

**Workgroup to Study
Licensing and the
Provision of Electrical
Services in Maryland**

**Workgroup
Final Report**

CH591/SB994/HB1127

MD Labor - Occupational & Professional Licensing

Workgroup to Study Licensing and the Provision of Electrical Services in Maryland

Final Report

Baltimore, Maryland

December 2020

For further information concerning this document contact:

Robin Bailey

Executive Director

Occupational & Professional Licensing Boards

Department of Labor

500 N. Calvert Street, RM 481

Baltimore, MD 21202

robin.bailey@maryland.gov

December 1, 2020

The Honorable Paul G. Pinsky, Chair.
Senate Education, Health and Environmental Affairs Committee

The Honorable Dereck Davis, Chair
House Economic Matters Committee

Gentlemen:

The following report is submitted by the Workgroup to Study Licensing and the Provision of Electrical Services in Maryland (“Workgroup”). This report encompasses several meetings of robust debate, discussion and collaboration by Workgroup members to fulfill its mandate to examine the statewide electrical regulatory structure and make recommendations concerning specific priorities mandated in Chapter 591, Acts of 2020 (SB994/HB1127).

The issues addressed by the Workgroup have been debated for over a decade. Members of the Workgroup encompass representation from 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. 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 Workgroup was to discuss and provide recommendations on the following items:

- 1) The licensing of master, journeyman, and apprentice electricians by the State Board of Master Electricians, including uniform education, experience, and examination requirements;
- 2) The licensing, regulation, and qualifications for individuals who provide low-voltage electrical services in the state, including exempting individuals who work with residential integrators on low-voltage technology systems, if necessary;
- 3) The role of local governments in the licensing, code enforcement and pulling of permits by electricians and individuals who provide low-voltage electrical services;
- 4) The adoption of the National Electric Code across all jurisdictions in the state;
- 5) An examination of the costs and benefits of adopting the licensing scheme proposed in Senate Bill 994 and House Bill 1127 of 2020; and
- 6) Any other relevant issues as determined by the Department.

The Workgroup faced many challenges due to the pandemic including the closure of State government, government buildings and suitable meeting spaces to bring Workgroup members

together. Many topics of concern have been addressed historically over the past decade by changes at the local or county level but those changes did not proliferate throughout the rest of the State. Unfortunately, the localization of standards and regulation, which began in the 1980s, contributed to the creation of a non-unified progressive path for the industry. Currently there is disparity among the local electrical code observed by each jurisdiction, lack of standardized local licensing, and differing or duplicative continuing education requirements. The need to standardize licensure and codes across the state quickly became an objective of the Workgroup. In spite of many obstacles and opinions, the Workgroup was able to successfully create this report of recommendations.

State Regulation

The State Board of Master Electricians (Board) currently licenses master level electricians. **The Workgroup recommends the State add journey and apprentice level licensing.** Local licensing of apprentices and journeymen may be phased out one day but will remain for the foreseeable future as a registration in lieu of a license. The State will also establish experience requirements and examination exemption standards based upon similar regulatory structures within the State.

The Workgroup recommends leaving the current role of local governments in place.

As previously stated, the Workgroup agreed that the State could add apprentices and journeymen to the current licensure schematic in order to provide parity among the Boards of Plumbing, HVACR Contractors, and Electricians. As with the other trades, local jurisdictions may continue the level of enforcement they have now and issue low-voltage/restricted licenses and registrations for the same license categories they issue currently, and charge the same or similar fee on the same or similar cycle, as is the case for the provision of plumbing and HVACR services in the jurisdiction. The Workgroup agreed that permitting and inspection has always been a function of the local jurisdiction and that should not change. There would need to be compromise between the Department and the jurisdictions regarding the handling of disciplinary actions, but the disciplinary schematic outlined in previous iterations of electrical licensing legislation provide a good jumping off point for negotiation.

The Workgroup recommends a single State standard electrical code with possible local amendment authority subject to Board approval.

The Workgroup agreed to adopt the NEC as a State Code with minimal dissent regarding local amendments. There might be a phase-in period required for all jurisdictions to become standardized to one code but this issue was not addressed by the Workgroup. The Workgroup agreed that, in order to have parity with the other mechanical trades, the adoption language

should include local jurisdiction authority to adopt a code that meets or exceed the standards of the State Code. The Workgroup believes this recommendation is essential to improve the safety and consistency of the electrical industry and to ensure statewide conformity of electrical codes.

