

# House Bill 2219

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Governor Theodore R. Kulongoski for Department of Consumer and Business Services and Office of Regulatory Streamlining of Department of Consumer and Business Services)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Changes terminology regarding fees for electrician, boiler repair and plumbing licenses. Eliminates fee for taking electrician license qualifying examination. Deletes requirement specifying minimum hours of continuing education to renew certain boiler repair licenses. Changes requirement regarding format of journeyman plumber licensing examination. Allows regulatory body that offers extended renewal periods for license to also offer extended initial period for license. Deletes statutory specification of license term for electrical licenses. Deletes statutory specification of renewal term for boiler inspector licenses.

## A BILL FOR AN ACT

1  
2 Relating to the administration of building trade licensing programs; amending ORS 446.210, 455.117,  
3 479.530, 479.630, 479.840, 479.910, 479.945, 480.545, 480.605, 480.630, 693.010, 693.030, 693.060,  
4 693.095, 693.103, 693.120 and 693.135.

### Be It Enacted by the People of the State of Oregon:

#### **SECTION 1.** ORS 446.210 is amended to read:

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6  
7 446.210. (1) The Director of the Department of Consumer and Business Services shall issue a  
8 limited maintenance electrician's license to a person who:

9 (a) Pays the **applicable application** fee required under ORS 479.840;

10 (b) Complies with ORS 479.510 to 479.945 and the rules adopted under ORS 455.117 and 479.510  
11 to 479.945;

12 (c) Passes a written examination administered as provided by department rule on basic electrical  
13 principles on repair and maintenance of electrical wiring and equipment used in a manufactured  
14 structure; and

15 (d) Submits proof as provided by department rule that the person has sufficient experience in  
16 the repair and maintenance of electrical problems of the type and nature found in a manufactured  
17 structure.

18 (2) A person licensed under this section may repair and maintain electrical wiring and equip-  
19 ment used in a manufactured structure.

#### **SECTION 2.** ORS 455.117 is amended to read:

20  
21 455.117. (1) Except as provided in subsection [(3)] (4) of this section, a regulatory body listed in  
22 subsection [(2)] (3) of this section may adopt rules to administer the licensing, certification or reg-  
23 istration of persons regulated by the body. The rules adopted under this section may include, but  
24 need not be limited to:

25 (a) The form and content of an application for issuance or renewal of a license, certificate or  
26 registration;

27 (b) Training and continuing education requirements to maintain a license, certificate or regis-

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 tration;

2 (c) The form and content of and the process for preparing and administering examinations and  
 3 examination reviews;

4 (d) The term of a license, certificate or registration; and

5 (e) The creation of a system for combining two or more licenses, certificates or registrations  
 6 issued to an individual by an advisory board or the Department of Consumer and Business Services  
 7 into a single license, certificate, registration or other authorization.

8 **(2) Notwithstanding ORS 183.705 (1) and subject to approval by the department, if a reg-**  
 9 **ulatory body described in subsection (3) of this section offers an extended license renewal**  
 10 **term under ORS 183.705, the regulatory body may offer an extended initial term for the same**  
 11 **type of license. The extended initial term for the license may not exceed five years. In**  
 12 **adopting an extended initial term for a license, the regulatory body shall comply with ORS**  
 13 **183.705 (2) to (7). An application fee for the issuance or renewal of a license by a regulatory**  
 14 **body described in subsection (3) of this section is a license fee for purposes of regulatory**  
 15 **body compliance with ORS 183.705 (6).**

16 [(2)] (3) [Subsection (1) of this section applies] Subsections (1) and (2) of this section apply to  
 17 the following:

18 (a) Subject to ORS 446.003 to 446.200, 446.225 to 446.285 and 446.395 to 446.420, with the ap-  
 19 proval of the Manufactured Structures and Parks Advisory Board, the Department of Consumer and  
 20 Business Services for purposes of licenses, certificates and registrations issued under ORS 446.003  
 21 to 446.200, 446.225 to 446.285 and 446.395 to 446.420.

