

**TASK FORCE to Study
Licensing and
Continuing Education
Requirements for
Electricians in
Maryland**

**Task Force
Final Report**

CH579/SB916/HB1386

DLLR-Occupational and Professional Licensing

Task Force to Study Licensing and Continuing Education Requirements for Electricians in Maryland

Final Report

Annapolis, Maryland

November 2013

For further information concerning this document contact:

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November 15, 2013

The Honorable Martin O'Malley
Governor of Maryland

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate

The Honorable Michael E. Busch
Speaker of the House of Delegates

Gentlemen:

On behalf of the Task Force to Study Licensing and Continuing Education Requirements for Electricians in Maryland, I respectfully submit the final report. This report completes nearly four months' worth of research, debate, discussion and collaboration by the Task Force to fulfill its mandate to examine the statewide electrical regulatory structure and make recommendations concerning specific priorities mandated in Chapter 579, Acts of 2013 (SB916/HB1386). The issues addressed by the Task Force have been highly debated over the last decade. The formation of this Task Force allowed representation of many jurisdictions, organizations, businesses, labor unions, associations, the public and existing regulatory entities to collaborate in a public discussion of some of those highly debated topics. The forum offered an opportunity to discuss the issues and collectively speak on behalf of improving the electrical industry in Maryland. It is with this spirit of cooperation and concern for the safety of the public and progress of this industry, that the recommendations contained herein are submitted for your review.

The charge of the Task Force was to:

1. Examine proposed changes to the State licensing requirements for electricians;
2. Review appropriate approaches for licensure of electricians at the State and local levels;
3. If a new approach is deemed appropriate, consider how changes affect electricians currently licensed and the boards that currently oversee licensure at the State and local levels;
4. Make recommendations as to statewide continuing education requirements;
5. Make recommendations for other legislation relating to licensure requirements;
6. Provide findings and recommendations regarding the effect of statewide licensing on barriers to entry in the electrical marketplace;
7. Provide findings and recommendations as to the causal link between a continuing

- education program and benefits to the professional practice of electrical work; and
8. On or before November 15, 2013, report findings and recommendations for legislation to the Governor and in accordance with §2-1246 of the State Government Article.

The Task Force faced many challenges in its charge to address the priorities of Chapter 579. Prior to its formation, many of the topics of concern were addressed historically by changes at the local or county level. Most changes did not proliferate throughout the rest of the State. Instead, localization of standards and regulation, which began in the 1980s, contributed to a non-unified progressive path for the industry. Examples of this are noted in the wide disparity of the local electrical code observed by each jurisdiction, lack of standardized local licensing, and differing continuing education requirements. Standardization of regulation became the common theme of the Task Force. With many hours of hard work and dedication, and in spite of many obstacles, the Task Force was able to successfully create this report of recommendations.

State Regulation

The State Board of Master Electricians (Board) currently licenses master level electricians. **The Task Force recommends the State add journey and apprentice level licensing.** Eventually, local licensing will be phased out. The State will also establish experience requirements and examination exemption standards based upon similar regulatory structures within the State.

Continuing Education (CE) Requirements

The current level of continuing education hours required for renewal of licensure for master electricians will remain unchanged. **The Task Force recommends a change for CE that involves a 10-hour CE requirement for journey licensees prior to renewal of license.** This new requirement includes mandatory code educational courses to ensure our mid-level workers are current with industry standards.

Code Standardization

Currently, local jurisdictions of Maryland can adopt any version of any electrical code. The State is currently operating on the National Electrical Code (NEC), 2012 Edition. Some local jurisdictions that follow the NEC follow versions that range from 2002-2012. Some jurisdictions choose to follow the State adopted code. **The Task Force recommends a single State standard code with local amendment authority subject to Board approval.**

Board Member Composition

The State Board is comprised of nine members including three consumer members. Six of the members are active master electricians, appointed by the Governor and are geographically disbursed to ensure a proper statewide representation. Consumer positions have been difficult to fill. Although master electricians are well educated in current electrical standards, the Board lacks a code expert to facilitate the transition and eventual monitoring of a statewide code. Code inspectors are trained in code compliance. **The Task Force recommends replacing one of the vacant consumer member positions with a Code Inspector to help facilitate the transition to a statewide code and to bring an added level of expertise of code compliance to the Board.** If adopted, the number of consumer members will directly mirror the other mechanical boards.

Reciprocal Licensing and Disciplinary Guidelines

Many of the Occupational and Professional Licensing Boards (O&P Boards) of the State have established processes to deal with various mandates. The Task Force researched other DLLR O&P Boards with regard to reciprocal licensing methods and disciplinary guidelines. **The Task Force recommends adopting reciprocal licensing and disciplinary guidelines using other O&P Boards as a model.**

Special Fund Model

The Task Force researched other State regulatory boards to determine the optimal operating environment for the State Board of Master Electricians. Other boards that have adopted a special fund model include: the Real Estate Commission, the Individual Tax Preparers Board, the Design Boards, the Board of Accountancy, the Real Estate Appraisal Commission, the Board of Physicians, the Elevator Safety Review Board, the Nursing Board and many others. **The Task Force recommends conversion to a special fund model similar to the Real Estate Commission.** This would enable the Board a level of flexibility to establish a fee structure by regulation, operate under a non-lapsing fund, and manage the assets of a Board structure required to adopt these recommendations.

Thank you for this opportunity to serve the citizens of Maryland in this important work. I wish to express my appreciation to the members and staff of the Task Force, the staff of the Department of Legislative Services and the public who contributed to the discussions.

Sincerely,

John T. Papavasiliou

cc: Department of Legislative Services

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Master Electricians, §6-202 Membership

Membership Roster:

Senator Kathy Klausmeier, appointed by the President of the Senate

Delegate Jeannie Haddaway-Riccio, appointed by the Speaker of the House

Mr. Harry Loleas, designee of the Secretary of Labor, Licensing and Regulation

Mr. Rick Stumpf, appointed by the Governor, representing the Maryland Uniform Electrical Licensing and Examination Committee, Inc. (MUELEC)

Mr. Hadi Mansouri, appointed by the Governor, representing a local jurisdiction that licenses journey electricians

Mr. George Landing, appointed by the Governor, representing a local electric board with an established continuing education program

Mr. Larry Humble, appointed by the Governor, representing the National Electrical Contractors Association (NECA)

Mr. John Barr, appointed by the Governor, representing the Maryland Associations of Counties (MACO)

Mr. Michael Berg, Chairman, appointed by the Governor, representing the International Brotherhood of Electrical Workers (IBEW)

Mr. Jack Wilson, appointed by the Governor, representing the Independent Electrical Contractors (IEC) Chesapeake

Mr. Robert Welborne, appointed by the Governor, representing the State Board of Master Electricians (Board)

Staffing:

Mr. John T. Papavasiliou, Executive Director of Occupational and Professional Licensing, Department of Labor, Licensing and Regulation (DLLR)

Mr. Michael Oles, Industry member and moderator

History of Electrical Regulation in Maryland

Electrical regulation in Maryland dates back to 1906, when the General Assembly established the Board of Electrical Examiners and Supervisors. In 1984, Chapter 731 created the Maryland Statewide Electrical Licensing Board to provide for statewide licensure of master electricians and to facilitate the process of obtaining the local license needed to conduct electrical work in Maryland jurisdictions. The Board was also charged with exploring and establishing reciprocal licensing relationships with other states. Chapter 648 of 1988 changed the name again to the Maryland State Board of Master Electricians to achieve uniformity among the names of other occupational and professional licensing boards. All boards of the Department of Labor Licensing and Regulation (DLLR) share similar systems of licensure and compliance processing. A focus of uniformity and systemic standardization has been the ongoing trend within DLLR, to streamline and attain economies of scale to promote the efficient and effective regulation of all occupational and professional licensing operations.

Within Maryland's local jurisdictions, many variations of regulation exist. Some jurisdictions offer a variety of licensure options while a few offer no local license, relying on State licensure as the only credential. As reported in the October 2010 *Sunset Review: Evaluation of the State Board of Master Electricians*, the Department of Legislative Services recommended a stronger State role to include State controlled master and journey licensing as well as continuing education requirements.

At the present time many local jurisdictions require a local license, while a few require only a State license to practice within their jurisdiction. The State currently issues a master electrician license that has been used historically to "passport" into local jurisdictions. The requirements of a State license include meeting experience requirements, passing a State approved examination and paying fees associated with the processing of the license. Local jurisdictions honor the State license, but some require the licensee to purchase their local license in order to practice within their jurisdiction. It is commonplace for a Maryland electrician that practices in multiple jurisdictions to be required to purchase a license for each jurisdiction, most of which have differing fees, renewal cycles, regulations, codes and continuing education requirements. In order to ensure compliance with local and State requirements, a multi-jurisdictional electrician is required to know all the local codes, ensure proper renewal of each license and ensure compliance with all CE requirements.

Over the last five years, many efforts were made to change the way the electrical industry is regulated in Maryland. Many groups formed to discuss the progress of the industry and offer recommendations for change. These groups included members from the current State Board, local jurisdictions, organizations, businesses, labor unions, associations and the public.

The underlying theme of these discussions focused on how to improve the electrical regulatory environment and ensure a safe consumer product. As a result of these discussions, a draft bill¹ was created by the Maryland Electrical Legislative Group (MELG). Input for this draft was solicited from all sources of electrical stakeholders. Members of the MELG group participated in many statewide discussions by stakeholders and contributed a concerted effort to build the foundation for this draft bill. The knowledge base of its contributors spanned all counties and aspects of the electrical industry and current regulatory structure. Although this draft was never officially introduced for legislation, the membership of the Task Force reviewed its content and voted to use the efforts put forth in this five-year endeavor as a starting point in its mission to review the regulatory structure of electrical workers in Maryland.

Task Force Charge

During the 2013 legislative session, the MELG group was in the process of drafting a bill to effect major changes in the regulation of electrical workers. When a bill could not be completed in time, Senator Kathy Klausmeier introduced Senate Bill 916, **Task Force to Study Licensing and Continuing Education Requirements for Electricians**. House Bill 1386 was also introduced by Delegate Jeannie Haddaway-Riccio. SB916 and HB1386 established the Task Force to report findings and make recommendations to the Governor, President of the Senate and Speaker of the House. The bills were approved by the General Assembly and eventually signed into law on May 16, 2013 as Chapter 579, Acts of 2013². The Task Force's term commenced on July 1, 2013, and officially ends on June 30, 2014.

