

IN THE SENATE

SENATE BILL NO. 1138, As Amended

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO ELECTRICAL CONTRACTORS AND JOURNEYMEN; AMENDING SECTION  
2 54-1002, IDAHO CODE, TO PROVIDE FOR PROVISIONAL JOURNEYMAN ELECTRI-  
3 CIANS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1003,  
4 IDAHO CODE, TO PROVIDE FOR PROVISIONAL JOURNEYMAN ELECTRICIANS; AMEND-  
5 ING SECTION 54-1003A, IDAHO CODE, TO DEFINE A TERM AND TO MAKE TECHNICAL  
6 CORRECTIONS; AMENDING SECTION 54-1005, IDAHO CODE, TO PROVIDE FOR PRO-  
7 VISIONAL JOURNEYMAN ELECTRICIANS AND TO MAKE TECHNICAL CORRECTIONS;  
8 AMENDING SECTION 54-1006, IDAHO CODE, TO PROVIDE FOR PROVISIONAL  
9 JOURNEYMAN ELECTRICIANS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING  
10 SECTION 54-1007, IDAHO CODE, TO PROVIDE FOR PROVISIONAL JOURNEYMAN  
11 ELECTRICIANS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION  
12 54-1008, IDAHO CODE, TO SPECIFY THE DURATION OF PROVISIONAL JOURNEYMAN  
13 ELECTRICIAN'S LICENSES; AND AMENDING SECTION 54-1014, IDAHO CODE, TO  
14 SPECIFY CERTAIN FEES.  
15

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

17 SECTION 1. That Section 54-1002, Idaho Code, be, and the same is hereby  
18 amended to read as follows:

19 54-1002. LICENSE ESSENTIAL TO ENGAGE IN BUSINESS -- LICENSURE AUTHOR-  
20 ITY EXCLUSIVE TO THE STATE. (1) It shall be unlawful for any person, partner-  
21 ship, company, firm, association or corporation to act, or attempt to act,  
22 as an electrical contractor or limited electrical contractor in this state  
23 until such person, partnership, company, firm, association or corporation  
24 shall have received a license as an electrical contractor or limited elec-  
25 trical contractor, as ~~herein~~ defined in this chapter, issued pursuant to the  
26 provisions of this chapter by the administrator of the division of building  
27 safety.

28 (2) It shall be unlawful for any person to act as a journeyman or master  
29 electrician in this state until such person shall have received a license as  
30 a journeyman or master electrician, as ~~herein~~ defined in this chapter, is-  
31 sued pursuant to the provisions of this ~~act~~ chapter by the administrator of  
32 the division of building safety, provided, however, that any person who has  
33 been issued a master electrician's license pursuant to this chapter may act  
34 as a journeyman electrician.

35 (3) It shall be unlawful for any person to act as a limited electrical  
36 installer in this state until such person shall have received a license as a  
37 limited electrical installer, as ~~herein~~ defined in this chapter, issued pur-  
38 suant to the provisions of this ~~act~~ chapter by the administrator of the di-  
39 vision of building safety, provided however, that any person who has been  
40 issued a master electrician's license or a journeyman electrician's license  
41 pursuant to this ~~act~~ chapter may act as a limited electrical installer.

1           (4) It shall be unlawful for any person to act as a provisional journey-  
 2 man electrician in this state until such person has received a provisional  
 3 journeyman electrician's license, as defined in this chapter, issued pur-  
 4 suant to the provisions of this chapter by the administrator of the division  
 5 of building safety.

6           (5) Licensure of electrical contractors, journeyman electricians,  
 7 master electricians, provisional journeyman electricians, limited elec-  
 8 trical installers, limited electrical contractors, facility accounts and  
 9 registration of apprentice electricians and trainees shall be within the  
 10 exclusive jurisdiction of the state pursuant to this chapter and no local  
 11 jurisdiction shall have the authority to require additional licensure or  
 12 registration or to require payment of any fees in order for any licensee or  
 13 registrant to engage in the electrical construction trade within the local  
 14 jurisdiction or to issue licenses or registrations to persons licensed or  
 15 registered under this chapter that are inconsistent with the provisions of  
 16 this chapter or rules promulgated by the division of building safety. The  
 17 state shall investigate all local infractions and state violations of this  
 18 chapter and prosecute the same. The local jurisdictions will assist the  
 19 state by requesting investigations within their jurisdictions. Nothing in  
 20 this chapter shall restrict a city or county from imposing stricter public  
 21 safety rules, notwithstanding any provision of Idaho Code.