22 (b) Subject to ORS 447.010 to 447.156 and ORS chapter 693, the State Plumbing Board for pur-  
 23 poses of licenses issued under ORS 447.010 to 447.156 and ORS chapter 693.

24 (c) Subject to ORS 460.005 to 460.175, after consultation with the Electrical and Elevator Board,  
 25 the department for purposes of licenses issued under ORS 460.005 to 460.175.

26 (d) Subject to ORS 479.510 to 479.945, the Electrical and Elevator Board for purposes of licenses  
 27 issued under ORS 446.210 or 479.510 to 479.945.

28 (e) Subject to ORS 480.510 to 480.670, the Board of Boiler Rules for purposes of licenses issued  
 29 under ORS 480.510 to 480.670.

30 [(3)] (4) This section does not authorize the adoption of rules regulating:

31 (a) Building officials, inspectors, plan reviewers or municipalities;

32 (b) Persons engaged in the manufacture, conversion or repair of prefabricated structures, pre-  
 33 fabricated components or recreational vehicles; or

34 (c) Master builders certified under ORS 455.800 to 455.820.

35 **SECTION 3.** ORS 479.530 is amended to read:

36 479.530. As used in ORS 479.510 to 479.945 and 479.995, unless the context requires otherwise:

37 (1) "Approved testing laboratory" means a testing laboratory that meets criteria for electrical  
 38 product evaluation established by the Director of the Department of Consumer and Business Ser-  
 39 vices with the approval of the Electrical and Elevator Board under ORS 479.730.

40 (2) "Board" means the Electrical and Elevator Board established under ORS 455.138.

41 (3) "Certified electrical product" means an electrical product that is certified under ORS 479.760  
 42 and that is not decertified.

43 (4) "Competent inspection service" means an electrical inspection service of a city or county  
 44 administered under ORS 455.148 or 455.150 that employs electrical inspectors who are certified to  
 45 meet standards under ORS 479.810.

1 (5) “Commercial electrical air conditioning equipment” means heating, cooling, refrigeration,  
 2 dehumidifying, humidifying and filtering equipment used for climatizing or moving of air if used in  
 3 commerce, industry or government and if installed in a place not accessible to the general public  
 4 other than the switches regulating the operation of the equipment.

5 (6) “Demarcation point” means the place of interconnection between the communications cabling,  
 6 terminal equipment or protective apparatus of the telecommunications service provider and the  
 7 customer’s premises.

8 (7) “Department” means the Department of Consumer and Business Services.

9 (8) “Director” means the Director of the Department of Consumer and Business Services.

10 (9) “Dwelling unit” means one or more rooms for the use of one or more persons as a house-  
 11 keeping unit with space for eating, living and sleeping and permanent provisions for cooking and  
 12 sanitation.

13 (10) “Electrical installations” means the construction or installation of electrical wiring and the  
 14 permanent attachment or installation of electrical products in or on any structure that is not itself  
 15 an electrical product. “Electrical installation” also means the maintenance or repair of installed  
 16 electrical wiring and permanently attached electrical products. “Electrical installation” does not  
 17 include an oil module.

18 (11) “Electrical product” means any electrical equipment, material, device or apparatus that,  
 19 except as provided in ORS 479.540, requires a license or permit to install and either conveys or is  
 20 operated by electrical current.

21 (12) “Equipment” means any material, fittings, devices, appliances, fixtures, apparatus or the like  
 22 that are used as part of or in connection with an electrical installation.

23 (13) “Field evaluation firm” means an independent organization that provides:

24 (a) Evaluations or testing, or both; and

25 (b) Documentation regarding compliance with electrical product safety standards and with the  
 26 electrical installation safety code.

27 (14) “Industrial electrical equipment” means electrical products used in industry or government  
 28 that utilizes electric energy for mechanical, chemical, heating, lighting or similar purposes, that is  
 29 designed to service or produce a product and that is used directly in the production of the service  
 30 or product.