Membership of the Task Force included a process by which named entities submitted nominations of prospective members for approval by the Governor. Upon approval, the Task Force membership was assembled to review the mission and requirements.

The specific mandate for the Task Force was to:

- Examine proposed changes to the State licensing requirements for electricians in the State;
- Review appropriate approaches for the licensure of electricians at the State and local level to protect citizens and provide for efficiency of electrical services across county lines;

¹ See Appendix 3 for a complete version of the MELG draft bill, 3lr1345, REV 01-25-13

² See Appendix 2 for Chapter 579, Acts of 2013

- If a new approach to licensure is deemed appropriate, consider how this change affects electricians currently licensed at the State and local level, and the boards that currently oversee licensure at the State and local level;
- Make recommendations relating to statewide continuing education requirements for electricians;
- Make recommendations for other legislation relating to licensing requirements for electricians;
- Make findings and recommendations regarding the effect of statewide licensing on barriers to entry into the electrician marketplace; and
- Make findings and recommendations as to the causal link between a continuing education program and benefits to the professional practice of an electrician.

Recommendations

State Regulation

There are currently about 4,000 active licensees under the jurisdiction of the State Board of Master Electricians (Board). Application for a State master-level license includes the following requirements:

- Seven years of industry (Board approved) experience that includes supervision by a Master or approval of licensure by reciprocity (out-of-state);
- Examination by the Board; and
- Payment of licensure fees.

Local jurisdictions do not follow a standardized method of licensure. Some jurisdictions issue multiple levels of licensure including: master, master limited, general, low voltage, journey, apprentice and others. Standardization of prerequisites and experience requirements has not occurred. The Task Force researched all known categories of licensure at the State and local levels and determined that in the interest of public safety, consistency in regulation, information sharing and the reduction of economic impact to licensees, the state should oversee the regulation of all electrical workers.

Recommendation 1: The Task Force recommends the State add journey and apprentice level licensing.

Eventually, local electrical licensing will be phased out. The State will also establish experience requirements and examination exemption standards based upon similar regulatory structures within the State. The Task Force determined, with the many variations of licensure that currently exists, local jurisdictions will need time to convert to the new standards.

Limited Licensing

Addressing the various “limited” licenses in the State, the members decided that the scope of practice of some of the limited licenses were consistent with the duties of a journey level licensee. Also, some of the “limited” license scope of practice in multiple jurisdictions did not directly match. Some of the members felt that safety issues currently exist where a master is not utilized while the role is filled with a general or limited electrician. There was also concern that many of the “limited” or “general” licensees were exceeding their intended scope of practice. The disparity of scope, uncertainty of actual job duties performed, coupled with the conflicting permit and inspections requirements were the basis for the next recommendation.

Recommendation 2: The Task Force recommends a five year phase out of limited licensing at the local levels, preserving current licenses, and allowing these limited licenses to diminish through attrition. This aspect of local licensure should be subject to sunset after a five year period.

The Task Force members agree that implementation of this recommendation is difficult for the local jurisdictions that have utilized these license categories. However, the members included a “sunset” provision to revisit the implementation of the limited level migration to master license. Overwhelmingly, the members felt that it was a much safer consumer oriented approach due to the uncertainty of abilities of limited licensees, or whether monitoring of their practice occurs to ensure practice within an acceptable scope of practice.

Continuing Education (CE) Requirements

On July 22, 2013 Board regulations COMAR 09.09.02.01-.03 Continuing Education³ became effective. The purpose for the regulations was to establish by regulation the requirements for CE for renewal of a State master electrician license, including 10 required hours, approved subject matter and approved methods for completion. The Task Force considered local requirements for CE and public input concerning the current state of continuing education. Upon migration to a centralized State system, local requirements for CE would be phased out. As a result, the State would monitor and audit licensees as a measure of compliance with CE requirements. The current level of continuing education hours required for renewal of licensure for master electricians will remain unchanged. However, the Task Force felt it was essential for journey level licensees to be included in a continuing education program.

Recommendation 3: The Task Force recommends 10 hours of Board approved continuing education for journey licensees prior to renewal of license.

This CE requirement includes mandatory code educational courses (including masters) to ensure our mid-level workers are current with industry standards. With the consolidation of CE at the State level, the net effect would be to reduce the need, for electricians at all levels, to track non-standardized local requirements. Many of the practicing electricians on the Task Force explained their personal experience with the difficulties of monitoring their compliance with CE and renewal of local licensure. Some members associated with large firms have actually employed credentialing agents to track CE and renewal compliance. The adoption of a statewide system as recommended would alleviate the uncertainty.

³ See Appendix 4 for regulations, COMAR 09.09.02.01-.03, Continuing Education

Code Standardization

Currently, local jurisdictions of Maryland can adopt any version of various electrical codes. The State Board is currently operating on the National Electrical Code (NEC) 2012 Edition. Some local jurisdictions that follow the NEC follow versions that range from 2002-2012. Some jurisdictions choose to follow the State adopted code. Input from the public as well as Task Force members centered on the level of unpredictability faced by electricians that practice in multiple jurisdictions. It is not uncommon for an electrician to face multiple electrical code standards in a very small geographic region. Recognizing the differences and providing an acceptable product (locally) that conforms to an acceptable inspection standard poses a significant challenge to the electrician.

Other industries with standardized codes were used as a comparison. In those examples, the State Board solicits input from stakeholders as to the adoption of a new code set. Comments are incorporated in the decision making process. Eventually, public comments help finalize the adoption decisions. The Task Force recognized that variations exist in local jurisdictions. Some may have unique situations that may require amendments to the state code. In addition, it was noted that if all jurisdictions followed the State adopted electrical code, local amendments could be made with the approval of the Board.

Recommendation 4: The Task Force recommends a single State standard electrical code with local amendment authority subject to Board approval.

The Task Force advises a five year phase in period recognizing that conversion to a single code may be difficult. It will be necessary to educate local Inspectors not currently operating under the State code, and to account for budgetary concerns involving a conversion. The review of local amendments by the Board will also require additional time. The Task Force believes this recommendation is essential to improve the safety and consistency of the electrical industry and to ensure statewide conformity of electrical codes.

State Board Member Composition

The State Board is comprised of nine members including three consumer members. Six of the members are active master electricians, appointed by the Governor and are geographically disbursed to ensure a proper statewide representation⁴. Although master electricians are well educated in current electrical standards, the Board lacks a code expert to facilitate the transition

⁴ See Appendix 5 for current composition of the Board, Annotated Code of Maryland, Business Occupations and Professions, Title 6, Master Electricians, §2-202 Membership

and eventual monitoring of a statewide code. Many electricians specialize in specific service areas. Code inspectors are trained in code compliance and set the foundation for the interpretation of all state electrical standards. The addition of code expertise to the Board will help fast-track the transition to one statewide electric code.

Recommendation 5: The Task Force recommends replacing one of the vacant consumer member positions with a Code Inspector to help facilitate the transition to a statewide code and to bring an added level of expertise of code compliance to the Board.

The Board has had difficulty filling the three consumer member positions. The current Board has three vacant consumer member positions. The October 2010 *Sunset: Evaluation of the State Board of Master Electricians* also noted three consumer member vacancies. The Task Force members feel the public would be better served with the inclusion of code compliance experience. The added level of expertise will enhance the Board's code specific knowledgebase. The migration to a two consumer member model would also match the model of the other mechanical boards: the State Board of Plumbing, the State Board of Heating, Ventilation, Air-Conditioning and Refrigeration Contractors, the State Board of Stationary Engineers and the Elevator Safety Review Board.

Reciprocal Licensing and Disciplinary Guidelines

DLLR's Occupational and Professional Licensing Boards (O&P Boards) have well-established laws and regulations to deal with expediting Maryland licensing and to effect discipline on licensees that violate the laws or regulations of the State. The Task Force researched other O&P Boards with regard to reciprocal licensing methods and disciplinary guidelines. After research and discussion concerning twenty two licensing Boards' laws, the members unanimously agreed to adopt sections of two other O&P Boards' law to facilitate a consistent and legally sufficient transition. Amending existing legal language to suit electrical connotation allows the Board to adopt language that has been previously vetted through the legislative process. During the discussion, the HVACR law (Title 9A, Business Regulation Article) was determined to be the best model in terms of reciprocal licensing and disciplinary action. Title 9A should be used to create the corresponding section of the Maryland Master Electricians Act. Also, it was agreed that §9A-310(a)(ix) be stricken, and other changes made to remove HVACR references to accommodate electrical reference. The members also agreed to add §12-312(a)(viii), referencing insurance requirements from the plumbing law and §12-312(a)(xiii), violation of regulations under the title.

The Board currently has reciprocal licensing agreements with Virginia, Delaware and West Virginia. These agreements are based upon the confirmation that licensing standards of

similar nature exist in both states. The Board is amenable to expanding these agreements and is currently in communication with other states regarding reciprocal licensing.

Recommendation 6: The Task Force recommends adopting reciprocal licensing and disciplinary guidelines using other O&P Boards as a model.

The language in the disciplinary guidelines includes the following sanctions: reprimand, suspension, revocation and fines not to exceed \$5,000 per occurrence. The language also addresses conviction of a crime, deviation from standards, standard regulatory language and allows for prosecution of unlicensed offenses.

Special Fund Model

The Task Force researched other Maryland regulatory boards to determine the optimal operating environment for the State Board of Master Electricians. Other boards that have adopted a special fund model include: the Real Estate Commission, the Individual Tax Preparers Board, the Design Boards, the Board of Accountancy, the Real Estate Appraisal Commission, the Board of Physicians, the Elevator Safety Review Board, the Nursing Board and many others. Adoption of a non-lapsing special fund model would enable the Board a level of flexibility to establish an adequate personnel structure, establish a fee structure by regulation and manage the assets of a Board structure required to adopt these recommendations.

Recommendation 7: The Task Force recommends conversion to a special fund model similar to the Real Estate Commission.

Causal Link Between Continuing Education Program and Improved Professional Practice

Many of the Task Force members offered personal accounts of the positive relationship between a CE program and the benefits to both public safety and progress in the electrical industry. Some have proactively instituted an internal CE program to address various company related risk points. The common theme of these accounts focused on the benefits businesses realized in the reduction of employee injuries, customer complaints, inspection failures and materials wasted. With these reductions, businesses naturally realize an economic benefit of reduced costs that may ultimately translate into consumer savings.

