
31 22 for verification of licensee status. The database shall
31 23 include the name of every person licensed under this chapter
31 24 and a corresponding licensure number. Inspectors shall be
31 25 authorized to request the name and license number of any
31 26 person working at a jobsite subject to inspection for
31 27 verification of licensee status. Licensees under this chapter
31 28 shall be required to carry a copy of their current license and
31 29 photo identification at all times when employed on a jobsite
31 30 for compliance with this subsection.

31 31 Sec. 42. NEW SECTION. 103.33 STATE INSPECTION FEES.

31 32 1. All state electrical inspection fees shall be due and
31 33 payable to the board at or before commencement of the
31 34 installation and shall be forwarded with the request for
31 35 inspection. Inspection fees provided in this section shall
32 1 not apply within the jurisdiction of any political subdivision
32 2 if the political subdivision has adopted an ordinance or
32 3 resolution pursuant to this chapter.

32 4 2. The board shall establish the fees for inspections in
32 5 amounts not to exceed:

32 6 a. For each separate inspection of an installation,
32 7 replacement, alteration, or repair, twenty-five dollars.
32 8 b. For services, change of services, temporary services,
32 9 additions, alterations, or repairs on either primary or
32 10 secondary services as follows:

32 11 (1) Zero to one hundred ampere capacity, twenty-five
32 12 dollars plus five dollars per branch circuit or feeder.

32 13 (2) One hundred one to two hundred ampere capacity,
32 14 thirty-five dollars plus five dollars per branch circuit or
32 15 feeder.

32 16 (3) For each additional one hundred ampere capacity or
32 17 fraction thereof, twenty dollars plus five dollars per branch
32 18 circuit or feeder.

32 19 c. For field irrigation system inspections, sixty dollars
32 20 for each unit inspected.

32 21 d. For the first reinspection required as a result of a
32 22 correction order, fifty dollars; a second reinspection
32 23 required as a result of noncompliance with the same correction
32 24 order, seventy-five dollars; and subsequent reinspections
32 25 associated with the same correction order, one hundred dollars
32 26 for each reinspection.

32 27 3. When an inspection is requested by an owner, the
32 28 minimum fee shall be thirty dollars plus five dollars per
32 29 branch circuit or feeder. The fee for fire and accident
32 30 inspections shall be computed at the rate of forty-seven
32 31 dollars per hour, and mileage and other expenses shall be
32 32 reimbursed as provided by the office of the state fire
32 33 marshal.

32 34 4. For installations requiring more than six months in the
32 35 process of construction and in excess of three hundred dollars
33 1 total inspection fees, the persons responsible for the
33 2 installation may, after a minimum filing fee of one hundred
33 3 dollars, pay a prorated fee for each month and submit it with
33 4 an order for payment initiated by the electrical inspector.

33 5 Sec. 43. NEW SECTION. 103.34 CONDEMNATION OR
33 6 DISCONNECTION ORDERS == APPEALS == DISPOSITION OF ORDERS
33 7 PENDING APPEAL.

33 8 1. Any person aggrieved by a condemnation or disconnection
33 9 order issued by the state fire marshal's office may appeal
33 10 from the order by filing a written notice of appeal with the
33 11 board within ten days after the date the order was served upon
33 12 the owner or within ten days after the order was filed with
33 13 the board, whichever is later.

33 14 2. Upon receipt of the notice of appeal from a
33 15 condemnation or disconnection order because the electrical
33 16 installation is proximately dangerous to health or property,
33 17 the order appealed from shall not be stayed unless
33 18 countermanded by the board.

33 19 3. Upon receipt of notice of appeal from a condemnation or
33 20 disconnection order because the electrical installation is not
33 21 in compliance with accepted standards of construction for
33 22 safety to health and property, except as provided in
33 23 subsection 2, the order appealed from shall be stayed until
33 24 final decision of the board and the board shall notify the
33 25 property owner and the electrical contractor, class A master
33 26 electrician, class B master electrician, fire alarm installer,
33 27 or special electrician making the installation. The power
33 28 supplier shall also be notified in those instances in which
33 29 the order has been served on such supplier.