31 (15) “Installation label” means an adhesive tag issued by governmental agencies that administer  
 32 the Electrical Safety Law to licensed electrical contractors for application to those minor electrical  
 33 installations for which the board by rule determines to be appropriate for random inspections.

34 (16) “License” means [*an annual*] a permit issued by the department under ORS 479.630 author-  
 35 izing the person whose name appears as licensee thereon to act as an electrical contractor, super-  
 36 vising electrician, journeyman electrician, apprentice electrician or limited elevator journeyman as  
 37 indicated thereon.

38 (17) “Minimum safety standards” means safety standards prescribed by concurrence of the board  
 39 and the director under ORS 479.730.

40 (18) “Multifamily dwelling” means a building containing more than one dwelling unit.

41 (19) “Oil module” means a prefabricated structure manufactured to the specifications of the  
 42 purchaser and used outside this state in the exploration for or processing or extraction of petroleum  
 43 products.

44 (20) “Permit” means an official document or card issued by the enforcing agency to authorize  
 45 performance of a specified electrical installation.

1 (21) "Single family dwelling" means a building consisting solely of one dwelling unit.

2 (22) "Telecommunications service provider" means a telecommunications carrier as defined in  
 3 ORS 133.721 or a telecommunications utility or competitive telecommunications provider, both as  
 4 defined in ORS 759.005.

5 (23) "Uncertified product" means any electrical product that is not an electrical product certi-  
 6 fied under ORS 479.760.

7 **SECTION 4.** ORS 479.630 is amended to read:

8 479.630. If the person pays the applicable *[examination and license fees]* **application fee** required  
 9 under ORS 479.840 and complies with ORS 479.510 to 479.945 and the rules adopted under ORS  
 10 455.117 and 479.510 to 479.945, the Department of Consumer and Business Services shall issue:

11 (1) An electrical contractor's license to a person engaging in or carrying on a business of mak-  
 12 ing electrical installations.

13 (2) A general supervising electrician's license to a person who:

14 (a) Passes a written examination prepared by the Electrical and Elevator Board and adminis-  
 15 tered by the department; and

16 (b) Submits proof satisfactory to the board that the person has had at least four years of expe-  
 17 rience as a general journeyman electrician or its equivalent, as determined by the board by rule, in  
 18 installing, maintaining and repairing electrical wires and equipment.

19 (3) A limited supervising electrician's license to a person who qualifies under this subsection.  
 20 A person licensed under this subsection is authorized to supervise the class of electrical work in-  
 21 cluded in the branch of the electrical trade and for which the person has passed the examination  
 22 administered by the department. A person qualifies under this subsection if the person:

23 (a) Passes a written examination prepared by the board and administered by the department; and

24 (b) Submits proof satisfactory to the board that the person has had at least four years of spe-  
 25 cialized experience in a recognized branch of the electrical trade on the journeyman level.

26 (4) A general journeyman electrician's license to a person who:

27 (a) Passes a written examination prepared by the board and administered by the department; and

28 (b) Submits proof satisfactory to the board that:

29 (A) The person has had at least four years of general experience as an apprentice or its equiv-  
 30 alent, as determined by the board by rule, in installing, maintaining and repairing electrical wires  
 31 and equipment, including not fewer than 1,000 hours in wiring on single or multifamily dwelling  
 32 units; or

33 (B) If the person is licensed as a limited residential electrician under subsection (14) of this  
 34 section, subsequent to receiving that license, the person has worked for at least two years as a  
 35 limited residential electrician and subsequent to those two years has completed an additional two  
 36 years' experience as an apprentice or its equivalent, as determined by the board by rule, for that  
 37 period of apprenticeship time worked exclusively in installing, maintaining and repairing electrical  
 38 wires and equipment in the commercial and industrial branches of the electrical trade under the  
 39 supervision of a licensed electrical contractor.