A report from the Bureau of Labor statistics, *Certificates: A Fast Track To Careers* was discussed regarding the benefits of CE in construction trades. Some of the positive aspects of CE include: preparation for trade work, targeted education for specific products and services, personal skills growth and a more confident workforce. It was also noted that the benefits to industry in general equate to increased earnings of up to 20% for workers.

Another report from the Conference Board of Canada, *Turning Skills into Profit: Economic Benefits of Workplace Education Programs* was introduced for its content relating to continuous improvement efforts. Some of the themes associated with the article deal with improved quality, team performance, capacity change technology and the need to continuously improve. The members agreed that some of the themes presented directly related to its mandate to report on the causal link between CE and benefits to the industry. There exists a causal link between continuous improvement efforts and benefits to the industry. Implementation of the CE program will mandate an educational benefit for all journey and masters licensees. Receiving a mandatory code update will continuously improve the electrical industry by ensuring mid to upper level workers are educated in the current electrical code. This equates to a safer industry, providing for an electrical workforce that constantly strives to improve. Some of the members commented that the State will see a positive trend of continuous improvement efforts regarding code awareness and knowledge based improvement. The trend will also equate to lower rates of catastrophic events, a raised level of awareness of new or changing technology, decreases in insurance rates and additional products tying in with the NEC.

Conclusion

Working in the electrical industry at the present time poses many challenges. If you decide to practice in multiple jurisdictions, you may be required to purchase a local license in each jurisdiction after meeting each local's qualifications. You must also be aware of any local electrical code differences and incorporate them in your work. What is permissible in one jurisdiction may not be permissible in another. Possessing multiple local licenses will also require that you conform to multiple license renewal schedules and differing regulatory requirements. If a local jurisdiction requires continuing education credits, you must ensure you acquire the proper credit hours and content, and verify with each jurisdiction that the credit will count towards their requirements. If the licenses have inconsistent renewal dates, the confusion is compounded further as education credits are time limited. It is customary for jurisdictions to require the acquisition of CE hours in the time period between the current and previous renewal dates. It is possible to confuse which credit hours apply to which licenses and to inadvertently fall out of compliance, especially for those that possess a large number of licenses. During the meetings, one person commented on possessing over 23 licenses.

All Marylanders will benefit from the recommendations of the Task Force if the result effects changes in current law. By standardizing licensing requirements, the public can be assured that an electrical worker has met specific State qualifications before licensure. By requiring CE, the public can be assured that the State is promoting a continuous improvement approach to its workforce. By adopting a statewide electrical code, the public can be assured that their jurisdiction is required to maintain a contemporary standard of code compliance and that their electrical work will be held to the highest standard upon inspection.

The Task Force unanimously agreed that a major change in the regulatory structure was needed to improve the electrical industry in Maryland. For the past decade many of the stakeholders have been attempting to effect significant statewide change. The Task Force feels that centralization of regulation will improve the electrical industry and diminish the possibility of intrastate ambiguity. The spirit of the discussions related to the members collective concern for the well-being of their industry, fairness to licensees and a safe product for the Maryland consumer.

APPENDIX 1

Task Force Meeting Schedule

Task Force CH579, Electricians

August 14, 2013 @ 10:00 a.m.

Miller Senate Office Building
11 Bladen Street
Room 3 East, Finance Committee Room
Annapolis, MD 21401

September 5, 2013 @ 10:00 a.m.

Miller Senate Office Building
11 Bladen Street
Room 3 East, Finance Committee Room
Annapolis, MD 21401

September 19, 2013 @ 10:00 a.m.

House Office Building
6 Bladen Street
Room 231, Economic Matters Committee Room
Annapolis, MD 21401

October 3, 2013 @ 10:00 a.m.

House Office Building
6 Bladen Street
Room 231, Economic Matters Committee Room
Annapolis, MD 21401

October 17, 2013 @ 10:00 a.m.

Miller Senate Office Building
11 Bladen Street
Room 3 East, Finance Committee Room
Annapolis, MD 21401

Chapter 579

(Senate Bill 916)

AN ACT concerning

Task Force to Study Licensing and Continuing Education Requirements for Electricians

FOR the purpose of establishing the Task Force to Study Licensing and Continuing Education Requirements for Electricians; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Licensing and Continuing Education Requirements for Electricians.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(a) There is a Task Force to Study Licensing and Continuing Education Requirements for Electricians.

(b) The Task Force consists of the following members:

(1) one member of the Senate of Maryland, appointed by the President of the Senate;

(2) one member of the House of Delegates, appointed by the Speaker of the House;

(3) the Secretary of Labor, Licensing, and Regulation, or the Secretary's designee; and

(4) the following members, appointed by the Governor:

(i) one representative of the Maryland Uniform Electrical Licensing Examination Committee, Inc.;

(ii) one representative of a local electrical board that licenses journeyman electricians;

(iii) one representative of a local electrical board with an established continuing education program;

(iv) one representative of the National Electrical Contractors Association;

~~(iii)~~ (v) one representative of the Maryland Association of Counties;

~~(iv)~~ (vi) one representative of the International Brotherhood of Electrical Workers;

~~(v)~~ (vii) one representative of Independent Electrical Contractors (IEC) Chesapeake; and

~~(vi)~~ (viii) one member of the State Board of Master Electricians.

(c) The Task Force shall elect a chair from among its members.

(d) The Department of Labor, Licensing, and Regulation shall provide staff for the Task Force.

(e) A member of the Task Force:

(1) may not receive compensation as a member of the Task Force; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Task Force shall:

(1) examine proposed changes to the State licensing requirements for electricians in the State;

~~(2) review local electrician licensing requirements and issues relating to transitioning to a single, statewide license;~~

~~(3) examine the effect on local boards of electricians and local governments of proposed changes reviewed under items (1) and (2) of this subsection~~
review appropriate approaches for the licensure of electricians at the State and local level to protect citizens and provide for efficiency of electrical services across county lines;

(3) if a new approach to licensure is deemed appropriate, consider how this change affects electricians currently licensed at the State and local level, and the boards that currently oversee licensure at the State and local level;

(4) make recommendations relating to statewide continuing education requirements for electricians; ~~and~~

(5) make recommendations for other legislation relating to licensing requirements for electricians;

(6) make findings and recommendations regarding the effect of statewide licensing on barriers to entry into the electrician marketplace; and

(7) make findings and recommendations as to the causal link between a continuing education program and benefits to the professional practice of an electrician.

(g) On or before November 15, 2013, the Task Force shall report its findings and recommendations for legislation to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2013. It shall remain effective for a period of 1 year and, at the end of June 30, 2014, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

Approved by the Governor, May 16, 2013.

APPENDIX 3

Draft LR for Discussion ONLY

REV 01-25-13

C2

3lr1345

Bill No.: _____

Drafted by: Eastwood

Requested: _____

Committee: _____

By: Senator Klausmeier

A BILL ENTITLED

AN ACT concerning

Business Occupations and Professions – State Board of Electricians

FOR the purpose of

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Business Occupations and Professions

6–101.

(a) In this title the following words have the meanings indicated.

(B) “ACCREDITED EXAMINATION” MEANS AN EXAMINATION WHOSE SUBJECT AND SCOPE IS DERIVED FROM THE LATEST EDITION OF A BANK OF QUESTIONS AND ANSWERS SUBMITTED BY THE MARYLAND UNIFORM ELECTRICAL LICENSING EXAMINATION COMMITTEE, INC.

(C) “APPRENTICE ELECTRICIAN” MEANS A PERSON REGISTERED BY THE STATE BOARD WHO IS:

(1) CURRENTLY ENROLLED IN A REGISTERED ELECTRICAL APPRENTICESHIP PROGRAM; AND

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

1r1345

(2) AUTHORIZED TO ASSIST A MASTER ELECTRICIAN OR JOURNEYPERSON ELECTRICIAN IN PROVIDING ELECTRICAL SERVICES IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE AND ANY ADOPTED LOCAL AMENDMENTS, UNDER THE DIRECTION AND CONTROL OF A MASTER ELECTRICIAN OR JOURNEYPERSON ELECTRICIAN.

(D) "APPRENTICESHIP PROGRAM" MEANS A PROGRAM REGISTERED BY THE MARYLAND APPRENTICESHIP AND TRAINING COUNCIL OR THE U.S. DEPARTMENT OF LABOR TO TEACH A SKILLED TRADE IN ACCORDANCE WITH TITLE 9, SUBTITLE 12, CHAPTER 43 OF THE CODE OF MARYLAND REGULATIONS.

[(b)] (E) (1) "Assignment of local license" means any procedure by which a licensee grants to another person a right to use a local license to enable that person to engage in the business of providing electrical services.

(2) "Assignment of local license" includes any procedure by which:

(i) a licensee agrees to be the representative of another person;
and

(ii) by virtue of that agreement, the other person is authorized to engage in the business of providing electrical services.

(F) "CONTINUING EDUCATION" MEANS ANY COURSE OR TRAINING IN PRACTICAL TECHNIQUES, INSTALLATION PROCEDURES, OR MATERIALS BASED ON THE LATEST EDITION OF THE NATIONAL ELECTRICAL CODE AND ANY ADOPTED LOCAL AMENDMENTS ADMINISTERED BY:

(1) A COLLEGE OR TRADE SCHOOL;

(2) A STATE OR NATIONALLY RECOGNIZED TRAINING PROGRAM;

OR

(3) AN ORGANIZATION OR INDIVIDUAL APPROVED BY THE STATE BOARD.

() "ELECTRICAL WORKER" MEANS A PERSON NOT LICENSED AS A MASTER OR JOURNEYPERSON OR REGISTERED AS A STATE APPRENTICE AND

MUST BE UNDER THE DIRECTION AND CONTROL OF A MASTER OR JOURNEYPERSON ELECTRICIAN WHENEVER ASSISTING IN PROVIDING ELECTRICAL SERVICES.

[(c)] (G) "Engage in the business of providing electrical services" means to engage in providing electrical services for compensation.

(H) "JOURNEYPERSON ELECTRICIAN" MEANS A PERSON:

(1) LICENSED BY THE STATE BOARD TO INSTALL, REPAIR, MAINTAIN, AND ERECT ELECTRICAL WIRING, EQUIPMENT, APPARATUS, AND SYSTEMS IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE AND ANY ADOPTED LOCAL AMENDMENTS UNDER THE DIRECTION AND CONTROL OF A MASTER ELECTRICIAN; OR

(2) LICENSED AS A JOURNEYPERSON ELECTRICIAN BY:

(I) CALVERT COUNTY;

(II) CHARLES COUNTY;

(III) HARFORD COUNTY;

(IV) MONTGOMERY COUNTY; OR

(V) PRINCE GEORGE'S COUNTY.