33 30 Sec. 44. NEW SECTION. 103.35 APPEAL PROCEDURES.

33 31 1. Upon receipt of a notice of appeal, the chairperson or
33 32 executive secretary of the board may designate a hearing
33 33 officer from among the board members to hear the appeal or may
33 34 set the matter for hearing before the full board at its next
33 35 regular meeting. A majority of the board shall make the
34 1 decision.

34 2 2. Upon receiving the notice of appeal, the board shall
34 3 notify all persons served with the order appealed from. Such
34 4 persons may join in the hearing and give testimony in their
34 5 own behalf. The board shall set the hearing date on a date
34 6 not more than fourteen days after receipt of the notice of
34 7 appeal unless otherwise agreed by the interested parties and
34 8 the board.

34 9 Sec. 45. NEW SECTION. 103.36 SUSPENSION, REVOCATION, OR
34 10 REPRIMAND.

34 11 The board, by a simple majority vote of the entire board,
34 12 may suspend for a period not exceeding two years, or revoke
34 13 the certificate of licensure of, or reprimand any licensee who
34 14 is found guilty of any of the following acts or offenses:

34 15 1. Fraud in procuring a certificate of licensure.

34 16 2. Professional incompetency.

34 17 3. Knowingly making misleading, deceptive, untrue, or
34 18 fraudulent representations in the practice of the licensee's
34 19 profession or engaging in unethical conduct or practice
34 20 harmful to the public. Proof of actual injury need not be
34 21 established.

34 22 4. Habitual intoxication or addiction to the use of drugs.

34 23 5. Conviction of a felony under the laws of the United
34 24 States, this state, any other state, territory, or possession
34 25 of the United States, the District of Columbia, or any foreign
34 26 country. A copy of the record of conviction or plea of guilty
34 27 is conclusive evidence of such conviction.

34 28 6. Revocation or suspension of licensure, or other
34 29 disciplinary action by the licensing authority of another

34 30 state, territory, or possession of the United States, the
34 31 District of Columbia, or any foreign country. A certified
34 32 copy of the record or order of suspension, revocation, or
34 33 other disciplinary action is prima facie evidence of such
34 34 fact.

34 35 7. Fraud in representations as to skill or ability.

35 1 8. Use of untruthful or improbable statements in
35 2 advertisements.

35 3 9. Willful or repeated violations of this chapter.

35 4 Sec. 46. NEW SECTION. 103.37 PROCEDURE.

35 5 Proceedings for any action under section 103.36 shall be
35 6 commenced by filing with the board written charges against the
35 7 accused. Upon the filing of charges, the board shall conduct
35 8 an investigation into the charges. The board shall designate
35 9 a time and place for a hearing, and shall notify the accused
35 10 of this action and furnish the accused a copy of all charges
35 11 at least thirty days prior to the date of the hearing. The
35 12 accused has the right to appear personally or by counsel, to
35 13 cross-examine witnesses, or to produce witnesses in defense.

35 14 Sec. 47. NEW SECTION. 103.38 INJUNCTION.

35 15 Any person who is not legally authorized to practice in
35 16 this state according to this chapter, who practices, or in
35 17 connection with the person's name, uses any designation
35 18 tending to imply or designate the person as authorized to
35 19 practice in this state according to this chapter, may be
35 20 restrained by permanent injunction.

35 21 Sec. 48. NEW SECTION. 103.39 CRIMINAL VIOLATIONS.

35 22 A person who violates a permanent injunction issued
35 23 pursuant to section 103.38 or presents or attempts to file as
35 24 the person's own the certificate of licensure of another, or
35 25 who gives false or forged evidence of any kind to the board in
35 26 obtaining a certificate of licensure, or who falsely
35 27 impersonates another practitioner of like or different name,
35 28 or who uses or attempts to use a revoked certificate of
35 29 licensure, is guilty of a fraudulent practice under chapter
35 30 714.

35 31 Sec. 49. NEW SECTION. 103.40 CIVIL PENALTY.

35 32 1. In addition to any other penalties provided for in this
35 33 chapter, the board may by order impose a civil penalty upon a
35 34 person who is not licensed under this chapter and who does any
35 35 of the following:

36 1 a. Is employed in a capacity in which the person engages
36 2 in or offers to engage in the activities authorized pursuant
36 3 to this chapter.