Sincerely,

Robin Bailey

Robin Bailey

cc: Department of Legislative Services

Table of Contents

Transmittal Letter	3
Workgroup Roster	7
History of Electrical Regulation in Maryland	8
Workgroup Charge	9
Recommendations	10
Licensing of Apprentices and Journeyworkers	11
Low Voltage	12
Local Government	12
Code Standardization	13
Cost of Implementation	13
Other Relevant Issues	14
Conclusion	16

Appendix 1 – Workgroup Workplan and Meeting Schedule

Appendix 2 - Chapter 591, Acts of 2020

Workgroup Roster

Senator Cory McCray
Delegate Kevin Hornberger
Senator Mary Beth Carozza
Diana Lettkeman - DISH Network Government Associational Liaison
Chris Heaton - Electronic Security Association
William Foy - Northeast Regional Director (BICSI)
Roy Pollack - Director of Training & Compliance (COMCAST)
David Shapiro - Master Electrician
Darren Reaman - Director of Government Affairs (CEDIA)
Grant Shmelzer - Executive Director (IEC Chesapeake)
John Justice - ADT Security & other Alarm Service Providers
Jason Potterf - Engineer, NEC Panel member
Chad Jones - Engineer, Presenter (Annual NFPA & C&E)
Jack Wilson - Chairman of State Board of Master Electricians/Master Electrician
Pete Demchuk - Business Manager (IBEW)
Brad Shipp - Maryland Burglar & Fire Alarm Association
Marty McRae, Instructor, Local IBEW 26
Milford Badders, Harford County
David Kiddoo - Executive Director for Communications, Cable & Connectivity Association
Zaki Barzinji - Head of State & Local Government Affairs (Hewlett Packard)
Frank Boston - Representative of Dish Network, ADT & AT&T
Tom Clark - IBEW Local 26
Rodney Rice, IBEW Local 307
Richard Murphy - IBEW Local 26
Neil Wilford- IBEW Local 24
Morris Carter - Former Master Electrician
John Steele - Representative (JCI)
Chuck Wilson - Executive Director & CEO, System Contractors Association
Steve Hill - Representative (SBCA)
Marty Schumacher- Owner, MS Electrical Training, LLC/President, IAEEI, Chesapeake Chapter
Natasha Mehu- MACO
Rodney Rice- Business Manager of IBEW Local 308
John Phillips- Solar Electric LLC
Anthony Lambros – President, Harford County Security Systems
David Murray
John Steele, Johnson Controls

History of Electrical Regulation in Maryland

The Maryland General Assembly established the Board of Electrical Examiners and Supervisors in 1906. Chapter 731, enacted in 1984, created the Maryland Statewide Electrical Licensing Board to provide for the statewide licensure of master electricians and to facilitate the process of obtaining the local license required to perform electrical work in Maryland's jurisdictions. The Board was also charged with exploring and establishing reciprocal licensing relationships with other states. In 1988, the enactment of Chapter 648 changed the name of the Board again to the Maryland State Board of Master Electricians ("Board") to achieve uniformity among the names of the other occupational and professional licensing boards. Most boards under the Department of Labor umbrella also share similar core systems of licensure and compliance processing. The Department of Labor ("Department") promotes standardization in order to streamline and attain economies of scale to promote efficient and effective licensing, regulation and discipline across all occupational and professional licensing operations.

The State currently issues a master electrician license that is used as a "passport" to obtain a performance license in local jurisdictions. To obtain a State master level electrical license, an applicant has to meet statutory experience requirements, pass a State approved examination, and pay fees associated with the processing of the license. Local jurisdictions honor the State license as a means to obtain a local performance license without requiring a local license applicant to take and pass another examination. However, compared to the State, Maryland's local jurisdictions, each with its own local board responsible for managing the local licensing program, lack consistency and have many variations among licenses issued. Some jurisdictions offer licensure on a local level for an apprentice, electrical worker, journey, master, restricted, limited, etc. while two jurisdictions in the State, Garrett and Allegheny Counties, rely on the State license as the requisite credential to perform electrical services on the master level. The holder of a local license has the option to work within the singular jurisdiction of license issue without obtaining a State license. A local jurisdiction may waive the license examination required for licensure for an individual licensed by another jurisdiction.