[(d)] (I) "License" means, unless the context requires otherwise, a license issued by the State Board or a local jurisdiction to provide electrical services.

[(e)] "Licensed master electrician" means, unless the context requires otherwise, a master electrician who is licensed by the State Board or a local jurisdiction to provide electrical services.

[(f)] (J) "Local board" means a board that a local jurisdiction of the State creates to regulate any aspect of the electrical trade.

[(g)] (K) (1) "Local license" means, unless the context requires otherwise, a license that is issued by a local board to provide electrical services [as a master electrician].

(2) "LOCAL LICENSE" DOES NOT INCLUDE:

(I) A LICENSE ISSUED TO A JOURNEYPERSON ELECTRICIAN, EXCEPT FOR A LICENSE DESCRIBED UNDER SUBSECTION (H)(2) OF THIS SECTION; OR

(II) A REGISTRATION ISSUED TO AN APPRENTICE ELECTRICIAN.

(L) (1) "LOCAL REGISTRATION" MEANS A REGISTRATION THAT IS ISSUED BY A LOCAL BOARD TO PROVIDE ELECTRICAL SERVICES.

(2) "LOCAL REGISTRATION" DOES NOT INCLUDE A REGISTRATION ISSUED TO A JOURNEYPERSON ELECTRICIAN OR AN APPRENTICE ELECTRICIAN.

(M) "MARYLAND UNIFORM ELECTRICAL LICENSING EXAMINATION COMMITTEE, INC." MEANS A CORPORATION COMPOSED OF AT LEAST ONE REPRESENTATIVE FROM EACH LOCAL ELECTRICAL LICENSING BOARD LOCATED WITHIN THE STATE.

[(h)] (N) "Master electrician" means an individual who has the experience, knowledge, and skill to provide electrical services in all aspects of the electrical trade, in a manner that complies with applicable plans, specifications, codes, or law.

[(i)] (O) (1) "Provide electrical services" means to provide any service in the electrical trade.

(2) "Provide electrical services" includes installing, repairing, or altering any electrical wiring, fixture, appliance, apparatus, raceway, or conduit that:

(i) generates, transmits, transforms, or uses electrical energy in any form for light, heat, power, or communication; and

(ii) is located within a plant, substation, or elsewhere.

[(j)] (P) "State Board" means the State Board of [Master] Electricians.

[(k)] (Q) "State license" means a license that is issued by the State Board to a master electrician **OR JOURNEYPerson electrician**.

(R) "STATE REGISTRATION" MEANS A REGISTRATION THAT IS ISSUED BY THE STATE BOARD TO AN APPRENTICE ELECTRICIAN.

6-102.

The policy of the State is to **[regulate,] REGULATE** throughout the State, **BY A SYSTEM OF LICENSING OR REGISTRATION**, those persons who provide electrical services or engage in the business of providing electrical services, to safeguard the life, health, property, and public welfare of the citizens of the State.

6-103.

(a) This title does not affect the right of any local jurisdiction of the State:

(1) to regulate the quality and character of work of a person who engages in the business of providing electrical services by establishing a system of licenses, **REGISTRATIONS**, permits, fees, and inspections designed to:

(i) ensure compliance with and implementation of State and local building laws; or

(ii) enforce other local laws protecting public health and safety;

(2) to require a person who engages in the business of providing electrical services to submit any plan or specification for approval before the electrical services are provided;

(3) to establish a local board;

(4) except as provided in §§ 6-504 and 6-602 of this title, to require an examination before issuing a license **OR REGISTRATION** to provide electrical services within the local jurisdiction; or

(5) to collect, from a person who is licensed with a local board, fees for:

(i) an examination for a license to provide electrical services;

(ii) issuance and renewal of the license; or

(iii) an inspection.

(b) (1) If a local jurisdiction licenses **OR REGISTERS** any class of electricians other than [master] **JOURNEYPERSON** electricians, that class is also under the control and supervision of the local board.

(2) **PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY TO A JOURNEYPERSON ELECTRICIAN DESCRIBED UNDER § 6-101(H)(2) OF THIS SUBTITLE.**

(c) This title may not be construed to waive any requirement of an ordinance or regulation that sets out the type of work to be performed by a person who engages in the business of providing electrical services as required under State or local building laws.

Subtitle 2. State Board of [Master] Electricians.

6-201.

There is a State Board of [Master] Electricians in the Department.

6-202.

(a) (1) The State Board consists of:

(i) 9 members appointed by the Governor with the advice and consent of the Senate; AND

(ii) 1 MEMBER OF THE MARYLAND UNIFORM ELECTRICAL LICENSING EXAMINATION COMMITTEE, APPOINTED BY THE COMMITTEE, WHO SHALL BE AN EX OFFICIO, NONVOTING MEMBER OF THE STATE BOARD.

(2) Of the 9 members of the State Board **APPOINTED BY THE GOVERNOR**:

(i) 6 shall be licensed master electricians; and

(ii) 3 shall be consumer members.

(3) Of the 6 master electrician members:

- (i) 1 shall be from Baltimore City;
 - (ii) 1 shall be from the area that consists of Caroline, Dorchester, Kent, Queen Anne's, Somerset, Talbot, Wicomico, and Worcester counties;
 - (iii) 1 shall be from the area that consists of Baltimore, Cecil, and Harford counties;
 - (iv) 1 shall be from the area that consists of Anne Arundel, Calvert, Charles, and St. Mary's counties;
 - (v) 1 shall be from the area that consists of Montgomery and Prince George's counties; and
 - (vi) 1 shall be from the area that consists of Allegany, Carroll, Frederick, Garrett, Howard, and Washington counties.
- (4) The consumer members shall be from the State at large.
- (5) A member of the State Board may not reside in the same county as another member.
- (b) Each member of the State Board shall be a citizen and resident of the State.
- (c) Each master electrician member of the State Board shall:
- (1) hold an active State license; and
 - (2) be engaged actively in providing electrical services as a **LICENSED** master electrician for at least 5 consecutive years immediately before appointment.
- 6-204.
- (c) Subject to the [State] budget **OF THE DEPARTMENT**, each member of the State Board [is entitled to] **SHALL BE PAID**:
- (1) an annual salary of \$3,600; and
 - (2) reimbursement for reasonable expenses under the Standard State Travel Regulations.

(d) The State Board may employ a staff in accordance with the [State] budget **OF THE DEPARTMENT**.

6-205.

In addition to any powers and duties set forth elsewhere, the State Board shall:

(1) twice a year [hold a seminar and invite] **ATTEND A MEETING WITH** members from each local licensing jurisdiction to discuss any industry or licensing problems; and

(2) adopt regulations to establish:

- (i) application and examination fees;
- (ii) continuing education requirements; and
- (iii) application deadlines.

6-301.

(a) Each county shall:

(1) adopt regulations that have qualifications comparable to § 6-304 **OF THIS SUBTITLE**, to provide for the licensing **OR REGISTRATION** and regulation of master electricians; or

(2) (i) 1. require a State license for providing electrical services as a master electrician **OR JOURNEYPerson ELECTRICIAN, EXCEPT A JOURNEYPerson ELECTRICIAN DESCRIBED UNDER § 6-101(H)(2) OF THIS TITLE; OR**

2. **REQUIRE A STATE REGISTRATION FOR PROVIDING ELECTRICAL SERVICES AS AN APPRENTICE ELECTRICIAN;** and

(ii) enforce the provisions of this title.

(b) Each municipal corporation shall:

(1) adopt regulations that have qualifications comparable to, or more stringent than, § 6-304 of this subtitle to provide for the licensing **OR REGISTRATION** and regulation of master electricians;

(2) adopt the electrical rules and regulations of the county in which the municipal corporation is located; or

(3) (i) 1. require a State license for providing electrical services as a master electrician **OR JOURNEYPERSON ELECTRICIAN, EXCEPT A JOURNEYPERSON ELECTRICIAN DESCRIBED UNDER § 6-101(H)(2) OF THIS TITLE; OR**

2. **REQUIRE A STATE REGISTRATION FOR PROVIDING ELECTRICAL SERVICES AS AN APPRENTICE ELECTRICIAN;** and

(ii) enforce the provisions of this title.

(c) Each licensed **[master] OR REGISTERED** electrician shall display the State license **OR REGISTRATION** number ~~or the county license OR REGISTRATION number of the licensee OR REGISTRANT~~ on each vehicle used on the job for providing electrical services.

(d) A county or municipal corporation may not adopt a resolution or enact a law that requires a person licensed **OR REGISTERED** under this subtitle who is compliant with subsection (c) of this section to display additional license **OR REGISTRATION** numbers on each vehicle used on the job for providing electrical services.

6-302.

(a) In a local jurisdiction that requires a local license **OR REGISTRATION**, the State license, while the State license is in effect, serves **[only]** as a mechanism that helps a licensee in obtaining a local license **OR REGISTRATION** under §§ 6-601 and 6-602 of this title.

(b) If a county or municipal corporation does not require a local license, the State license, while the State license is in effect, authorizes the licensee to:

(1) provide electrical services as a **LICENSED** master electrician **OR JOURNEYPERSON ELECTRICIAN;** or

(2) be the representative of another person who engages in the business of providing electrical services.

6-302.1.

(A) (1) TO SAFEGUARD THE LIFE, HEALTH, AND PUBLIC WELFARE OF THE RESIDENTS OF THE STATE, EACH PERSON PROVIDING ELECTRICAL SERVICES AS A MASTER ELECTRICIAN OR JOURNEYPerson ELECTRICIAN SHALL HOLD A LICENSE ISSUED BY THE STATE BOARD.

(2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY TO:

(i) A MASTER ELECTRICIAN LICENSED BY A LOCAL BOARD;
OR

(ii) A JOURNEYPerson ELECTRICIAN DESCRIBED UNDER § 6-101(H)(2) OF THIS TITLE.

(B) TO SAFEGUARD THE LIFE, HEALTH, AND PUBLIC WELFARE OF THE RESIDENTS OF THE STATE, EACH PERSON PROVIDING ELECTRICAL SERVICES AS AN APPRENTICE ELECTRICIAN SHALL HOLD A REGISTRATION ISSUED BY THE STATE BOARD.