22           SECTION 2. That Section 54-1003, Idaho Code, be, and the same is hereby  
 23 amended to read as follows:

24           54-1003. ADMINISTRATOR AUTHORITY. (1) Only the administrator of the  
 25 division of building safety of the state of Idaho is authorized and empowered  
 26 to conduct examinations and to pass upon the qualifications of applicants,  
 27 and to grant and issue licenses or registrations to such applicants as are  
 28 found to be qualified to engage in the trade, business or calling of a jour-  
 29 neyman electrician, electrical contractor, master electrician, provisional  
 30 journeyman electrician, limited electrical installer, limited electrical  
 31 contractor, limited electrical installer trainee or apprentice electrician  
 32 in the manner and upon the terms and conditions hereinafter provided.

33           (2) No licenses or registrations granted hereunder shall be transfer-  
 34 able. Licenses and registrations shall be issued upon the condition that the  
 35 holder thereof shall comply with all provisions of this chapter.

36           (3) The administrator of the division of building safety is authorized  
 37 to impose civil penalties as provided in this chapter.

38           SECTION 3. That Section 54-1003A, Idaho Code, be, and the same is hereby  
 39 amended to read as follows:

40           54-1003A. DEFINITIONS. (1) Electrical Contractor. Except as pro-  
 41 vided in section 54-1016, Idaho Code, any person, partnership, company,  
 42 firm, association or corporation engaging in, conducting, or carrying on  
 43 the business of installing wires or equipment to carry electric current or  
 44 installing apparatus to be operated by such current, or entering into agree-  
 45 ments to install such wires, equipment or apparatus, shall for the purpose  
 46 of this ~~act~~ chapter be known as an electrical contractor. An electrical  
 47 contractor, prior to being issued a license, shall be required to provide

1 proof of liability insurance in the amount of three hundred thousand dollars  
2 (\$300,000) and proof of worker's compensation insurance if applicable.

3 (2) Journeyman Electrician. Except as provided in section 54-1016,  
4 Idaho Code, and subsections (3), (4), (5) and (6) of this section, any person  
5 who personally performs or supervises the actual physical work of installing  
6 ~~electric~~ electrical wiring or equipment to convey electric current, or ap-  
7 paratus to be operated by such current, shall for the purpose of this ~~act~~  
8 chapter be known as a journeyman electrician.

9 (3) Apprentice Electrician. Any person who, for the purpose of learn-  
10 ing the trade of journeyman electrician, engages in the installation of  
11 ~~electric~~ electrical wiring, equipment, or apparatus while under the con-  
12 stant on-the-job supervision of a qualified journeyman electrician shall  
13 for the purpose of this ~~act~~ chapter be known as an apprentice electrician.

14 (4) Maintenance Electrician. Any person who is regularly employed to  
15 service, maintain or repair electrical apparatus, or to make minor repairs  
16 or alterations to existing electrical wires or equipment located on his em-  
17 ployer's premises shall for the purpose of this ~~act~~ chapter be known as a  
18 maintenance electrician.

19 (5) Master Electrician. A person who has the necessary qualifications,  
20 training, experience and technical knowledge to plan, lay out or design the  
21 installation of electrical wiring or equipment, or to supervise such plan-  
22 ning, layout, or design, and who performs or supervises such planning, lay-  
23 out or design, shall for the purpose of this ~~act~~ chapter be known as a master  
24 electrician.