In addition to the local license, some jurisdictions require the additional purchase of a business license in order to practice within their jurisdiction. Some jurisdictions accept continuing education ("CE") hours approved and taken by the licensee as sufficient to obtain the local license, while some jurisdictions require additional or different CE hours. It is commonplace for a Maryland electrician who 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 CE requirements. In order to ensure compliance with local and State requirements, a multi-jurisdictional electrician is required to be familiar with all local codes, ensure proper renewal of each license, and ensure compliance with all CE requirements.

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. To date, this recommendation has yet to be implemented. The Board, Department, and legislature have made several attempts to improve the current convoluted licensure structure for electricians providing electrical services in Maryland and many efforts were made to change the way the electrical industry is regulated. Groups have formed to discuss the progress of the industry and offer recommendations for change. Legislation has been passed in one chamber only to fail in another, while licensees and individuals from associations and related industries, lobbying firms, jurisdictions, companies, etc. testify in Annapolis to somehow block even minor change and maintain the status quo.

Workgroup Charge

During its 2020 session, the Maryland General Assembly passed Senate Bill 994 – Department of Labor – Electricians – State Licensing Workgroup (Chapter 591) charging the Maryland Department of Labor (“Department”) to convene a State Licensing Workgroup (“Workgroup”) to study and make recommendations on several issues regarding the provision of electrical services and low-voltage electrical services in the State, as follows:

- 7) The licensing of master, journeyperson, and apprentice electricians by the State Board of Master Electricians, including uniform education, experience, and examination requirements;
- 8) The licensing, regulation, and qualifications for individuals who provide low-voltage electrical services in the state, including exempting individuals who work with residential integrators on low-voltage technology systems, if necessary;
- 9) The role of local governments in the licensing, code enforcement and pulling of permits by electricians and individuals who provide low-voltage electrical services;
- 10) The adoption of the National Electric Code across all jurisdictions in the state;
- 11) An examination of the costs and benefits of adopting the licensing scheme proposed in Senate Bill 994 and House Bill 1127 of 2020; and
- 12) Any other relevant issues as determined by the Department.

The membership of the Workgroup included representation from the General Assembly, the State Board of Master Electricians (“Board”), organizations, businesses, labor unions, associations representing the interests of licensed electricians as well as those representing the interests of low-voltage service providers, jurisdictions, and the public in coordination with the Executive Director of Mechanical Licensing (“Director”) to collaborate in a public discussion of issues pertaining to the licensure of electricians and the provision of electrical services in the State. The Workgroup provided an opportunity to discuss the issues that many involved in this arena have been working on with the legislature for close to a decade and collectively speak on

behalf of improving the electrical industry in Maryland. The implementation of the workgroup was slightly delayed and abbreviated due to the pandemic, the closure of State government buildings, and concern for the wellness and safety of all participants. The first meeting convened virtually on September 10, with subsequent meetings on September 24, and October 8, 2020.

The members of the Workgroup had widely varying thoughts and opinions on the issues discussed, but all were polite and respectful of each other and the Director, and a number of prior challenges were conquered. Due to the pandemic, the nature of the Workgroup, and the virtual meeting platform, there was not an actual tally or vote taken but a general agreement or disagreement on issues discussed. Please bear in mind that a general agreement or consensus is not 100%, and the Workgroup encompasses only a fraction of the overall population providing electrical services in the State. It is with this spirit of general consensus, cooperation, and concern for the safety of the public and progress of this industry, that general consensus recommendations contained herein are submitted for your review.

Recommendations

1. The licensing of master, journeyman, and apprentice electricians by the State Board of Master Electricians by the State Board of master Electricians including uniform education, experience, and examination requirements.

Currently there are approximately 4,500 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 issue a variety of licenses previously mentioned and do not follow a standardized method of licensure. Standardization of prerequisites and experience requirements has not occurred on the local level. The workgroup agreed to leave the current framework in place for all licenses currently being issued by the jurisdictions, but that in the interest of public safety, reciprocity, portability, and parity with the licensure schematic used by the Board of Plumbing and the Board of Heating, Ventilation, Air-Conditioning and Refrigeration (“HVACR”) Contractors, the state should issue licenses for apprentices and journeymen.

Recommendation 1: The Workgroup recommends that the State implement apprentice and journey level electrician licensing.