(C) ALL PERSONS LICENSED OR REGISTERED BY THE STATE TO PROVIDE ELECTRICAL SERVICES ARE RESPONSIBLE FOR MAINTAINING AN ACTIVE LICENSE OR REGISTRATION IN GOOD STANDING THAT MEETS ALL THE REQUIREMENTS ESTABLISHED BY THE STATE BOARD.

(D) ANY PERSON WHO EMPLOYS A JOURNEYPerson ELECTRICIAN OR AN APPRENTICE ELECTRICIAN SHALL VERIFY THAT EACH JOURNEYPerson ELECTRICIAN OR APPRENTICE ELECTRICIAN THE PERSON EMPLOYS IS LICENSED OR REGISTERED, AS APPROPRIATE, BY THE STATE BOARD OR IS A JOURNEYPerson ELECTRICIAN DESCRIBED UNDER § 6-101(H)(2) OF THIS TITLE.

(E) A LICENSED MASTER ELECTRICIAN:

(1) SHALL BE PRESENT AT EACH JOBSITE TO ACTIVELY DIRECT, CONTROL, AND TAKE RESPONSIBILITY FOR ANY ELECTRICAL SERVICES PROVIDED AT THE JOBSITE; BUT

(2) MAY DESIGNATE A LICENSED MASTER ELECTRICIAN OR LICENSED JOURNEYPerson ELECTRICIAN PRESENT AT A JOBSITE AS THE REPRESENTATIVE OF THE LICENSED MASTER ELECTRICIAN TO DIRECT, CONTROL, AND TAKE RESPONSIBILITY FOR ANY ELECTRICAL SERVICES PROVIDED AT THE JOBSITE.

(F) (1) ON REQUEST, PERSONNEL FROM THE DEPARTMENT OR LOCAL AUTHORITY HAVING JURISDICTION MAY REQUIRE PROOF THAT EACH EMPLOYEE PROVIDING ELECTRICAL SERVICES AT A JOBSITE HAS THE APPROPRIATE LICENSE OR REGISTRATION ISSUED BY THE STATE BOARD.

(2) IF A MASTER ELECTRICIAN OR OTHER AUTHORIZED REPRESENTATIVE OF AN EMPLOYER IS UNABLE TO PROVIDE PROOF THAT AN EMPLOYEE HAS THE APPROPRIATE LICENSE OR REGISTRATION UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE STATE BOARD SHALL SUSPEND THE LICENSE OF THE MASTER ELECTRICIAN UNTIL THE PROOF IS PROVIDED.

6-303.

(a) This subtitle does not require an individual to hold a State license while the individual provides electrical services as an employee or subordinate of a master electrician licensed by the State Board if:

(1) the individual provides electrical services while under the control and supervision of the licensee; and

(2) the licensee is responsible for the electrical services that the individual provides.

(b) This subtitle does not require:

(1) a public utility company to employ a master electrician, JOURNEYPerson ELECTRICIAN, OR APPRENTICE ELECTRICIAN to represent the company while the company is engaging in the business of providing electrical services to a facility of the company that:

(i) is regulated by the Public Service Commission; and

(ii) is located on any premises, roadway, or right-of-way in which the company has a lawful interest; or

(2) an employee of a public utility company to hold a State license while the employee provides electrical services to a facility of the company that:

(i) is regulated by the Public Service Commission; and

(ii) is located on any premises, roadway, or right-of-way in which the company has a lawful interest.

6-304.

(a) To qualify for a State license **OR REGISTRATION**, an applicant shall be an individual who meets the requirements of this section.

(b) **(1) IN THIS SUBSECTION, "YEAR" MEANS 2,000 OR MORE HOURS OF ON-THE-JOB EXPERIENCE.**

[(1)] (2) Subject to paragraph **[(2)] (3)** of this subsection, **[the] AN** applicant **FOR A MASTER ELECTRICIAN LICENSE** shall have been engaged or employed regularly and principally in providing electrical services for all types of electrical equipment and apparatus for at least 7 years while under the direction and supervision of:

(i) a master electrician; or

(ii) a similarly qualified employee of a governmental unit.

[(2)] (3) The State Board may allow an applicant up to 3 years of credit toward the experience required under paragraph **[(1)] (2)** of this subsection, if the State Board determines that the applicant has completed a formal course of study or professional training in electrical installation comparable to the required experience.

[(c)] Except as otherwise provided in this subtitle, the applicant shall pass an examination given by the State Board under this subtitle.]

(C) AN APPLICANT FOR A JOURNEYPERSON ELECTRICIAN LICENSE SHALL BE AT LEAST 21 YEARS OLD AND:

(1) (I) BE EMPLOYED BY A LICENSED MASTER ELECTRICIAN FOR AT LEAST 4 YEARS; AND

(II) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, PASS AN ACCREDITED EXAMINATION ADMINISTERED BY THE STATE BOARD, THOSE COUNTIES LISTED UNDER SUBTITLE 6-101(H)(2), OR A DESIGNEE UNDER THIS SUBTITLE; OR

(2) PASS AN ACCREDITED EXAMINATION IN THEIR LAST YEAR AND HOLD A CERTIFICATE OF COMPLETION FROM AN ELECTRICAL APPRENTICESHIP PROGRAM RECOGNIZED BY THE MARYLAND APPRENTICESHIP AND TRAINING COUNCIL OR THE U.S. DEPARTMENT OF LABOR THAT CONSISTS OF 576 OR MORE HOURS OF CLASSROOM TRAINING AND 8,000 OR MORE HOURS OF ON-THE-JOB TRAINING.

(D) AN APPLICANT FOR AN APPRENTICE ELECTRICIAN REGISTRATION SHALL BE ENROLLED IN AN ELECTRICAL APPRENTICESHIP PROGRAM RECOGNIZED BY THE MARYLAND APPRENTICESHIP AND TRAINING COUNCIL OR THE U.S. DEPARTMENT OF LABOR THAT ISSUES AN IDENTIFICATION CARD.

[(d)] (E) The State Board may investigate the qualifications of each applicant to determine whether the applicant meets the requirements of this section.

6-305.

An applicant for a State license shall:

(1) submit to the State Board an application on the form that the State Board provides; and

(2) pay to the State Board or the State Board's designee an examination fee set by the STATE Board in an amount not to exceed the cost of the required examination.

6-306.

(a) Except as otherwise provided in §§ 6-304 AND 6-306.1 of this subtitle, an applicant who otherwise qualifies for a State license [is entitled to] SHALL be examined as provided in this section.

(b) The State Board shall give **ACCREDITED** examinations to qualified applicants at least twice a year, at the dates, times, and places that the State Board determines.

(c) (1) At least 15 days before the examination, the State Board shall notify each applicant whether the applicant is eligible to be examined under this section.

(2) The notice shall specify the passing score for the examination.

(d) (1) The State Board **AND LOCAL LICENSING BOARDS** shall determine the subjects and scope of the examination from a list of questions submitted by the Maryland Uniform Electrical Licensing Examination Committee, Inc.

(2) The State Board **AND LOCAL LICENSING BOARDS** shall choose examination questions that:

(i) test the applicant's knowledge of all applicable codes, laws, or principles of electrical installation; and

(ii) are constructed to determine the fitness of the applicant for a State license.

(3) The State Board may appoint a committee to [develop] **SELECT THE** examination questions **ADMINISTERED BY THE STATE BOARD**.

(e) The form of [the] **EACH** examination shall be objective and written.

(f) The passing score for [the] **EACH** examination shall be 70%.

(g) Within 45 days after the examination, the State Board shall mail to each applicant notice of the applicant's examination **RESULTS OR** score.

(h) On written request to the State Board, an applicant who failed an examination may review the answers that the applicant gave and the scores for those answers, at a time and place that the State Board determines.

(i) (1) If an applicant fails to appear for a scheduled examination, the applicant may reapply for an examination.

(2) The applicant:

(i) shall submit to the State Board an application for reexamination on the form that the State Board provides; and

(ii) unless, for good cause, the State Board waives payment of the examination fee, shall again pay the examination fee under § 6-305 of this subtitle.

6-306.1.

(a) The State Board may use a testing service to administer [the examinations] **AN ACCREDITED EXAMINATION** given under this title.

(b) If the State Board uses a testing service, the testing service, subject to the requirements set by the State Board, may:

(1) set the time and place of examinations;

(2) give qualified applicants notice of the time and place of examinations; and

(3) furnish any other information that the State Board may require the testing service to provide.

6-307.

(a) Subject to the limitations in this section, the State Board shall waive the examination requirements of this subtitle for an individual who holds a local license.

(b) The State Board shall grant a waiver under this section only if the applicant:

(1) pays the application fee established by the Board under § 6-205 of this title;

(2) provides adequate evidence that the applicant:

(i) meets the qualifications otherwise required by this subtitle;
and

(ii) is licensed in a local jurisdiction after:

1. passing, in that local jurisdiction, an **ACCREDITED** examination that is equivalent to the examination for which the applicant is seeking the waiver; and

2. meeting, in that local jurisdiction, requirements that are equivalent to the licensing requirements of this subtitle; and

(3) submits a statement from the local jurisdiction certifying:

(i) the applicant is in good standing with the local jurisdiction;

(ii) the applicant obtained the local license by taking an examination equivalent to the examination given by the State Board; and

(iii) the date of the local examination.

(c) An initial State license that is obtained under this section may not be reinstated unless the requirements of § 6-312 of this subtitle are met.

6-308.

(a) Subject to the limitations in this section, on the affirmative vote of at least a majority of the authorized membership of the State Board, the State Board may waive the examination requirements of this subtitle for an individual who is licensed to provide electrical services as a master electrician **OR JOURNEYPERSON ELECTRICIAN** in another state.

(b) The State Board may grant a waiver under this section only if the applicant:

(1) pays the appropriate application fee set by the Board under § 6-205(2) of this title; and

(2) provides adequate evidence that the applicant:

(i) meets the qualifications otherwise required by this subtitle;

(ii) holds an active license in good standing in the other state;

(iii) holds a license that is equivalent to the State license; and

(iv) meets a 7-year experience requirement in providing electrical services, at least 4 years of which must have been gained prior to licensure in the other state, while under the supervision of a master electrician or similarly qualified employee of a governmental unit.

(c) The State Board may grant a waiver only if the state in which the applicant is licensed waives the examination of licensees of this State to a similar extent as this State waives the examination requirements for individuals licensed in that state.

