

PUBLIC SAFETY DEPARTMENT[661]

Notice of Intended Action

Proposing rulemaking related to organization and administration of the electrician and electrical contractor licensing program and providing an opportunity for public comment

The Electrical Examining Board hereby proposes to rescind Chapter 500, “Electrician and Electrical Contractor Licensing Program—Organization and Administration,” Iowa Administrative Code, and to adopt a new chapter with the same title.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code sections 103.6, 103.10 and 103.12.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapter 103 and 2023 Iowa Acts, Senate File 514.

Purpose and Summary

This rulemaking proposes repromulgation of Chapter 500. This rulemaking implements Iowa Code chapter 103 and 2023 Iowa Acts, Senate File 514, in accordance with the goals and directives of Executive Order 10 (January 10, 2023). This rulemaking proposes a succinct description of the Electrician and Electrical Contractor Licensing Program and Board and sets forth definitions pertinent to the administration of the program.

Fiscal Impact

This rulemaking does not have a fiscal impact to the State of Iowa in an amount requiring a fiscal impact statement pursuant to Iowa Code section 17A.4(4).

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department of Inspections, Appeals, and Licensing for a waiver of the discretionary provisions, if any, pursuant to 481—Chapter 6.

Public Comment

Any interested person may submit written comments concerning this proposed rulemaking. Written comments in response to this rulemaking must be received by the Department no later than 4:30 p.m. on February 14, 2024. Comments should be directed to:

Ashleigh Hackel
Iowa Department of Inspections, Appeals, and Licensing
6200 Park Avenue
Des Moines, Iowa 50321
Email: ashleigh.hackel@dia.iowa.gov

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

February 13, 2024
10:20 to 10:40 a.m.

6200 Park Avenue
Des Moines, Iowa
Video call link: meet.google.com/zuu-vunu-dcc
Or dial: 774.338.0928
PIN: 195 434 437#
More phone numbers:
[tel.meet/zuu-vunu-dcc?pin=9691567757424](tel:meet/zuu-vunu-dcc?pin=9691567757424)

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Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind 661—Chapter 500 and adopt the following **new** chapter in lieu thereof:

CHAPTER 500

ELECTRICIAN AND ELECTRICAL CONTRACTOR LICENSING PROGRAM—
ORGANIZATION AND ADMINISTRATION

661—500.1(103) Establishment of program. The electrician and electrical contractor licensing program is established in the department of inspections, appeals, and licensing. The program is under the direction of the electrical examining board. Contact information of the board office can be found on the department's website.

661—500.2(103) Definitions. The following definitions apply to all rules adopted by the electrical examining board.

“*Approved by the board*” means the approval of any item, test or procedure by the electrical examining board by adoption of a resolution at a meeting of the board, provided that the approval has not been withdrawn by a later resolution of the board. A list of any such items, tests, or procedures that have been approved by the board is available from the board office or from the board website.

“*Complete criminal record*” means the complaint and judgment of conviction for each offense of which the applicant has been convicted, regardless of whether the offense is classified as a felony or a misdemeanor, and regardless of the jurisdiction in which the offense occurred.

“*Conviction*” means a finding, plea, or verdict of guilt made or returned in a criminal proceeding, even if the adjudication of guilt is deferred, withheld, or not entered. “Conviction” includes Alford pleas and pleas of nolo contendere.

“*Department*” means the department of inspections, appeals, and licensing.

“*Directly relates*” or “*directly related*” means either that the actions taken in furtherance of an offense are actions customarily performed within the scope of practice of the profession; or that the circumstances under which an offense was committed are customary to the profession.

“*Disqualifying conviction*” or “*disqualifying offense*” means a conviction directly related to the practice of the profession.

“*Division*” means the building and construction bureau of the department of inspections, appeals, and licensing.

“*Documented experience*” means experience which an applicant for licensing has completed and which has been documented by the applicant’s completion and submission of a sworn affidavit or other evidence requested by the board.

“*Eligibility determination*” means the process by which a person who has not yet submitted a completed license application may request that the board determine whether one or more of the person’s convictions are disqualifying offenses that would prevent the individual from receiving a license or certification.

“*Emergency installation*” means an electrical installation necessary to restore power to a building or facility when existing equipment has been damaged due to a natural or man-made disaster or other weather-related cause. Emergency installations may be performed by persons properly licensed to perform the work, and may be performed prior to submission of a request for permit or request for inspection. A request for permit and request for inspection, if required by rule 661—552.1(103), should be made as soon as practicable and, in any event, no more than 72 hours after the installation is completed.

“*Final agency action*” means the issuance, denial, suspension, or revocation of a license. If an action is subject to appeal, “final agency action” has occurred when the administrative appeal process provided for in 661—Chapter 503 has been exhausted or when the deadline for filing an appeal has expired.

“*Full-time*” means a minimum of 1,700 hours of work in a one-year period.

“*Issuing jurisdiction*” means the duly constituted authority in another state that has issued a professional license, certificate, or registration to a person.

“*Registered apprenticeship program*” means an electrical apprenticeship program registered with the Bureau of Apprenticeship and Training of the United States Department of Labor or an electrical apprenticeship program registered with a state agency whose registration program is accepted by the Bureau of Apprenticeship and Training in lieu of direct registration with the Bureau of Apprenticeship and Training.

“*Residential electrical work*” means electrical work in a residence in which there are no more than four living units within the same building and includes work to connect and work within accessory structures, which are structures no greater than 3,000 square feet in floor area, not more than two stories in height, the use of which is incidental to the use of the dwelling unit or units, and located on the same lot as the dwelling unit or units.

“*Transferring jurisdiction*” means the specific issuing jurisdiction on which an applicant relies to seek licensure in Iowa by verification under this chapter.

These rules are intended to implement Iowa Code chapters 17A, 103 and 272C.