The Workgroup compromised and agreed to a single license for apprentices in order to avoid the burden that a bifurcated license for apprentices (one license for State-licensed apprentices and one license for individuals participating in a Maryland Apprenticeship and Training Council program) would place on Board staff. The Workgroup agreed that the State, in coordination with the legislature, should establish licensure statutory definitions and requirements for apprentices and journeypersons based upon similar regulatory structures existing within the mechanical licensing Boards of the State. The Workgroup determined that with the many variations of licensure that currently exist among the jurisdictions, it would be best to leave the current framework in place on the jurisdictional level and perhaps develop more standardized local licensing at a later date. The local jurisdictions currently licensing apprentices, electrical workers, journeypersons, and masters may need to change the name of the document from license to registration, for which the same or similar fee can be charged, in order to avoid confusion between a State and jurisdiction license.

The Workgroup was provided information regarding the procurement contract between the State and a third party examination vendor that currently administers all mechanical licensing exams. The current contract holder, PSI Services, LLC, has six testing centers across the State with state-of-the-art security and monitoring systems. The exam centers are open during the week and on weekends to provide applicants a wide variety of testing times and locations. Many of the local jurisdictions administer examinations, but may not be able to offer the same testing availability, convenience, and security as the State. A compromise between the State and jurisdictions is necessary so that perhaps the State could administer master and journeyperson license examinations and the jurisdictions would be authorized to offer all other examinations.

A remaining “gray” area that requires further compromise falls under the definition of apprentice and journeypersons and ratio requirements. Some of the Workgroup wants “onsite supervision” to be part of the apprentice/journeyperson definition of “assist in providing electrical services” or “provide electrical services”. The group was advised that the Plumbing and HVACR boards do not include an onsite supervision requirement. Some Workgroup participants want a clear ratio of the number of master license holders to apprentices as required for MATC participants and individuals working on prevailing wage jobs. The Workgroup was again advised that, unlike laws applicable to prevailing wage matters, the Plumbing and HVACR Boards do not have statutorily-defined ratios as that determination is made by the master overseeing the job. The Workgroup was further advised by the Director that there is no statutorily-mandated supervision or ratio requirement under the State electrical licensing system so any inroad in licensing apprentices and journeypersons for tracking purposes would be an improvement.

2. The licensing, regulation, and qualifications for individuals who provide low-voltage electrical services in the state, including exempting individuals who work with residential integrators on low-voltage technology systems, if necessary.

The Workgroup was advised by the Director and Staff Counsel that the current statutory definition of the provision of electrical services has never been interpreted to include the provision of low-voltage electrical services, and are not, and never have been, included in statewide electrical licensure in Maryland. Staff Counsel with the Workgroup shared a 2019 opinion from Counsel to the Legislature that solidified Staff Counsel's advice. As previously stated in this report, low-voltage licensure on the jurisdictional level is widely inconsistent. Some jurisdictions issue low-voltage, limited energy, or restricted licenses under the low-voltage umbrella.

Recommendation 2: The Workgroup is unable to make a recommendation.

The Workgroup dialogue did not lend itself to a consensus at this time on whether statewide regulation of low-voltage service providers is necessary, and, if so, how such a licensing program should be implemented. The closest consensus was to allow low-voltage electrical service providers to be licensed, disciplined, and regulated on the jurisdictional level as is the current practice. The problem with this recommendation is, that while there was some general consensus among low-voltage providers, there was not sufficient enough consensus to make a recommendation. Workgroup members struggled to determine the appropriate name for the low-voltage group, (low-voltage/limited energy/integrators), if they should be licensed, exempted from licensure, or carved out, and how this would impact local licensing for these groups. The Workgroup held an additional meeting of a subgroup to develop a definition of low-voltage, on which the sub-group agreed, but when the subgroup reconvened with the full Workgroup, there remained sufficient contention among low-voltage participants so as to preclude consensus of the Workgroup. Further, there was additional disagreement between the low-voltage and non-low voltage (for lack of a better term) electrical service providers about exempting low-voltage providers from State licensure even though this group is not currently licensed by the State.

While the legislature has been able to work out many other compromises regarding electrical licensing, whether to implement statewide licensure of low-voltage service providers at all, or, if so, in what form, remains an issue. There are too many variables as mentioned previously, including how to refer individuals who provide such services. Even if there were a clearly defined definition for an exception to licensure, including an agreed upon name for low-voltage service provider groups, the non-low-voltage Workgroup participants are not in agreement. This same situation seems to have repeatedly derailed previous attempts over the years by the legislature to simply add an apprentice and journeyman license requirement to bring parity

among the boards of Plumbing, HVACR Contractors, and Electricians. Perhaps further discussion is warranted at a later date to determine if any compromise is possible.