36 4 b. Uses or employs the words "electrical contractor",
36 5 "class A master electrician", "class B master electrician",
36 6 "class A journeyman electrician", or "class B journeyman
36 7 electrician", or implies authorization to provide or offer
36 8 those services, or otherwise uses or advertises any title,
36 9 word, figure, sign, card, advertisement, or other symbol or
36 10 description tending to convey the impression that the person
36 11 is an "electrical contractor", "class A master electrician",
36 12 "class B master electrician", "class A journeyman
36 13 electrician", or "class B journeyman electrician".

36 14 c. Gives false or forged evidence of any kind to the board
36 15 or any member of the board in obtaining or attempting to
36 16 obtain a certificate of licensure.

36 17 d. Falsely impersonates any individual licensed pursuant
36 18 to this chapter.

36 19 e. Uses or attempts to use an expired, suspended, revoked,
36 20 or nonexistent certificate of licensure.

36 21 f. Knowingly aids or abets an unlicensed person who
36 22 engages in any activity identified in this subsection.

36 23 2. A civil penalty imposed shall not exceed one thousand
36 24 dollars for each offense. Each day of a continued violation
36 25 constitutes a separate offense, except that offenses resulting
36 26 from the same or common facts or circumstances shall be
36 27 considered a single offense.

36 28 3. In determining the amount of a civil penalty to be
36 29 imposed, the board may consider any of the following:

36 30 a. Whether the amount imposed will be a substantial
36 31 economic deterrent to the violation.

36 32 b. The circumstances leading to the violation.

36 33 c. The severity of the violation and the risk of harm to
36 34 the public.

36 35 d. The economic benefits gained by the violator as a
37 1 result of noncompliance.

37 2 e. The interest of the public.

37 3 4. Before issuing an order under this section, the board
37 4 shall provide the person written notice and the opportunity to
37 5 request a hearing on the record. The hearing must be

37 6 requested within thirty days of the issuance of the notice and
37 7 shall be conducted in the same manner as provided in section
37 8 103.37.

37 9 5. The board, in connection with a proceeding under this
37 10 section, may issue subpoenas to compel the attendance and
37 11 testimony of witnesses and the disclosure of evidence, and may
37 12 request the attorney general to bring an action to enforce the
37 13 subpoena.

37 14 6. A person aggrieved by the imposition of a civil penalty
37 15 under this section may seek judicial review in accordance with
37 16 section 17A.19.

37 17 7. If a person fails to pay a civil penalty within thirty
37 18 days after entry of an order under subsection 1, or if the
37 19 order is stayed pending an appeal within ten days after the
37 20 court enters a final judgment in favor of the board, the board
37 21 shall notify the attorney general. The attorney general may
37 22 commence an action to recover the amount of the penalty,
37 23 including reasonable attorney fees and costs.

37 24 8. An action to enforce an order under this section may be
37 25 joined with an action for an injunction.

37 26 Sec. 50. EFFECTIVE DATES. Section 2, section 3, section
37 27 10, sections 11 through 15, section 16, subsections 1 and 3,
37 28 and section 27 of this Act, being deemed of immediate
37 29 importance, take effect upon enactment. Sections 33 through
37 30 44 of this Act take effect January 1, 2009. The remaining
37 31 sections and subsections of this Act take effect January 1,
37 32 2008.

37 33 EXPLANATION

37 34 This bill provides for a statewide system of licensure for
37 35 electricians, contains provisions regarding electrical
38 1 inspections, and specifies related licensing and inspection
38 2 fees. The new statewide licensure system supplements current
38 3 licensure of electricians on a city-by-city basis, permitting
38 4 electricians to practice on a statewide, as well as local,
38 5 basis.

38 6 The bill provides for the creation of an 11-member
38 7 electrical examining board within the state fire marshal
38 8 division of the department of public safety.