40 (5) A limited journeyman electrician's license to a person who qualifies under this subsection.  
 41 A person licensed under this subsection is authorized to perform the class of electrical work in-  
 42 cluded in the branch of the electrical trade for which the person has passed the examination ad-  
 43 ministered by the department. A person qualifies under this subsection if the person:

44 (a) Passes a written examination prepared by the board and administered by the department; and

45 (b) Submits proof satisfactory to the board that the person has had at least four years of spe-

1 cialized experience as an apprentice or its equivalent, as determined by the board by rule, in a re-  
2 cognized branch of the electrical trade.

3 (6) A limited elevator journeyman license to a person who qualifies under this subsection. A  
4 person licensed under this subsection is authorized to install, maintain and repair elevators, in-  
5 cluding all electrical and mechanical systems. A person qualifies under this subsection if the person  
6 has completed an elevator apprenticeship program, including both electrical and mechanical training  
7 components, approved by the board by rule and the person submits an application for licensure to  
8 the board in writing. A person issued a license under this subsection is exempt from continuing ed-  
9 ucation requirements established under ORS 455.117 and 479.680.

10 (7) An electrical apprentice's license to a person who has complied with ORS 660.002 to 660.210  
11 as an electrical apprentice.

12 (8) An electrical apprentice's license to a trainee toward a limited residential electrician's li-  
13 cense who has complied with ORS 660.002 to 660.210 as an electrical apprentice.

14 (9) An electrical apprentice's license to a trainee toward a limited journeyman's license in a  
15 recognized branch of the electrical trade who is employed by an employer who also:

16 (a) Employs a holder of either a general journeyman electrician's license or a limited  
17 journeyman electrician's license; and

18 (b) Conducts an electrical training program in a recognized branch of the electrical trade ap-  
19 proved by the board as being a training program that will adequately prepare the trainee for the  
20 limited journeyman's license.

21 (10) A limited maintenance electrician's license to a person who qualifies under this subsection.  
22 A person licensed under this subsection is authorized to maintain, repair and replace electrical in-  
23 stallations, including electrical components, required on the premises of industrial plants, commer-  
24 cial office buildings, buildings occupied by the state or a local government entity or facilities  
25 designated by the board. The following apply to this subsection:

26 (a) A person qualifies under this subsection if the person:

27 (A) Passes a written examination prepared by the board and administered by the department on  
28 repair, replacement and maintenance of equipment of the type and nature normally used in an in-  
29 dustrial plant, commercial office building or government building and on the use of testing equip-  
30 ment; and

31 (B)(i) Completes a two-year training program approved by the board that provides for training  
32 and supervision of the trainee or apprentice; or

33 (ii) Submits proof satisfactory to the board that the person has had sufficient experience and  
34 related educational training in the repair, replacement and maintenance of electrical wiring and  
35 equipment of the type and nature used in an industrial plant, commercial office building or govern-  
36 ment building, as determined by the board or by an appropriate local apprenticeship committee re-  
37 cognized by the State Apprenticeship and Training Council.

38 (b) An annual inspection of the premises upon which electrical work is performed by persons  
39 licensed under this subsection shall be made by the electrical inspector for an annual fee determined  
40 by the board by rule, based upon the time required for the inspection, payable to the department.

41 (c) A person licensed under this subsection may be employed directly by the owner, or owner's  
42 agent, of any government building or commercial office building. A building owner or owner's agent  
43 need not be licensed under this section to supervise a limited maintenance electrician.

44 (d) The department, in consultation with the board, shall adopt rules defining government  
45 buildings and commercial office buildings subject to this subsection.

1 (11) A limited building maintenance electrician’s license to a person who qualifies under this  
 2 subsection. The following apply to this subsection:

3 (a) A person licensed under this subsection is authorized to maintain, repair and replace the  
 4 following electrical installations required on the premises of commercial office buildings, buildings  
 5 occupied by the state or a local government entity or facilities designated by the board in electrical  
 6 systems not exceeding 300 volts to ground:

- 7 (A) Electrical appliances;
- 8 (B) Light switches;
- 9 (C) Light fixtures;
- 10 (D) Fans;
- 11 (E) Receptacles; and
- 12 (F) Fluorescent ballasts.