3. The role of local governments in the licensing, code enforcement, and pulling of permits by electricians and individuals who provide low-voltage electrical services.

As mentioned previously, the State license serves as a passport license in most jurisdictions, with the exceptions being Garrett and Allegheny County where the State license serves as a performance license. Calvert, Charles, Harford, Montgomery, and Prince George's Counties all issue journeyman and/or some variation of an apprentice license. Currently, as with most of the trades, code enforcement and pulling of permits for the provision of electrical services is handled on the local level. The State forwards all complaints to the appropriate local jurisdiction for investigation and adjudication. The State has the authority to take reciprocal disciplinary action, after investigation, based on the action of the jurisdiction. The State does not have statutory authority to license or adjudicate complaints against low-voltage service providers; this is handled on a local level.

Recommendation 3: The Workgroup recommends leaving the current role of local governments in place.

As previously stated, the Workgroup agreed that the State could add apprentices and journeymen to the current licensure schematic in order to provide parity among the Boards of Plumbing, HVACR Contractors, and Electricians. As with the other trades, local jurisdictions may continue the level of enforcement they have now and issue registrations for the same license categories they issue currently, and charge the same or similar fee on the same or similar cycle, as is the case for the provision of plumbing and HVACR services in the jurisdiction. The Workgroup agreed that permitting and inspection has always been a function of the local jurisdiction and that should not change. There would need to be compromise between the Department and the jurisdictions regarding the handling of disciplinary actions, but the disciplinary schematic outlined in previous iterations of electrical licensing legislation provide a good jumping off point for negotiation.

4. The adoption of the National Electric Code across all jurisdictions in the State.

The State Board is currently utilizing the National Electrical Code (NEC) 2017 Edition. Unlike the Boards of Plumbing and HVACR Contractors, which have a statutory obligation to adopt and enforce a state code, the State Board has no such statutory authority or mandate. Currently, local jurisdictions throughout Maryland can adopt any version of various electrical codes. Some local jurisdictions that follow the NEC follow editions that range from 2002-2017, while others choose to follow the code adopted by the State. Workgroup discussions focused on the importance of

adopting a State code in order to diminish the unpredictability faced by electricians who practice in multiple jurisdictions and establish uniformity and consistency in the provision of services across the state. Further, the adoption of a State code keeps examinations current and provides inspectors who may be employed across multiple geographic regions some consistency in their inspection practices.

The Boards with authority to adopt a State code such as HVACR Contractors and Plumbing appoint a Code Committee to review new applicable code editions and provide geographic or other modifications, if necessary. As such modifications are adopted by regulation, there is an opportunity for the public or representatives and code officials from local jurisdictions to provide input on such modifications before adoption. The Workgroup was not able to reach a complete consensus regarding geographic code modifications, but this would be an important and much-needed compromise in order to bring parity among the other trades that adopt a State Code. The Workgroup recognized that variations exist in the geography and topography of local jurisdictions and a compromise is probable regarding local amendments.

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

The Workgroup agreed to adopt the NEC as a State Code with minimal dissention regarding local amendments. There might be a phase-in period required for all jurisdictions to become standardized to one code but this issue was not addressed by the Workgroup. The Workgroup agreed that in order to have parity with the other mechanical trades, the adoption language should include local jurisdiction authority to adopt a code that meets or exceed the standards of the State Code. The Workgroup believes this recommendation is essential to improve the safety and consistency of the electrical industry and to ensure statewide conformity of electrical codes.

5. An examination of the costs and benefits of adopting the licensing scheme proposed in Senate Bill 994 and House Bill 1127 of 2020.

The Workgroup discussed the overall costs of implementing any type of licensure change. Adding licensure categories on a statewide level will add expenditures to the jurisdictions and the Board's special funded budget in order to change paper and electronic licensing applications, websites and other documents and manage an increased number of licensed individuals as apprentice and journey electricians. The state is currently undergoing a transition from the current licensure system to a new licensing system for the occupational and professional boards. Changes to the existing licensing system are outsourced and costly. Existing staff may not be able to absorb an influx of new licensees so additional staff may be required. The jurisdictions would have to increase fees for registrations, permits, or other services in order to offset lost exam revenue if the State exam vendor assumed the administration of the journeyman license examination.