(d) The Board may allow an applicant **FOR A MASTER ELECTRICIAN LICENSE** up to 3 years credit toward the experience required under subsection (b)(2) of this section, if the State Board determines that the applicant has completed a formal course of study or professional training in electrical installation comparable to the required experience.

6-309.

(a) If an applicant qualifies for a State license **OR REGISTRATION** under this subtitle, the State Board shall send the applicant a notice that states that:

(1) the applicant has qualified for a State license **OR REGISTRATION**;
and

(2) the State Board will issue a State license **OR REGISTRATION** to the applicant on receipt of:

(i) 1. **FOR A MASTER ELECTRICIAN LICENSE, A NONREFUNDABLE FEE OF [\$20] \$50;**

2. **FOR A JOURNEYPERSON ELECTRICIAN LICENSE, A NONREFUNDABLE FEE OF \$40; OR**

3. **FOR AN APPRENTICE ELECTRICIAN REGISTRATION, A NONREFUNDABLE FEE OF \$10; and**

(ii) **FOR A MASTER ELECTRICIAN LICENSE:**

1. proof of general liability and property damage insurance as required under § 6-604 of this title; **AND**

2. **PROOF THAT THE APPLICANT HAS PASSED AN ACCREDITED EXAMINATION ADMINISTERED BY THE STATE BOARD UNDER THIS SUBTITLE.**

(B) A STATE JOURNEYPERSON ELECTRICIAN LICENSE, AN APPRENTICE REGISTRATION, AND A LICENSE ISSUED TO A JOURNEYPERSON ELECTRICIAN DESCRIBED UNDER § 6-101(H)(2) OF THIS TITLE SUPERSEDE ANY LOCAL LICENSING OR REGISTRATION REQUIREMENTS.

[(b)] (C) (1) If, at the time of application, an applicant intends to assign to another person a local license that is obtained by use of a State license **OR REGISTRATION**, the applicant shall identify on the application the person to whom the applicant is assigning the local license.

(2) On payment of the State license **OR REGISTRATION** fee and receipt of the proof of insurance required under § 6-604 of this title, **IF APPLICABLE**, the State Board shall issue a State license **OR REGISTRATION** to each applicant who meets the requirements of this title.

[(c)] (D) The State Board shall include on each State license **OR REGISTRATION** that the State Board issues:

(1) the name of the licensee **OR REGISTRANT**; and

(2) if the licensee **OR REGISTRANT** assigns a local license to another person who engages in the business of providing electrical services, the name of the person.

6-310.

(a) Unless a State license **OR REGISTRATION** is renewed for a 2-year term as provided in this section, the State license **OR REGISTRATION** expires on the first June 30 that comes:

(1) after the effective date of the State license **OR REGISTRATION**;
and

(2) in an odd-numbered year.

(b) At least 1 month before a State license **OR REGISTRATION** expires, the State Board shall mail to the State licensee **OR REGISTRANT**, at the last known address of the State licensee **OR REGISTRANT**:

(1) a renewal application form; and

(2) a notice that states:

(i) the date on which the current State license OR REGISTRATION expires;

(ii) the date by which the State Board must receive the renewal application for the renewal to be issued and mailed before the State license OR REGISTRATION expires; and

(iii) the amount of the renewal fee.

(c) Before a State license expires, the State licensee OR REGISTRANT periodically may renew it for an additional 2-year term, if the State licensee OR REGISTRANT:

(1) otherwise is entitled to be licensed OR REGISTERED;

(2) pays to the State Board a renewal fee [of \$25] IN AN AMOUNT EQUAL TO THE APPLICABLE APPLICATION FEE UNDER § 6-309 OF THIS SUBTITLE;

(3) complies with continuing education requirements established by the State Board in regulation; and

(4) submits to the State Board:

(I) a renewal application on the form that the State Board provides; AND

(II) A SIGNED AFFIDAVIT ATTESTING TO THE COMPLETION OF ALL CONTINUING EDUCATION HOURS REQUIRED BY THE STATE BOARD.

(d) The State Board shall renew the State license OR REGISTRATION of each State licensee OR REGISTRANT who meets the requirements of this section.

(e) A State license OR REGISTRATION to provide electrical services is not transferable.

(f) The Secretary may determine that State licenses OR REGISTRATIONS issued under this subtitle shall expire on a staggered basis.

(g) IF, AFTER A HEARING, THE STATE BOARD CONCLUDES THAT AN AFFIDAVIT SUBMITTED TO THE STATE BOARD UNDER SUBSECTION (C)(4) OF THIS SECTION WAS FALSIFIED, THE STATE BOARD MAY IMPOSE A PENALTY NOT EXCEEDING \$1,000, SUSPEND OR REVOKE THE LICENSE OR REGISTRATION OF THE LICENSEE OR REGISTRANT, OR BOTH.

6-310.1.

(A) (1) THE STATE BOARD SHALL ADOPT REGULATIONS THAT ESTABLISH, IN ACCORDANCE WITH THIS SECTION, CONTINUING EDUCATION REQUIREMENTS AS A CONDITION FOR THE RENEWAL OF AN ACTIVE MASTER ELECTRICIAN LICENSE OR ACTIVE JOURNEYPerson ELECTRICIAN LICENSE ISSUED UNDER THIS SUBTITLE THAT IS RENEWED ON OR AFTER DECEMBER 31, 2013. 15 HOURS OF CONTINUING EDUCATION OVER A 2-YEAR RENEWAL PERIOD. NO MORE THAN 5 HOURS OBTAINED BY A COMPUTER PROGRAM OR OVER THE INTERNET.

(2) A MASTER ELECTRICIAN WITH AN INACTIVE LICENSE ON DECEMBER 31, 2013 MAY ACTIVATE THE MASTER ELECTRICIAN LICENSE IF THE LICENSEE COMPLIES WITH THE CONTINUING EDUCATION REQUIREMENTS OF THIS SECTION ON OR BEFORE JULY 1, 2014. ALL INACTIVE MASTER ELECTRICIANS AND JOURNEYPerson ELECTRICIANS WOULD HAVE UP TO 6 MONTHS TO COMPLETE THE CONTINUING EDUCATION AFTER REQUESTING TO ACTIVATE THEIR LICENSE AND THAT A LICENSEE WHO MEETS THE STATE CONTINUING EDUCATION REQUIREMENTS WILL NOT BE REQUIRED TO SUBMIT PROOF TO THOSE LOCAL BOARDS THAT REQUIRE CONTINUING EDUCATION FOR THEIR LICENSE RENEWALS.

(3) (i) IN THIS PARAGRAPH, "COUNTY BOARD" MEANS A BOARD THAT LICENSES ELECTRICIANS IN CALVERT COUNTY, CHARLES COUNTY, HARFORD COUNTY, MONTGOMERY COUNTY, OR PRINCE GEORGE'S COUNTY.

(II) IF A COUNTY BOARD CONTINUES TO RENEW JOURNEYPerson ELECTRICIAN LICENSES THAT WERE ISSUED PRIOR TO OCTOBER 1, 2013, THE COUNTY BOARD SHALL SUBMIT TO THE STATE BOARD:

1. A LIST OF JOURNEYPerson ELECTRICIAN LICENSES THE COUNTY BOARD HAS ISSUED BEFORE THE 2-YEAR RENEWAL PERIOD; AND

2. AFTER OCTOBER 1, 2013, A LIST OF JOURNEYPerson ELECTRICIAN LICENSES THE COUNTY BOARD HAS ISSUED WITHIN 30 DAYS AFTER THE 2-YEAR RENEWAL PERIOD.

6-311.

(a) The State Board shall place [a State licensee] THE LICENSE OF AN INDIVIDUAL LICENSED AS A MASTER OR JOURNEYPerson ELECTRICIAN on inactive status and issue an inactive status certificate to the State licensee, if the State licensee:

(1) submits to the State Board an application for inactive status on the form that the State Board provides;

(2) pays to the State Board any applicable inactive status application fee;

(3) except for the insurance requirements of § 6-604 of this title, qualifies for an active State license; and

(4) returns the State license to the State Board.

(b) The State Board shall place an applicant for an initial State license on inactive status and issue an inactive status certificate to the applicant, if the applicant:

(1) submits to the State Board an application for inactive status on the form that the State Board provides;

(2) pays to the State Board [an] A NONREFUNDABLE inactive status application fee of [an amount equal to the State license fee under § 6-309 of this subtitle] \$40; and

(3) except for the CONTINUING EDUCATION AND insurance requirements of §§ 6-310.1 AND 6-604 of this title, qualifies for an active State license.

(c) (1) A licensee on inactive status may not use a State license to obtain a local license for providing electrical services as a master electrician in a local jurisdiction of the State.

(2) (I) In a county that [requires a State license, a] DOES NOT REQUIRE A LOCAL LICENSE, AN ACTIVE STATE LICENSE IS REQUIRED TO PROVIDE ELECTRICAL SERVICES.

(II) A licensee on inactive status may not provide electrical services [as a master electrician].

(d) (1) Unless the individual applies for another 2-year term as provided in this subsection, an individual on inactive status loses that status on the first June 30 that comes:

(i) after the inactive status registration certificate is issued to the licensee; and

(ii) in an odd-numbered year.

(2) At least 1 month before the inactive status of an individual expires, the State Board shall mail to the individual, at the last known address of the individual:

(i) a renewal application form; and

(ii) a notice that states:

1. the date on which the inactive status expires;

2. the date by which the State Board must receive the renewal application for the renewal to be issued and mailed before the inactive status expires; and

3. the amount of the renewal fee.

(3) Before the inactive status expires, an individual on inactive status periodically may renew it for an additional 2-year term, if the individual:

- (i) otherwise is entitled to be placed on inactive status;
- (ii) except for an electrical inspector, pays to the State Board a renewal fee of [~~\$50~~]**\$40**; and
- (iii) submits to the State Board a renewal application on the form that the Board provides.

(4) After an inactive status expires, the former licensee may reapply for inactive status only if the former licensee:

- (i) otherwise is entitled to be placed on inactive status;
- (ii) pays to the Board a reapplication fee of \$100; and
- (iii) reapplies to the Board for inactive status within 2 years after initial expiration of inactive status on a form that the Board provides.

(5) The State Board shall renew the inactive status of each individual or grant the reapplication for inactive status of each former licensee who meets the requirements of this subsection.