13 (b) A person qualifies under this subsection if the person:

14 (A) Passes a written examination prepared by the board and administered by the department on  
 15 maintenance, repair and replacement of equipment of the type and nature normally used in a com-  
 16 mercial office building or government building and on the use of testing equipment; and

17 (B) Submits proof satisfactory to the board that the person has:

18 (i) Had sufficient experience in the maintenance, repair and replacement of electrical wiring and  
 19 equipment of the type and nature normally used in a commercial office building or government  
 20 building; or

21 (ii) Completed a one-year training course, with classroom and on-the-job training components  
 22 approved by the board, on the maintenance, repair and replacement of electrical wiring and equip-  
 23 ment of the type and nature normally used in a commercial office building or government building.

24 (c) An annual inspection of the premises upon which electrical work is performed by persons  
 25 licensed under this subsection shall be made by the electrical inspector for an annual fee determined  
 26 by the board by rule, based upon the time required for the inspection, payable to the department,  
 27 or the inspection shall be performed under an electrical master permit program.

28 (d) Building owners may perform work regulated by this subsection and for which a license is  
 29 required under this subsection without obtaining a license.

30 (e) A person who owns more than 50 percent of a corporation that controls a building is a  
 31 building owner.

32 (f) A person licensed under this subsection may be employed by the owner of a commercial office  
 33 building or the owner’s agent. A building owner or owner’s agent need not be licensed under this  
 34 section to supervise a limited building maintenance electrician.

35 (12) A limited maintenance specialty contractor license to a person who qualifies under this  
 36 subsection. A person licensed under this subsection is authorized to engage in the electrical work  
 37 related to the repair, service, maintenance, installation or replacement of existing, built-in or per-  
 38 manently connected appliances, fluorescent ballasts or similar equipment and to employ individuals  
 39 to engage in that work. This subsection does not authorize the installation of appliances, ballasts  
 40 or other equipment if there is no existing installation of similar equipment. A person qualifies under  
 41 this subsection if the person submits:

42 (a) Proof satisfactory to the board that the person has had sufficient experience in the type of  
 43 work permitted under the license issued under this subsection; and

44 (b) Maintains with the board a current list of all individuals employed by the person to engage  
 45 in work permitted under this subsection.

1 (13) A limited pump installation specialty contractor license to a person who qualifies under this  
 2 subsection. A person licensed under this subsection is authorized to engage in electrical work re-  
 3 lated to the testing, repair, service, maintenance, installation or replacement of new or existing  
 4 pump equipment for potable or irrigation water systems, sump pumps, effluent pumps and ground  
 5 water pumps on residential and agricultural property, to employ individuals to engage in such work.  
 6 A person qualifies under this subsection if the person:

7 (a) Submits proof satisfactory to the board that the person has had sufficient experience in the  
 8 type of work permitted under the license issued under this subsection; and

9 (b) Maintains with the board a current list of all individuals employed by the person to engage  
 10 in work permitted under this subsection.

11 (14) A limited residential electrician’s license to a person who qualifies under this subsection.  
 12 A person licensed under this subsection is authorized to perform the class of electrical work in-  
 13 cluded in the branch of the electrical trade for which the person has passed the examination ad-  
 14 ministered by the department and approved by the board. However, a person licensed under this  
 15 subsection shall perform the electrical work allowed by the license only on single and multifamily  
 16 dwelling units not exceeding three floors above grade. For purposes of this subsection, the first floor  
 17 of a building is the floor that is designed for human habitation and that has 50 percent or more of  
 18 its perimeter level with or above finished grade of the exterior wall line. A person qualifies under  
 19 this subsection if the person:

20 (a) Has received the same number of hours of electrical safety training as required by rule for  
 21 an electrical apprentice or its equivalent and who has received training in electrical theory;

22 (b) Submits documented proof to the board of at least two years of apprenticeship or trainee  
 23 experience in residential wiring of single and multifamily dwelling units or its equivalent, as deter-  
 24 mined by the board by rule; and

25 (c) Passes a written examination prepared by the board and administered by the department.