There are a many benefits to be gained from implementing apprentice and journeyman licenses. Licensure of these individuals gives the State the ability to capture basic information pertaining to individuals providing or offering to provide electrical services in the State such as name, address, telephone number, etc. to assist the public contemplating contracting with a service provider and to communicate with a service provider who is the subject of a consumer complaint. Further, licensure gives the State a way to track time in employment in order for prospective license applicants to meet eligibility requirements to move up in licensure categories. Licensing assures the public that service providers have demonstrated minimum competence through a combination of examination, education, and work experience that is missing for journeymen currently. Finally, journeymen will be able to reciprocate their license to surrounding states thereby eliminating barriers to work making licenses more portable and transferrable.

Recommendation 5: The Workgroup recommends moving forward with the addition of apprentice and journeyman licenses.

There will be costs associated with any type of change to the current licensure framework but the benefits to public protection, bringing parity among the mechanical trades, and licensure portability outweigh fiscal constraints. The Director and the Workgroup cannot attest to the fiscal solvency of the jurisdictions and the impact that any change in electrical licensing would have on their budget or operations. The Workgroup suggested that perhaps the jurisdictions could offset lost revenue through local registration, increased permit fees, or other means.

6. Any other relevant issues as determined by the Department.

- **The role of the State regarding the issuance of jurisdictional licenses and approving the jurisdictions to provide licensure examinations.**

The Director explained to the Workgroup that the Board would be in a precarious position if the legislature tasked the State with overseeing the issuance of jurisdictional licenses and allowed jurisdictions to administer licensure examinations. The State does not have authority over the jurisdictions nor does it have the staff or resources to provide oversight or guidance relative to local level licensure. As previously stated, the State has a contractual relationship with a third party examination vendor and lacks the resources required to go to the jurisdictions and review the examination sites, providers, and method of administration to ensure the integrity and security of licensure examinations. The Director advised that Workgroup that there has been a security breach in one of the jurisdictions resulting in an additional five-year experience requirement for individuals licensed in Maryland who wish to reciprocate their electrical license to Delaware. The Workgroup understood the Director's concerns and offered a compromise whereby the jurisdictions currently issuing licenses would continue to do so under a different name, e.g. registration, and the jurisdictions could continue offering all examinations except for the State journeyman and master license examinations. The Workgroup did not comment on these topics or make any recommendations.

- **The State's role in disciplinary actions.**

Currently the jurisdictions have a statutory mandate to send the Board a report within 10 days of the start of an investigation so that the State can notify other jurisdictions (in case a licensed individual applies for a permit to provide services there). The jurisdictions are statutorily required to send to the State Board a yearly report of all disciplinary actions so the State can consider reciprocal action, if appropriate and ensure notification of such action to other jurisdictions in which the individual may also be licensed. Reporting allows the State to advise each jurisdiction at the onset of a disciplinary action in order to prevent a licensee who is facing discipline in one jurisdiction from obtaining a license in a neighboring jurisdiction potentially preying on unsuspecting consumers. The jurisdictions have disciplinary authority, such as the issuance of stop work orders that the State does not have at the present time. The Board would need to compromise with the jurisdictions relative to disciplinary authority but the Director is confident an agreement could be reached based on previous iterations of electrical licensing legislation. The Workgroup did not opine on this issue or make any recommendations.

- **Changing the composition of the Board.**

Currently 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. The Task Force that met in 2013 suggested replacing a licensed master electrician member with an electrical inspector. The Director explained that changing the composition of the Board is an area that could be eliminated, for now, in order to keep the focus on statewide licensing. There are currently approximately 4,500 licensed master electricians and the Board often has vacant master license holder seats. Adding an inspector seat may prove to be even more difficult for the Board to as there are only 52 inspectors registered in the State. The Workgroup did not discuss this issue or make any recommendations.

Conclusion

Working in the electrical industry in Maryland under current laws and regulations presents many challenges. An individual practicing in multiple jurisdictions has to take an examination and reciprocate the license to each jurisdiction where he or she intends to offer or provide electrical services. Some jurisdictions also require a business license and the completion of additional continuing education credits in addition to the continuing education credits required by State law. A license holder must be aware of each jurisdictional license expiration date, applicable code, code cycle, and permit process. Individuals who reside outside of Maryland must obtain a resident agent and complete additional paperwork in order to provide electrical services in Maryland.