25 (6) Limited Electrical Installer. A person having the necessary quali-  
26 fications, training, experience and technical knowledge to install, alter,  
27 repair and supervise the installation, alteration or repair of special  
28 classes of electrical wiring, apparatus or equipment within categories  
29 adopted by the board. Limited electrical installers shall perform work only  
30 within the scope of the restricted category for which the person is licensed.

31 (7) Limited Electrical Contractor. Except as provided in section  
32 54-1016, Idaho Code, any person, partnership, company, firm, association  
33 or corporation engaging in, conducting or carrying on the business of in-  
34 stalling, altering or repairing restricted categories of electrical wiring,  
35 apparatus or equipment within categories adopted by the board, or enter-  
36 ing into agreements to perform such restricted work, shall for the purpose  
37 of this ~~act~~ chapter be known as a limited electrical contractor. Limited  
38 electrical contractors shall perform work only within the scope of the re-  
39 stricted category for which the contractor is licensed. A limited electri-  
40 cal contractor, prior to being issued a license, shall be required to provide  
41 proof of liability insurance in the amount of three hundred thousand dollars  
42 (\$300,000) and proof of worker's compensation insurance if applicable.

43 (8) Limited Electrical Installer Trainee. Any person who engages in  
44 the installation of restricted categories of electrical wiring, equipment  
45 or apparatus under the constant on-the-job supervision of a qualified lim-  
46 ited electrical installer shall for the purpose of this ~~act~~ chapter be known  
47 as a limited electrical installer trainee.

48 (9) Electrical Facility Employer Account or Facility Account. An em-  
49 ployer licensed with the division of building safety who employs individu-  
50 als holding valid journeyman or master electrician licenses to perform al-

1 terations, extensions and new installations of electrical systems or com-  
 2 ponents thereof on premises owned by the employer. The employer may also  
 3 employ maintenance electricians in accordance with section 54-1016, Idaho  
 4 Code.

5 (10) Provisional Journeyman Electrician. Any person who has met the  
 6 requirements of section 54-1007(4), Idaho Code, and who wishes to perform  
 7 the actual physical work of installing electrical wiring or equipment to  
 8 convey electric current, or apparatus to be operated by such current, while  
 9 under the constant on-the-job supervision of a qualified journeyman elec-  
 10 trician may upon application, for the purposes of this chapter, be known as a  
 11 provisional journeyman electrician.

12 SECTION 4. That Section 54-1005, Idaho Code, be, and the same is hereby  
 13 amended to read as follows:

14 54-1005. RULES -- INSPECTIONS -- ELECTRICAL PERMITS AND FEES. (1) The  
 15 administrator of the division of building safety is hereby authorized and  
 16 directed to enforce rules consistent with this ~~aet chapter~~ for the admin-  
 17 istration of this ~~aet chapter~~ and to effectuate the purposes thereof, and  
 18 for the examination and licensing of electrical contractors, journeyman  
 19 electricians, master electricians, provisional journeyman electricians,  
 20 limited electrical installers, limited electrical contractors, limited  
 21 electrical installer trainees and apprentice electricians, and to make in-  
 22 spections of electrical installations referred to in section 54-1001, Idaho  
 23 Code, and to issue electrical permits covering such installations, and to  
 24 collect the fees established therefor.

25 (2) The administrator of the division of building safety may make elec-  
 26 trical inspections for another state or local jurisdiction upon request by  
 27 an appropriate building official. Such inspections shall be made in accor-  
 28 dance with the applicable electrical codes of the requesting jurisdiction.  
 29 Fees charged for such inspection services shall be as provided in the rules  
 30 promulgated by the board.

31 (3) Individuals, firms, cooperatives, corporations, or municipali-  
 32 ties selling electricity, hereinafter known as the power supplier, shall  
 33 not connect with or energize any electrical installation, coming under the  
 34 provisions of this ~~aet chapter~~, unless an inspection has been conducted and  
 35 resulted as "passed" by the administrator, covering the installation to be  
 36 energized. Electrical installations approved by the board and addressed  
 37 through administrative rule may be connected and energized by the power  
 38 supplier after the purchase of an electrical permit by a licensed electrical  
 39 contractor.