26 (15) A Class I or Class II oil module electrician’s license to a person who passes a written ex-  
 27 amination prepared by the board and administered by the department.

28 (16) A limited renewable energy contractor license to a person who:

29 (a) Employs at least one full-time renewable energy technician; and

30 (b) Does not engage in electrical work other than work that may be performed by a limited  
 31 renewable energy technician. A limited renewable energy contractor may not make, direct, supervise  
 32 or control the making of an electrical installation unless the contractor is licensed for that activity.

33 (17) A limited renewable energy technician license to a person who qualifies under this sub-  
 34 section. A person qualifies for licensing as a limited renewable energy technician if the person  
 35 completes a two-year apprenticeship program and passes an examination approved by the board. A  
 36 person licensed under this subsection may, while in the employ of a licensed electrical contractor  
 37 or a limited renewable energy contractor:

38 (a) Install, maintain, replace or repair electrical wiring and electrical products that convey or  
 39 operate on renewable electrical energy not exceeding 25 kilowatts AC; and

40 (b) Make electrical installations not exceeding 25 kilowatts AC:

41 (A) On devices using renewable energy involving wind, solar energy systems, micro-  
 42 hydroelectricity, photovoltaic systems or fuel cells.

43 (B) Up to the load side of an inverter.

44 (C) To connect generators that are sized to facilitate the inverter in an off-grid system.

45 **SECTION 5.** ORS 479.840 is amended to read:

1 479.840. (1) Upon *[receipt]* **receiving payment** of the *[following]* **applicable application** fee, the  
 2 Department of Consumer and Business Services *[shall]* **may** issue or renew a license or permit ap-  
 3 plied for under ORS 479.510 to 479.945. **The fee to apply for or renew a license is:**

4 (a) \$125 **per year** for an electrical contractor license for each place of business operated by the  
 5 applicant.

6 (b) \$125 **per year** for a limited energy contractor, **restricted energy contractor** or limited sign  
 7 contractor license.

8 (c) \$25 **per year** for a pump specialty contractor or limited maintenance specialty contractor  
 9 license.

10 (d) \$150 **per year** for an elevator contractor license.

11 (e) \$100 for a **three-year** license for a:

12 (A) General journeyman electrician;

13 (B) General supervising electrician;

14 (C) Limited supervising industrial electrician;

15 (D) Limited supervising manufacturing plant electrician;

16 (E) Limited journeyman industrial electrician;

17 (F) Limited maintenance industrial electrician;

18 (G) Limited maintenance manufactured dwelling or recreational vehicle electrician;

19 (H) Limited journeyman manufacturing plant electrician; or

20 (I) Limited journeyman railroad electrician.

21 (f) \$50 for a **three-year** license for a:

22 (A) Limited elevator journeyman;

23 (B) Class A or Class B limited energy technician;

24 (C) Limited journeyman sign electrician;

25 (D) Limited journeyman sign service electrician;

26 (E) Limited journeyman stage electrician; or

27 (F) Limited building maintenance electrician.

28 *[(g) \$10 for the right to take the written qualifying examination.]*

29 (2) The Electrical and Elevator Board shall set uniform permit fees, by rule, not to exceed the  
 30 cost of administration.

31 (3) The fees provided for in this section do not apply to persons paying inspection fees under the  
 32 terms of ORS 479.560 (3) or 479.630 (10).