38 9 The bill establishes several powers and duties relating to
38 10 the activities of the board. The board shall be authorized to
38 11 adopt rules to administer the chapter, and in so doing shall
38 12 be governed by the minimum standards set forth in the national
38 13 electrical code issued and adopted by the national fire
38 14 protection association. The rules shall establish wiring
38 15 standards that protect public safety and health and property
38 16 and that apply to all electrical wiring installed pursuant to
38 17 the chapter. Additional powers and duties of the board
38 18 include the ability to revoke, suspend, or refuse to renew any
38 19 license under specified circumstances, to adopt rules for
38 20 continuing education requirements, and to specify fee levels
38 21 and collection procedures.

38 22 The bill creates an electrician and installer licensing and
38 23 inspection fund in the state treasury as a separate fund under
38 24 the control of the board. The bill provides that all
38 25 licensing, registration, examination, renewal, and inspection
38 26 fees deposited or paid into the fund are appropriated and made
38 27 available to the board, that the balance shall not revert to
38 28 the general fund, and that expenditures from the fund shall be
38 29 approved solely by the board in consultation with the state
38 30 fire marshal.

38 31 The bill provides that in order to, for another, plan, lay
38 32 out, or supervise the installation of electrical wiring,
38 33 apparatus, or equipment for light, heat, or power, an
38 34 individual must be licensed by the board as an electrical
38 35 contractor, a class A master electrician, or a class B master
39 1 electrician, as defined in the bill. The bill provides that
39 2 an applicant for an electrical contractor license shall either
39 3 be or employ a licensed class A or class B master electrician,
39 4 and be registered with the state of Iowa as a contractor.

39 5 The bill provides that an applicant for a class A master
39 6 electrician license shall have at least one year's experience,
39 7 acceptable to the board, as a licensed class A or class B
39 8 journeyman electrician, and meet specified examination
39 9 criteria. An applicant who establishes that they have been
39 10 working in the electrical business and involved in planning
39 11 for, laying out, supervising, and installing electrical
39 12 wiring, apparatus, or equipment for light, heat, and power
39 13 prior to 1990 may be granted a class B master electrician
39 14 license without being tested, valid unless a political
39 15 subdivision establishes standards not permitting such work by
39 16 a class B master electrician. Additionally, the bill states

39 17 that a person licensed to plan, lay out, or supervise the
39 18 installation of electrical wiring, apparatus, or equipment for
39 19 light, heat, power, and other purposes by a political
39 20 subdivision preceding the effective date of the applicable
39 21 section of the bill pursuant to a supervised written
39 22 examination and who is currently engaged in the electrical
39 23 contracting industry, shall be issued an applicable
39 24 corresponding statewide license with the board adopting by
39 25 rule criteria for political subdivision examination standards.

39 26 The bill provides that a person shall not, for another,
39 27 wire for or install electrical wiring, apparatus, or
39 28 equipment, or supervise an apprentice electrician or
39 29 unclassified person, unless licensed by the board as an
39 30 electrical contractor, a class A master electrician, or a
39 31 class B master electrician, or is licensed as a class A or B
39 32 journeyman electrician and employed by an electrical
39 33 contractor or class A or B master electrician as defined in
39 34 the bill.

39 35 The bill provides that an applicant for a class A
40 1 journeyman electrician license shall have successfully
40 2 completed an apprenticeship training program and have obtained
40 3 a score of at least 75 percent on an examination prescribed
40 4 and administered by the board. An applicant who can provide
40 5 proof that they have been employed as a journeyman electrician
40 6 since 1990 can be granted a class B journeyman electrician
40 7 license without being tested subject to political subdivision
40 8 restrictions similar to those applicable for class B master
40 9 electricians. The bill provides that a person licensed to
40 10 wire for or install electrical wiring, electrical apparatus,
40 11 or electrical equipment or supervise an apprentice electrician
40 12 by a political subdivision preceding the effective date of the
40 13 applicable section of the bill pursuant to a supervised
40 14 written examination, and who is currently engaged in the
40 15 electrical contracting industry with at least four years'
40 16 experience, shall be issued an applicable corresponding
40 17 statewide license, with the board adopting rules for criteria
40 18 for city examination standards.