40 (4) It shall be unlawful for any person, partnership, company, firm,  
 41 association or corporation other than a power supplier to energize any elec-  
 42 trical installation coming under the provisions of this ~~aet chapter~~ prior to  
 43 the purchase of an electrical permit covering such installation.

44 SECTION 5. That Section 54-1006, Idaho Code, be, and the same is hereby  
 45 amended to read as follows:

46 54-1006. IDAHO ELECTRICAL BOARD. (1) The Idaho electrical board,  
 47 hereinafter known as the board, is hereby created and made a part of the

1 division of building safety. It shall be the responsibility and duty of the  
2 administrator of the division of building safety to administer and enforce  
3 the provisions of this ~~aet~~ chapter, and to serve as secretary to the Idaho  
4 electrical board.

5 (2) The board shall consist of nine (9) members to be appointed by the  
6 governor and who shall serve at the pleasure of the governor. Two (2) members  
7 shall be licensed journeymen or master electricians; two (2) members shall  
8 be employees or officers of licensed electrical contractors; one (1) mem-  
9 ber shall be a licensed limited electrical installer or limited electrical  
10 contractor; one (1) member shall be an employee or officer of an electrical  
11 power provider; one (1) member shall be an employee or officer of a manufac-  
12 turing plant or other large power user; one (1) member shall be an employee or  
13 director of a manufacturer or distributor of electrical supplies or materi-  
14 als; and one (1) member shall be from the public at large not directly asso-  
15 ciated with the electrical industry. Board members shall be appointed for a  
16 term of four (4) years. Members of the board shall hold office until expira-  
17 tion of the term to which the member was appointed and until his successor has  
18 been duly appointed and qualified. Whenever a vacancy occurs, the governor  
19 shall appoint a qualified person to fill the vacancy for the unexpired por-  
20 tion of the term.

21 (3) All members of the board shall be citizens of the United States,  
22 residents of this state for not less than two (2) years and shall be qual-  
23 ified by experience, knowledge and integrity in formulating rules for ex-  
24 aminations, in passing on the fitness and qualifications of applicants for  
25 electrical contractor and journeyman electrician licenses and in establish-  
26 ing standards for electrical products to be used in electrical installations  
27 coming under the provisions of this ~~aet~~ chapter.

28 (4) The members of the board shall, every two (2) years, elect by major-  
29 ity vote of the members of the board a chairman who shall preside at meetings  
30 of the board and a vice chairman who shall preside at any board meeting in  
31 the event the chairman is not present. A majority of the members of the board  
32 shall constitute a quorum.

33 (5) The board is authorized and directed to prescribe and amend rules  
34 consistent with this ~~aet~~ chapter for the administration of this chapter, and  
35 to effectuate the purpose thereof, and for the examination and licensing  
36 of electrical contractors, journeyman electricians, master electricians,  
37 provisional journeyman electricians, limited electrical installers, lim-  
38 ited electrical contractors, limited electrical installer trainees and  
39 apprentice electricians. The board shall also establish the categories for  
40 limited electrical installers and limited electrical contractor licensing  
41 and the fees to be charged for permits and inspections of electrical systems.  
42 The board shall establish by administrative rule the fines to be paid for  
43 citations issued and shall hear appeals regarding the imposition of civil  
44 penalties for violations of this chapter and the rules of the Idaho electri-  
45 cal board. The board is authorized to affirm, reject, decrease or increase  
46 the penalty imposed by the administrator. However, in no case shall the  
47 penalty exceed one thousand dollars (\$1,000) for each offense.

48 (6) Each member of the board not otherwise compensated by public moneys  
49 shall be compensated as provided by section 59-509(n), Idaho Code.