(e) If a former licensee on inactive status who has failed to renew the inactive status within 2 years of its expiration reapplies for that status, the State Board shall require the former licensee to comply with the requirements for obtaining a State license under §§ 6-304, 6-307, and 6-503 of this title as well as the requirements for inactive status under this section.

(f) The State Board shall reactivate the State license of an individual who is on inactive status, if the individual:

- (1) meets the renewal requirements that are in effect when the individual requests the reactivation of the State license;
- (2) submits to the State Board an application for reactivation on the form that the State Board provides; and
- (3) pays to the State Board a reactivation fee of \$50.

6-312.

(a) The State Board shall reinstate the State license of a master electrician **OR JOURNEYPERSON ELECTRICIAN** who is not on inactive status and who has failed to renew the State license for any reason, if the [master] **LICENSED** electrician:

(1) applies to the State Board for reinstatement within 2 years after the State license expires;

(2) meets the renewal requirements of § 6-310 of this subtitle; and

(3) in addition to the renewal fee required under § 6-310 of this subtitle, pays to the State Board a reinstatement fee of:

(i) \$25 for up to and including a 30-day late renewal;

(ii) \$50 for up to and including a 60-day late renewal; or

(iii) \$100 for a late renewal over 60 days.

(b) If a master electrician **OR JOURNEYPERSON ELECTRICIAN** who has failed to renew the State license for any reason applies for reinstatement more than 2 years after the State license has expired, the State Board shall require the master electrician **OR JOURNEYPERSON ELECTRICIAN** to pay a reinstatement fee of \$100, and comply with the requirements for obtaining a State license under §§ 6-304, 6-307, and 6-503 of this title.

6-313.

(a) An individual may not have any financial interest in any electrical business while employed by the State, a county, or a local government as an electrical inspector.

(b) (1) On appointment or employment as an electrical inspector, the individual:

(i) shall place the State license of the individual on inactive status; and

(ii) except for the renewal fee, shall meet the inactive status requirements of § 6-311 of this subtitle.

(2) The State Board may issue an electrical inspector identification card to an electrical inspector who has placed the State license on inactive status.

(3) The State Board may not charge a fee to issue the identification card.

(c) The State Board may change the status of an electrical inspector to individual inactive status, if the electrical inspector:

and (1) meets the inactive status requirements of § 6-311 of this subtitle;

(2) pays an inactive status fee of [~~\$50~~] **\$40**.

(d) On termination of the appointment or employment of an individual as an electrical inspector, the State Board shall reactivate the State license of the individual who is on inactive status, without examination, if the individual meets the reactivation requirements for a State license under § 6-311(f) of this subtitle, including payment of the reactivation fee.

6-315.

The State Board may investigate or act in a disciplinary proceeding against a [licensed master electrician] **LICENSEE OR REGISTRANT** notwithstanding:

(1) a lapse, by operation of law, of the State license of the [master electrician] **LICENSEE OR REGISTRANT**;

(2) a suspension of the State license of the [master electrician] **LICENSEE OR REGISTRANT** by order of the State Board or a court; or

(3) a voluntary surrender of the State license of the [master electrician] **LICENSEE OR REGISTRANT** to the State Board.

6-320.

Within 30 days after taking action, the State Board shall give each local board or building official notice of the name of each [master] **LICENSED OR REGISTERED** electrician, **INCLUDING ANY PERSON TO WHOM A MASTER ELECTRICIAN HAS ASSIGNED THE MASTER ELECTRICIAN'S LICENSE**, whose State license **OR REGISTRATION** has been suspended, revoked, or reinstated by the State Board.

6-321. Disciplinary action against licensed master electrician.

(a) Notice to State Board and local licensing jurisdiction. --

(1) When a county or municipal corporation that requires a local license initiates a disciplinary action against a licensed master electrician, the county or municipal corporation shall report the disciplinary action to the State Board within 30 days of commencement of the action.

(2) When the State Board receives notice of a local disciplinary action against a licensed master electrician, the State Board shall provide notice of the disciplinary action to each local licensing jurisdiction.

(b) Report. -- Each local licensing jurisdiction shall submit a report to the State Board on the number of complaints against master electricians licensed in the local jurisdiction on or before December 1 of each year.

6-501.

(A) In this subtitle, "reciprocal license"[:

(1)] means a license to provide electrical services issued by:

[(i)] (1) the State Board on the basis of a license issued by a local jurisdiction **TO A MASTER ELECTRICIAN**; or

[(ii)] (2) a local jurisdiction on the basis of a license issued by:

[1.] (I) the State Board **TO A MASTER ELECTRICIAN**;

or

[2.] (II) another local jurisdiction[: and

(2) includes any type or class of license that the State Board or a local jurisdiction issues to provide electrical services].

(B) "RECIPROCAL LICENSE" DOES NOT INCLUDE A LICENSE ISSUED BY A LOCAL JURISDICTION ON THE BASIS OF A LICENSE ISSUED BY ANOTHER LOCAL JURISDICTION IF THAT LICENSE IS:

(1) A MASTER ELECTRICIAN LICENSE;

(2) A JOURNEYPERSON ELECTRICIAN LICENSE; OR

(3) AN APPRENTICE ELECTRICIAN REGISTRATION.

6-502.

(a) Subject to the limitations in this title, the State Board may reciprocate with a local jurisdiction to waive any of the qualifications required for [any] A **MASTER ELECTRICIAN** license issued under this title for an applicant for a reciprocal license.

(b) Subject to the limitations in this subtitle, each local jurisdiction may reciprocate with the State Board or another local jurisdiction to waive any local examination requirement and the qualifications required for taking a local examination for an applicant for a reciprocal license.

6-503.

(a) Subject to the limitations in this subtitle, an individual may qualify for a reciprocal **MASTER ELECTRICIAN** license from the State Board if the individual:

(1) holds a **MASTER ELECTRICIAN** license from a local jurisdiction of the State to provide electrical services in the local jurisdiction;

(2) applies for a reciprocal **MASTER ELECTRICIAN** license [of the same class or type that the State Board issues]; and

(3) at the time of application, does not have:

(i) [the same class or type of] A **MASTER ELECTRICIAN** license suspended or revoked by a local jurisdiction of the State; or

(ii) a record of outstanding violations of the regulations of a local jurisdiction of the State.

(b) The State Board shall waive any of the qualifications required for a license under this title for an individual who:

(1) holds a **MASTER ELECTRICIAN** license, from a local jurisdiction of the State[, of the same class or type as the license] for which the applicant is seeking a waiver; and

(2) meets the waiver requirements of subsection (c) of this section.

(c) The State Board shall grant a waiver under this section for an applicant who holds a license from a local jurisdiction only if the applicant:

(1) (i) [1.] qualified for the license by passing an examination given in the local jurisdiction; [and

2. has held the license for at least 1 year immediately before the date of application;] or

(ii) 1. qualified for the license other than by passing an examination in the local jurisdiction; and

2. has held the license for at least 2 years immediately before the date of application;

(2) submits a written statement from the local jurisdiction certifying:

(i) if the license is issued on the basis of an examination, the date of issuance of the license; and

(ii) the licensee:

1. is in good standing with the local jurisdiction; and

2. has no record of outstanding violations of regulations of the local jurisdiction;

(3) pays any reciprocal license fee required under this title;

(4) if required, submits proof of general liability insurance to the State Board; and

(5) complies with any other licensing requirements of the State Board.

6-504.

(a) Subject to the limitations in this subtitle, an individual may qualify for a reciprocal license from a local jurisdiction of the State if the individual:

(1) is licensed by another local jurisdiction of the State to provide electrical services in that local jurisdiction;

(2) applies for a reciprocal license of the same class or type as the license that the individual holds in that local jurisdiction; and

(3) at the time of application, does not have:

(i) a license of the same class or type suspended or revoked by a local jurisdiction of the State; or

(ii) a record of outstanding violations of the regulations of a local jurisdiction of the State.

(b) A local jurisdiction of the State that issues a license to provide electrical services shall waive any of the licensing qualifications of the local jurisdiction for an individual who:

(1) (i) is a resident of the State; or

(ii) meets the legal requirements of the State for establishing a principal place of business in the State;

(2) holds a license, from another local jurisdiction of the State, of the same class or type as the license for which the applicant is seeking a waiver; and

(3) meets the waiver requirements of subsection (c) of this section.

(c) A local jurisdiction shall grant a waiver under this section for an applicant who holds a license from another local jurisdiction only if the applicant:

(1) (i) **[1.]** qualified for the license by passing an **ACCREDITED** examination given in that local jurisdiction; [and

2. has held the license for at least 1 year immediately before the date of application;] or

(ii) 1. qualified for the license other than by passing an examination in that local jurisdiction; and

2. has held the license for at least 2 years immediately before the date of application;

(2) submits a written statement from the local jurisdiction certifying:

(i) if a license is issued on the basis of an examination, the date of issuance of the license; and

- (ii) the licensee:
 - 1. is in good standing with the local jurisdiction; and
 - 2. has no record of outstanding violations of the regulations of the local jurisdiction;
 - (3) pays any reciprocal license fee required by the local jurisdiction;
 - (4) if required:
 - (i) executes a bond to the local jurisdiction; or
 - (ii) submits proof of general liability insurance to the local jurisdiction; and
 - (5) complies with any other licensing requirements of the local jurisdiction.
- 6-601.

Within 60 days after the issuance of a State **MASTER ELECTRICIAN** license to an individual, the individual shall hold a local license issued by the local jurisdiction where the individual:

- (1) resides;
- (2) has a principal business office; or
- (3) has a resident agent.

6-602.

(a) Subject to the limitations in this section, a local jurisdiction shall waive its examination requirements for an individual who is [licensed] **AUTHORIZED** by the State Board to provide electrical services as a master electrician **OR JOURNEYPERSON ELECTRICIAN**.

(b) A local jurisdiction shall grant a waiver under this section only if the applicant:

- (1) pays any license fee that the local jurisdiction requires; and

(2) provides adequate evidence that the applicant:

(i) is licensed as a master electrician **OR JOURNEYPERSON ELECTRICIAN** under this title after passing an examination given by the State Board or complies with § 6-307 of this title;

(ii) holds an active State license; and

(iii) in place of any bond requirement of a local jurisdiction, meets the insurance requirements of § 6-604 of this subtitle, **IF APPLICABLE**.

(c) Within 10 working days after payment of any local license fee, a local jurisdiction shall issue a local license to each applicant who meets the requirements of this section.

6-603.