40 19 The bill provides for a special electrician license
40 20 authorizing the licensee to engage in a limited class or
40 21 classes of electrical work. The bill also provides that a
40 22 person shall not plan, lay out, or install electrical wiring,
40 23 apparatus, and equipment for components of alarm systems that
40 24 operate at 70 volt/amperes (VA) or less unless the person is
40 25 licensed pursuant to new chapter 103 as created in the bill,
40 26 or is certified as an alarm system contractor or an alarm
40 27 system installer under Code chapter 100C, as amended by the
40 28 bill. The bill modifies the provisions of existing Code
40 29 chapter 100C, relating to certification of fire extinguishing
40 30 system contractors, to include alarm system contractors and
40 31 alarm system installers, as defined in the bill, and expands
40 32 the fire extinguishing system contractors advisory board to
40 33 include alarm system contractors as voting members, and the
40 34 chairperson of the electrical examining board established in
40 35 new Code section 103.2 as a nonvoting ex officio member.

41 1 Corresponding changes are made throughout Code chapter 100C.

41 2 The bill additionally includes provisions pertaining to
41 3 apprentice electricians and unclassified persons employed by
41 4 licensees. The bill provides that a person shall be licensed
41 5 to work as an apprentice electrician while participating in an
41 6 apprenticeship training program, and that a person is eligible
41 7 as an apprentice electrician for only one apprenticeship,
41 8 which shall be limited to six years from the date of licensure
41 9 unless extended for hardship. A person shall be licensed as
41 10 an unclassified person to perform electrical work if the work
41 11 is performed under the personal supervision of a person
41 12 actually licensed to perform such work and the licensed and
41 13 unclassified persons are employed by the same employer. The
41 14 bill provides that apprentice electricians and unclassified
41 15 persons shall do no electrical wiring except under the direct
41 16 personal on-the-job supervision and control in specified
41 17 ratios in the immediate presence of a licensee pursuant to the
41 18 bill. The bill provides that an unlicensed unclassified
41 19 person must obtain licensure as an unclassified person within
41 20 100 days of continuous employment.

41 21 The bill specifies the types of licensing examinations and
41 22 specifies examination frequencies and procedures. The bill
41 23 provides a criminal penalty of a simple misdemeanor for a
41 24 board member who discloses listed confidential information
41 25 relating to applicants and examinations.

41 26 The bill provides that with respect to class A master
41 27 electricians, class B master electricians, class A journeyman

41 28 electricians, and class B journeyman electricians, licenses
41 29 shall expire every three years, and specifies examination,
41 30 issuance, and renewal fees for the various classifications of
41 31 licensure. The bill also provides that to renew a license,
41 32 the licensee shall be required to complete 18 contact hours of
41 33 continuing education courses approved by the board per three=
41 34 year of licensure. The contact hours shall include a minimum
41 35 of six contact hours studying the national electrical code.
42 1 With respect to apprentice electricians and unclassified
42 2 persons, the bill provides that licenses shall expire
42 3 annually.

42 4 The bill provides for the continuation of business by a
42 5 licensee by a representative for a period of six months
42 6 following the licensee's death, and provides for reciprocity
42 7 with other states. The bill specifies that individuals
42 8 performing electrical work in a capacity for which licensure
42 9 is required shall be employed by the authority or company
42 10 obtaining a permit for the performance of such work, and shall
42 11 possess a valid license issued by the board. The bill
42 12 contains a chapter inapplicability section, including
42 13 inapplicability to a person licensed as an engineer,
42 14 architect, landscape architect, or designated as lighting
42 15 certified, providing consultations and developing plans
42 16 concerning electrical installations while exclusively engaged
42 17 in the practice of their profession, and employees of
42 18 specified entities while acting within the scope of their
42 19 employment. The bill provides that persons who hold a valid
42 20 license issued by any political subdivision are not required
42 21 to obtain state licensure, so long as they make electrical
42 22 installations only in the jurisdictional limits of that
42 23 political subdivision and the license issued by the political
42 24 subdivision meets the requirements of the bill. Further, the
42 25 bill's provisions shall not apply to vertical transportation
42 26 or passenger conveyors, elevators, moving walks, dumbwaiters,
42 27 stagelifts, manlifts, or appurtenances, shall not require a
42 28 license of any person who engages any electrical appliance
42 29 where approved electrical supply is already installed,
42 30 prohibit an owner of property from performing work on the
42 31 owner's principal residence under specified circumstances, or
42 32 require that any person be a member of a labor union in order
42 33 to be licensed. Additionally, the bill is inapplicable to
42 34 persons qualified pursuant to administrative rules relating to
42 35 the storage and handling of liquefied petroleum gases while
43 1 engaged in specified activities, and to persons meeting
43 2 administrative rule requirements for well contractors while
43 3 engaged in specified tasks. Finally, the bill is inapplicable
43 4 to persons other than those performing alarm system
43 5 installations engaged in work relating to class two or class
43 6 three remote control, signaling, or power=limited circuits,
43 7 optical fiber cables or other cabling, or communications
43 8 circuits, including raceways, as defined in the national
43 9 electrical code.