1 SECTION 6. That Section 54-1007, Idaho Code, be, and the same is hereby  
2 amended to read as follows:

3 54-1007. ISSUANCE OF LICENSES -- RECIPROCITY. (1) The administrator  
4 shall issue licenses to such persons as have by examination shown themselves  
5 to be fit, competent and qualified to engage in the trade of journeyman  
6 electrician, limited electrical installer or master electrician as defined  
7 in section 54-1003A, Idaho Code, and to such persons, firms, partnerships,  
8 associations or corporations as have shown themselves to be fit, competent  
9 and qualified to engage in the business of electrical contracting or limited  
10 electrical contracting as defined in section 54-1003A, Idaho Code.

11 (2) An apprentice electrician, as defined in section 54-1003A, Idaho  
12 Code, may take the journeyman's examination if he has completed the required  
13 related instruction for electrical apprentices as approved by the Idaho  
14 state board for career technical education, completion of which shall be  
15 evidenced by a certificate from an approved provider, and has worked the num-  
16 ber of hours as prescribed by the Idaho electrical board, provided that for  
17 all the time he is claiming to have worked as an apprentice electrician, the  
18 apprentice shall have been registered with the division of building safety  
19 as an apprentice. The electrical board may, by rule, fix the apprentice  
20 registration fee, in an amount not to exceed the costs of issuing apprentice  
21 registration certificates and enforcing the apprentice registration provi-  
22 sions of this chapter, and may also by rule establish requirements relative  
23 to the manner of registration renewal, verification of employment, the num-  
24 ber of instructional hours completed, continuation training and the number  
25 of hours worked.

26 (a) All verification of employment forms submitted by an apprentice  
27 shall be entered into and maintained in the apprentice's file by the  
28 division of building safety. The division of building safety shall pro-  
29 vide the apprentice online access to this information.

30 (b) An apprentice who has completed the number of instructional hours  
31 and has not taken or passed the journeyman's examination within two (2)  
32 years of completion of the instructional training hours shall provide  
33 proof of continuation training as set by rule of the electrical board.

34 (c) An apprentice who has not advanced in apprenticeship training for  
35 a period of two (2) years shall complete continuation training as set by  
36 rule of the electrical board.

37 (3) Any person who has worked as a licensed journeyman for a period of  
38 not less than four (4) years and who has worked the number of hours as pre-  
39 scribed by rule of the board as a licensed journeyman electrician shall be  
40 considered as qualified to apply for a master electrician's license in this  
41 state. The Idaho electrical board, in establishing by rule the requirements  
42 for a master electrician's license, shall also take into account the appli-  
43 cant's performance as a journeyman electrician.

44 (4) Any person with out-of-state experience who has worked as a jour-  
45 neyman electrician or as an apprentice electrician for a period of four (4)  
46 years, and who has met such other requirements as established by rule of the  
47 board, shall be considered as qualified to apply for a journeyman electri-  
48 cian's license in this state.

1 (5) To the extent that other states that provide for the licensing of  
 2 electricians provide for similar action, the administrator, on the recom-  
 3 mendation of the Idaho electrical board, may grant licenses to electricians  
 4 licensed by such other states, upon payment by the applicant of the required  
 5 fee and upon furnishing proof to the board that the applicant has qualifica-  
 6 tions at least equal to those provided herein for applicants for written ex-  
 7 aminations. Applicants who qualify for a license under this subsection are  
 8 not required to take a written examination.

9 (6) A provisional journeyman electrician, as defined in section  
 10 54-1003A, Idaho Code, may take the journeyman electrician examination.  
 11 Upon passing the examination, the administrator of the division of build-  
 12 ing safety shall issue the provisional journeyman electrician a journeyman  
 13 electrician's license.

14 SECTION 7. That Section 54-1008, Idaho Code, be, and the same is hereby  
 15 amended to read as follows:

16 54-1008. DURATION OF LICENSE. (1) All licenses, including license re-  
 17 newals, for master electricians, journeyman electricians and limited elec-  
 18 trical installers shall be issued for a period of three (3) years and shall  
 19 expire three (3) years from the date of issue unless renewed, revoked or sus-  
 20 pended.

21 (2) Electrical contractor and limited electrical contractor licenses  
 22 shall be issued for a period of one (1) year and shall expire one (1) year from  
 23 the date of issue unless renewed, revoked or suspended.