Electrical service providers as well as consumers of electrical services stand to benefit from the recommendations of the Workgroup if current law is changed to implement suggested changes. Implementing licensure for apprentice and journey level workers on a statewide level brings parity to the other mechanical trades and assists the Board in overseeing electrical service providers. Standardizing license requirements assures the consumer that an individual has met

minimum qualifications for licensure. The adoption of a statewide electrical code provides consistency between jurisdictions for licensees, inspectors, and consumers. Allowing low-voltage service providers to continue to provide services as they are currently under the direction of the local jurisdictions leaves this industry unaffected by statewide licensure for apprentice and journey level workers. Maintaining some level of licensure, registration, and examination on the jurisdictional level insures minimal fiscal impact on the jurisdictions currently providing those services.

Various stakeholders have been working on changing electrical licensing in Maryland for over a decade but have yet to implement a single change. The Workgroup made significant progress and inroads but is aware that further compromise is needed. The recommendations contained in this report, if implemented, provide the framework to finally move forward.

Appendix I

State Electricians' Licensing Workgroup 2020 Work Plan

Purpose

During its 2020 session, the Maryland General Assembly passed Senate Bill 994 – Department of Labor – Electricians – State Licensing Workgroup (Chapter 591) and charged the Maryland Department of Labor to convene a workgroup to study and make recommendations on several issues regarding the provision of electrical services and low-voltage electrical services in the state.

Membership

The workgroup will be moderated by Robin Bailey, executive director of mechanical licensing, and will consist of representation from the following entities:

- 1) State Board of Master Electricians;
- 2) Local government electrician licensing authorities;
- 3) State and locally licensed electricians with varying years of experience;
- 4) Electrical inspectors;
- 5) Low-voltage electricians;
- 6) Solar photovoltaic technology industry;
- 7) Labor organization that represents licensed electricians; and
- 8) Any other stakeholders as determined by the department.

Discussion Topics

- 13) The licensing of master, journeyman, and apprentice electricians by the State Board of Master Electricians, including uniform education, experience, and examination requirements;
- 14) The licensing, regulation, and qualifications for individuals who provide low-voltage electrical services in the state, including exempting individuals who work with residential integrators on low-voltage technology systems, if necessary;
- 15) The role of local governments in the licensing, code enforcement and pulling of permits by electricians and individuals who provide low-voltage electrical services;
- 16) The adoption of the National Electric Code across all jurisdictions in the state;
- 17) An examination of the costs and benefits of adopting the licensing scheme proposed in Senate Bill 994 and House Bill 1127 of 2020; and

18) Any other relevant issues as determined by the department.

Action Plan

The moderator will provide a brief overview of the discussion topics and provide a comparison to two other trades that already have statewide licensing - plumbers and heating, ventilation, air-conditioning and refrigeration contractors. Participants in the workgroup will each be given three minutes to discuss each question when they are invited to speak by the moderator. If time permits, additional dialogue will be invited and encouraged by the moderator. Prior to the conclusion of the meeting, a list of suggested recommendations from the workgroup will be prepared by the moderator for discussion prior to submission to the department.

Meeting Dates

September 10, 2020

2:00 – 4:30 p.m.

September 24, 2020

2:00 – 4:30 p.m.

October 8, 2020

2:00 – 4:30 p.m.

The meetings are tentatively scheduled to be held at the department's headquarters, 500 N. Calvert Street, 2nd Floor Conference Room, Baltimore, MD 21202. Should the building remain closed to the public, arrangements will be made for the meetings to be held virtually. **Please plan to attend all three meetings.** Your participation is vital to the success of the workgroup!

Agenda

September 10, 2020

- 1) Introduction
- 2) Overview of Discussion Topics
- 3) Workgroup Input Regarding General Discussion Topics Led by Moderator

September 24, 2020

- 1) Continued Workgroup Input Regarding General Discussion Topics Led by Moderator
- 2) Compile Recommendations

October 8, 2020

- 1) Review and Workgroup Discussion of Recommendations

- 2) Conclusion
- 3) Adjournment

Moderator Contact Information

Robin Bailey, Executive Director, Mechanical Licensing

Phone: (410) 230-6160

Email: Robin.bailey@maryland.gov

Appendix II

<http://mgaleg.maryland.gov/mgaweb/site/Legislation/Details/sb0994/?ys=2020rs>