43 10 The bill specifies inspection procedures and requirements
43 11 applicable to all new electrical installations for commercial
43 12 or industrial applications, including installations both
43 13 inside and outside of buildings, and for public use buildings
43 14 and facilities and any installation at the request of the
43 15 owner, all new electrical installations for residential
43 16 applications in excess of single=family residential
43 17 applications, all new electrical installations for single=
43 18 family residential applications requiring new electrical
43 19 service equipment, and existing electrical installations
43 20 observed during inspection which constitute an electrical
43 21 hazard, with the caveat that existing installations shall not
43 22 be deemed to constitute an electrical hazard if the wiring
43 23 when originally installed was installed in accordance with the
43 24 electrical code in force at the time of installation and has
43 25 been maintained in that condition.

43 26 The bill provides that state inspection shall not apply
43 27 within the jurisdiction of any political subdivision which
43 28 provides by resolution or ordinance standards of electrical
43 29 wiring and its installation that are not less than those
43 30 prescribed by the board or by the Code chapter established by
43 31 the bill and which further provides by resolution or ordinance
43 32 for the inspection of electrical installations within the
43 33 limits of such subdivision by a certified electrical
43 34 inspector. The bill provides that only the holder of an
43 35 electrical inspector's certificate of qualification shall be
44 1 appointed to act as electrical inspector, and provides that
44 2 the board shall establish by rule standards for the
44 3 certification and decertification of state electrical

44 4 inspectors, and certified electrical inspector continuing
44 5 education requirements.

44 6 The bill specifies procedures relating to a request for
44 7 inspection at or before commencement of any installation
44 8 required to be inspected, and provides penalties for the
44 9 failure to do so. The bill provides that if an inspector
44 10 finds that any installation or portion of an installation is
44 11 not in compliance with accepted standards of construction for
44 12 safety to health and property, the inspector may issue written
44 13 condemnation orders, or orders for disconnection, with the
44 14 immediacy of such orders and opportunities to remedy the
44 15 noncompliance varying with the extent to which the
44 16 noncompliance is found to be a serious and proximate danger to
44 17 human health and property. The bill provides that before an
44 18 electrical installation subject to inspection is either newly
44 19 connected or reconnected, there must be filed with the
44 20 electrical utility supplying power a certificate by the
44 21 inspector stating that the conditions of the installation are
44 22 safe for energization. The bill specifies additional
44 23 procedures relating to inspections for new installations, and
44 24 provides that when an installation is brought into compliance
44 25 to the satisfaction of the inspector, the inspector shall file
44 26 with the electrical utility supplying power a certificate
44 27 stating that the electrical inspector has approved
44 28 energization.