24 (3) Electrical apprentice registrations issued or renewed shall be is-  
 25 sued for a period of five (5) years.

26 (4) Limited electrical installer trainee registrations shall be issued  
 27 for a period of three (3) years.

28 (5) Facility account licenses shall be issued and renewed for a period  
 29 of one (1) year.

30 (6) (a) Provisional journeyman electrician's licenses shall be issued  
 31 for a period of six (6) months and shall expire six (6) months from the  
 32 date issued, during which time a provisional journeyman electrician  
 33 shall apply for and take the journeyman electrician examination. A six  
 34 (6) month renewal shall be issued upon application if:

35 (i) The applicant has taken, but failed to pass, the journeyman  
 36 electrician examination within the six (6) month period; or

37 (ii) The applicant has failed to take the journeyman electrician  
 38 examination within the six (6) month period and has shown that ex-  
 39 ceptional circumstances prevented the applicant from taking the  
 40 journeyman electrician examination.

41 (b) A provisional journeyman electrician's license shall be issued and  
 42 renewed only once. If the applicant fails to pass the journeyman elec-  
 43 trician examination, or fails to take the journeyman electrician ex-  
 44 amination, within one (1) year from the date of issue of a provisional  
 45 journeyman electrician's license, the applicant is no longer eligible  
 46 to apply for a provisional journeyman electrician's license.

47 (7) Each licensing period and each registration period shall end at  
 48 midnight on the last day of the month of the licensing or registration

1 period. Licenses and registrations not renewed by this date shall have ex-  
2 pired.

3 (78) The board shall promulgate rules to provide for a staggered system  
4 of issuing and renewing licenses.

5 SECTION 8. That Section 54-1014, Idaho Code, be, and the same is hereby  
6 amended to read as follows:

7 54-1014. FEES. The administrator of the division of building safety  
8 shall charge the following fees:

9 (1) Application for license \$15.00

10 (2) Six-month licenses:

11 (a) Provisional journeyman electrician license \$55.00

12 (b) Provisional journeyman electrician license renewal 45.00

13 (i) If a provisional journeyman electrician applies for a jour-  
14 neyman electrician license, the pro rata value of any time remain-  
15 ing on his provisional journeyman electrician license shall be  
16 credited toward the application fee for the journeyman electri-  
17 cian license.

18 (3) One-year licenses:

19 (a) Electrical contractor license \$125.00

20 (b) Electrical contractor license renewal 100.00

21 (c) Electrical contractor license revival 125.00

22 (d) Limited electrical contractor license 125.00

23 (e) Limited electrical contractor license renewal 100.00

24 (f) Limited electrical contractor license revival 125.00

25 (g) Facility account license 125.00

26 (34) Three-year licenses, in accordance with sections 54-1008 and  
27 54-1013, Idaho Code:

28 (a) Master electrician license \$65.00

29 (b) Master electrician license renewal 45.00

30 (c) Master electrician license revival 55.00

31 (d) Journeyman electrician license 55.00

32 (e) Journeyman electrician license renewal 45.00

33 (f) Journeyman electrician license revival 55.00

34 (g) Limited electrical installer license 55.00

35 (h) Limited electrical installer license renewal 45.00

36 (i) Limited electrical installer license revival 55.00

37 (j) Limited electrical installer trainee registration and working li-  
38 cense 30.00

39 (i) At the time the limited electrical installer trainee applies  
40 for a limited electrical installer license, the pro rata value of  
41 any remaining time on a limited electrical installer trainee work-  
42 ing license shall be credited toward the purchase of the limited  
43 electrical installer license.

44 (45) Five-year licenses, in accordance with sections 54-1008 and  
45 54-1013, Idaho Code:

46 (a) Apprentice electrician registration and working license \$50.00

47 (i) At the time the apprentice applies for a journeyman electri-  
48 cian license, the pro rata value of any remaining time on an ap-

1           prentice electrician working license shall be credited toward the  
2           purchase of the journeyman electrician license.