(a) A master electrician may obtain an electrical permit or any other similar permit from a local jurisdiction, if the master electrician:

(1) holds an active local license **OR LOCAL REGISTRATION**, if required, or [a] **AN ACTIVE** State license;

(2) shows proof of the **ACTIVE** State license; and

(3) pays any permit fee that the local jurisdiction requires.

(b) Before a local jurisdiction issues an electrical permit or similar permit to a master electrician under this section, the local jurisdiction shall give the master electrician notice of any **ADDITIONAL** local electrical requirements with which the master electrician shall comply while providing electrical services in that local jurisdiction.

(c) On payment of the permit fee that the local jurisdiction requires, the local jurisdiction shall issue the appropriate permit to each applicant who meets the requirements of this section.

[6-605.

A licensed master electrician or a person to whom a master electrician assigns a local license may employ an individual who is not a licensed master electrician under

this title to provide electrical services if the individual provides the services only while under the supervision and control of a licensed master electrician.]

[6-606.] 6-605.

(a) The General Assembly intends that the revenues of the State Board be sufficient to meet its costs, including reasonably apportioned Department overhead.

(b) The Secretary shall:

(1) monitor the fees and other revenue of the State Board for compliance with the intent of this section; and

(2) *recommend adjustments, if necessary.*

6-606.

(A) A PERSON MAY NOT:

(1) PROVIDE OR OFFER TO PROVIDE ELECTRICAL SERVICES FOR COMPENSATION WITHOUT AN APPROPRIATE LICENSE OR REGISTRATION ISSUED UNDER THIS TITLE;

(2) PROVIDE OR OFFER TO PROVIDE ELECTRICAL SERVICES FOR COMPENSATION WITHOUT OBTAINING A PERMIT REQUIRED BY A LOCAL JURISDICTION; OR

(3) PROVIDE ELECTRICAL SERVICES BEYOND THE SCOPE OF THE LICENSE OR REGISTRATION ISSUED TO THE PERSON UNDER THIS TITLE.

(B) IF A CIVIL OR ADMINISTRATIVE PENALTY HAS NOT OR CANNOT BE IMPOSED BY A LOCAL BOARD OR LOCAL JURISDICTION, IN ADDITION TO ANY OTHER PENALTIES IMPOSED UNDER THIS TITLE, AFTER A HEARING THE STATE BOARD MAY IMPOSE A CIVIL PENALTY NOT EXCEEDING \$1,000 FOR EACH VIOLATION OF THIS SECTION.

(C) IN ESTABLISHING THE PENALTY IMPOSED UNDER SUBSECTION (B) OF THIS SECTION, THE STATE BOARD SHALL CONSIDER:

(1) THE SERIOUSNESS OF THE VIOLATION;

- (2) THE GOOD FAITH OF THE VIOLATOR;
- (3) ANY PREVIOUS VIOLATIONS OF THE VIOLATOR;
- (4) THE HARMFUL EFFECT OF THE VIOLATION ON:
 - (I) THE COMPLAINANT;
 - (II) THE GENERAL PUBLIC; AND
 - (III) THE BUSINESS OF SUPPLYING ELECTRICAL SERVICES;
- (5) THE ASSETS OF THE VIOLATOR; AND
- (6) ANY OTHER RELEVANT FACTORS.

6-701.

This title may be cited as the "Maryland [Master] Electricians Act".

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

SECTION 3. AND BE IT FURTHER ENACTED, That a master electrician who does not hold a State master electrician license on or before the effective date of this Act shall have until ~~July 1, 2013~~ OCTOBER 1, 2014, to obtain a State master electrician license without submitting to an examination if the master electrician submits to the State Board of Electricians a copy of their current active or inactive local master electrician license with the appropriate application and fee to the satisfaction of the State Board.

~~SECTION 4. AND BE IT FURTHER ENACTED, That the State Board of Licensed Electricians shall issue a State journeyman electrician license to a journeyman electrician who holds a license obtained by an examination and issued by Calvert County, Charles County, Harford County, Montgomery County, or Prince George's County on or before July 1, 2013, and who submits to the State Board the appropriate application and fee to the satisfaction of the State Board.~~

SECTION 5. AND BE IT FURTHER ENACTED, That if a journeyman electrician who does not hold a license issued under those conditions for Calvert

County, Charles County, Harford County, Montgomery County, or Prince George's County on or before ~~July 1, 2013~~ OCTOBER 1, 2014, submits to the State Board copies of tax withholding forms, or other official documentation, showing proof of 10 or more years of on-the-job electrical training, a signed affidavit from a master electrician who holds an active State or local license certifying that the person is currently employed as journeyperson electrician in furtherance of obtaining a State journeyperson electrician license, and the appropriate application and fee, the State Board of Licensed Electricians shall issue a State journeyperson electrician license to the journeyperson electrician without requiring the journeyperson electrician to submit to an examination.

~~SECTION 6. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect October 1, 2018.~~

~~SECTION 7. AND BE IT FURTHER ENACTED, That, except as provided in Section 6 of this Act, this Act shall take effect October 1, 2013.~~

APPENDIX 4

Title 09 DEPARTMENT OF LABOR, LICENSING, AND REGULATION

Subtitle 09 MARYLAND BOARD OF MASTER ELECTRICIANS

Chapter 02 Continuing Education

**Authority: Business Occupations and Professions Article, §§6-205(2)(ii) and 6-310(c)(3),
Annotated Code of Maryland**

.01 Required Hours of Continuing Education.

A. Except as provided in §B of this regulation, to be eligible for renewal of a license, a master electrician shall have completed 10 hours of continuing education during the prior license term, as required by Business Occupations and Professions Article, §6-310(c)(3), Annotated Code of Maryland.

B. Application of Continuing Education Requirements.

(1) If a license expires on or before July 30, 2013, a licensee is not required to fulfill the continuing education requirement as provided in §A of this regulation.

(2) If a license expires between August 1, 2013 and July 30, 2014, a licensee is required to fulfill 50 percent of the continuing education requirement as provided in §A of this regulation.

(3) If a license expires on or after August 1, 2014, a licensee is required to fulfill the full continuing education requirement as provided in §A of this regulation.

C. Acquisition of Qualifying Continuing Education.

D. The following standards will be used to measure the hours of credit to be given for acceptable continuing education programs completed by individual applicants.

(1) Only participation hours or the equivalent, and not hours devoted to preparation, shall be counted.

(2) Services as teacher, lecturer, or instructor of subject matter related to the provision of electrical services qualifying for continuing education credit shall be included to the extent that such services contribute to the licensee's occupational competence. Repetitious presentation, that is, those that are substantially the same subject material, may be included only once in each

reporting cycle. Hours allowable in the capacity of teacher, lecturer, or instructor may not exceed 5 hours of the minimum requirements with no carry-over provision for excess hours.

(3) A teacher, lecturer, or instructor of a qualifying continuing education program shall receive 1 hour of continuing education credit for every hour of presentation or instruction.

.02 Subject Matter for Continuing Education.

A. Continuing educational hours from a course or training satisfy the requirement of Regulation .01A of this chapter if the course or training is:

(1) Based on any article of or update to the National Electrical Code (NEC) currently adopted by the Board; or

(2) Based on any code or standard of the National Fire Prevention Association (NFPA) that relates to the provision of electrical services as defined in Business Occupations and Professions Article, §6-101(i), Annotated Code of Maryland.

B. The course or training shall be offered by a provider approved by the Board.

.03 Approved Methods for Completion of Required Continuing Education.

At least 5 of the 10 hours of continuing education required by Regulation .01A of this chapter for license renewal shall be obtained in a classroom setting.

Administrative History

Effective date: July 22, 2013 (40:14 Md. R. 1173)

APPENDIX 5

BUSINESS OCCUPATIONS AND PROFESSIONS TITLE 6. ELECTRICIANS

SUBTITLE 2. STATE BOARD OF MASTER ELECTRICIANS

Md. BUSINESS OCCUPATIONS AND PROFESSIONS Code Ann. § 6-202 (2013)

§ 6-202. Membership

(a) Composition; appointment of members. --

(1) The State Board consists of 9 members appointed by the Governor with the advice and consent of the Senate.

(2) Of the 9 members of the State Board:

(i) 6 shall be licensed master electricians; and

(ii) 3 shall be consumer members.

(3) Of the 6 master electrician members:

(i) 1 shall be from Baltimore City;

(ii) 1 shall be from the area that consists of Caroline, Dorchester, Kent, Queen Anne's, Somerset, Talbot, Wicomico, and Worcester counties;

(iii) 1 shall be from the area that consists of Baltimore, Cecil, and Harford counties;

(iv) 1 shall be from the area that consists of Anne Arundel, Calvert, Charles, and St. Mary's counties;

(v) 1 shall be from the area that consists of Montgomery and Prince George's counties; and

(vi) 1 shall be from the area that consists of Allegany, Carroll, Frederick, Garrett, Howard, and Washington counties.

(4) The consumer members shall be from the State at large.

(5) A member of the State Board may not reside in the same county as another member.

(b) Qualifications of all members. -- Each member of the State Board shall be a citizen and resident of the State.

(c) Qualifications of master electrician member. -- Each master electrician member of the State Board shall:

(1) hold an active State license; and

(2) be engaged actively in providing electrical services as a master electrician for at least 5 consecutive years immediately before appointment.

(d) Qualifications of consumer members. -- Each consumer member of the State Board:

(1) shall be a member of the general public;

(2) may not be a licensee or otherwise be subject to regulation by the State Board;

(3) may not be required to meet the qualifications for the professional members of the State Board; and

(4) may not, within 1 year before appointment, have had a financial interest in or have received compensation from a person regulated by the State Board.

(e) Restrictions on consumer members. -- While a member of the State Board, a consumer member may not:

(1) have a financial interest in or receive compensation from a person regulated by the State Board; or

(2) grade an examination given by or for the State Board.

(f) Oath. -- Before taking office, each appointee to the State Board shall take the oath required by Article I, § 9 of the Maryland Constitution.

(g) Tenure; vacancies. --

(1) The term of a member is 3 years and begins on July 1.

(2) The terms of members are staggered as required by the terms provided for members of the State Board on October 1, 1989.

(3) At the end of a term, a member continues to serve until a successor is appointed and qualifies.

(4) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

(5) A member may not be reappointed for more than 2 consecutive 3-year terms.

(h) Removal. -- The Governor may remove a member for incompetence or misconduct.

HISTORY: An. Code 1957, art. 56A, § 2-202; 1989, ch. 3, § 1.