44 29 The bill provides that all political subdivisions
44 30 performing electrical inspections prior to December 31, 2007,
44 31 shall continue performing them. The bill states that after
44 32 December 31, 2012, a political subdivision may choose to
44 33 discontinue performing its own inspections and permit the
44 34 board to have jurisdiction over inspections. A political
44 35 subdivision may petition the board to discontinue performing
45 1 its own inspections prior to December 31, 2012, and authority
45 2 may be revoked by the board, subject to appeal procedures, if
45 3 by unanimous vote the board finds just cause as specified in
45 4 the bill. The bill also provides that a political subdivision
45 5 not performing electrical inspections prior to December 31,
45 6 2007, may make provision for inspection of electrical
45 7 installations within its jurisdiction. The bill provides that
45 8 a political subdivision that performs electrical inspections
45 9 may set appropriate permit fees, and that a political
45 10 subdivision shall not require payment of any license fee or
45 11 the taking of any examination if a person holds a current
45 12 license issued by the board which is of a classification equal
45 13 to or greater than the classification needed to do the work
45 14 proposed. However, a political subdivision may require the
45 15 filing of a copy of the current license issued by the board or
45 16 such other evidence of such license.

45 17 The bill provides that a political subdivision performing
45 18 electrical inspections prior to December 31, 2007, may
45 19 maintain a different supervision ratio than the ratio of three
45 20 apprentice electricians and unclassified persons to one
45 21 licensee specified in Code section 103.15, subsection 3, but
45 22 may not exceed that ratio. If a political subdivision begins
45 23 performing electrical inspections after December 31, 2007, the
45 24 bill provides that the three-to-one ratio applies unless a
45 25 petition by the political subdivision for a lower ratio is
45 26 approved by the board. The bill provides that a political
45 27 subdivision which discontinues performing electrical
45 28 inspections and permits the board to have jurisdiction over
45 29 inspections shall maintain the three-to-one ratio and may not
45 30 petition for a lower one unless the political subdivision
45 31 subsequently resumes performing electrical inspections. The
45 32 bill permits a political subdivision to determine what work
45 33 may be performed by a class B licensee within the
45 34 jurisdictional limits of the political subdivision, and states
45 35 that any action by a political subdivision with respect to
46 1 amendments to the national electrical code adopted by the
46 2 board shall be filed with the board prior to enforcement by
46 3 the political subdivision, and shall not be less than the
46 4 minimum standards established by the board by rule.
46 5 Additionally, the bill provides that a political subdivision
46 6 may grant a variance or interpret the national electrical code
46 7 in a manner which deviates from a standard interpretation on
46 8 an exception basis for a one-time installation or planned
46 9 installation so long as such a variance or interpretation does
46 10 not present an electrical hazard or danger to life or
46 11 property.

46 12 The bill specifies instances where inspections shall not be
46 13 required, specifies state inspection procedures, establishes
46 14 inspection and reinspection fees, and provides that such fees

46 15 shall not apply within the jurisdiction of any political
46 16 subdivision if the political subdivision has adopted an
46 17 ordinance or resolution as previously explained regarding
46 18 conducting its own inspections. The bill states that except
46 19 when an inspection reveals that an order of condemnation or
46 20 disconnection is warranted, an inspector shall not add to,
46 21 modify, or amend a construction plan as originally approved by
46 22 the state fire marshal in the course of conducting an
46 23 inspection. The bill provides that management and supervision
46 24 of inspectors are the responsibility of the state fire
46 25 marshal, that the state fire marshal and the board shall
46 26 jointly determine work territories and continuing education
46 27 and training requirements applicable to inspectors, and
46 28 provides for an appeals process for inspectors subject to
46 29 disciplinary action. Further, the bill requires the board to
46 30 establish a web-based licensure verification database for
46 31 access by inspectors for verification of licensee status on
46 32 job sites, and specifies identification procedures. The bill
46 33 additionally provides that the state fire marshal, or the
46 34 state fire marshal's designee, shall enforce the procedures
46 35 and policies determined by the board, and the provisions of
47 1 the national electrical code adopted by the board.

47 2 The bill provides for an appeal process, and provides
47 3 suspension, revocation, reprimand, and penalty provisions.

47 4 Provisions of the bill relating primarily to definitions,
47 5 the establishment of the electrician examining board, and
47 6 notification of the fire extinguishing system contractors
47 7 advisory board to include alarm system contractors and
47 8 installers, take effect upon enactment. Provisions relating
47 9 primarily to establishing the various categories of licensure
47 10 take effect January 1, 2008. Provisions relating primarily to
47 11 inspections take effect January 1, 2009.

47 12 LSB 1601HZ 82

47 13 rn:nh/cf/24