33 (4) Each electrical contractor may furnish to the department a corporate surety bond to be ap-  
 34 proved by the department, an irrevocable letter of credit issued by an insured institution as defined  
 35 in ORS 706.008 or a cash bond under procedures approved by the department, in the sum of \$2,000  
 36 guaranteeing the payment of all fees provided for under ORS 479.510 to 479.945. Before commencing  
 37 any electrical job an electrical contractor who has a current bond or letter of credit under this  
 38 subsection may apply to the department for a working permit which shall cost an amount established  
 39 by the department by rule. The working permit shall authorize the electrical contractor to com-  
 40 mence work. The total of all fees due for permits for each job, and the time such fees are payable,  
 41 shall be determined by the department by administrative rule under ORS 479.730. The contractor  
 42 shall keep the bond or letter of credit in force at all times. Any cancellation or revocation of the  
 43 bond or letter of credit shall revoke and suspend the license issued to the principal until such time  
 44 as a new bond or letter of credit shall be filed and approved. The department may bring an action  
 45 against the surety named in the bond or the letter of credit issuer with or without joining in such



1 action the principal named in the bond or letter of credit.

2 **SECTION 6.** ORS 479.910 is amended to read:

3 479.910. (1) Upon payment of an examination and [*license*] **application** or renewal fee, the De-  
4 partment of Consumer and Business Services shall issue a Class B limited energy technician license  
5 to a person who qualifies under ORS 479.915. A person licensed under this section may perform  
6 limited energy electrical activity except protective signaling as defined in ORS 479.905.

7 (2) A person licensed under this section shall comply with the permit and code compliance re-  
8 quirements under ORS 479.510 to 479.945.

9 (3) The examination and [*license*] **application** fee, and the renewal fee, for a Class B limited  
10 energy technician license are the same as those for a Class A limited energy technician license.

11 (4) The Electrical and Elevator Board shall establish continuing education requirements for  
12 persons licensed under this section, not to exceed 24 hours of classes every three years.

13 **SECTION 7.** ORS 479.945 is amended to read:

14 479.945. (1) A restricted energy contractor's license is created for persons engaged in HVAC and  
15 such other categories as established by the Electrical and Elevator Board by rule under ORS  
16 455.117.

17 (2) A person licensed as a restricted energy contractor under this section and the person's em-  
18 ployees may install, alter, maintain, replace or repair electrical wiring and electrical products that  
19 are within the scope of the contractor's license issued under this section. A person covered by this  
20 subsection does not have to obtain a license under ORS 479.910.

21 (3) The license issued under this section shall limit the scope of activities that the licensee and  
22 licensee's employees may engage in and in no instance may the scope of the license exceed that of  
23 a Class B limited energy technician.

24 (4) [*An applicant*] **A person applying** for licensing under this section shall **pay the applicable**  
25 **application fee required under ORS 479.840 and** provide proof satisfactory to the board that the  
26 person has experience of the type of work covered by the license indorsement. [*and shall pay the fees*  
27 *required by ORS 479.840 (1)(b) for a limited energy contractor.*]

28 (5) A restricted energy contractor licensee under this section shall:

29 (a) Maintain with the board a current list of all individuals employed by the licensee to engage  
30 in work permitted by this section;

31 (b) Issue an identification card to each employee working under the provisions of this section  
32 and identify the contractor, date of issue, contractor's identification number with the board and the  
33 Construction Contractors Board; and

34 (c) Maintain with the board a current form of identification card used by the contractor.

35 (6) A person holding a limited maintenance specialty contractor's license under ORS 479.630 (12)  
36 who also registers under this section shall comply with the identification card requirements of sub-  
37 section (5) of this section, but need not file a separate list of employees unless the work under the  
38 contractor's license is done by different employees.

39 **SECTION 8.** ORS 480.545 is amended to read:

40 480.545. (1) Under ORS chapter 183 the Board of Boiler Rules may adopt and enforce rules and  
41 minimum safety standards to carry out ORS 480.510 to 480.670 and adopt standards for persons  
42 performing welding on boilers and pressure vessels.

43 (2) All proceedings in the administration of ORS 480.510 to 480.670 shall be conducted under  
44 ORS chapter 183 and, additionally, where applicable, under ORS 480.615.

45 (3) In addition to the rules otherwise provided, and subject to ORS chapter 183, the board shall

1 adopt rules concerning the times, dates, frequency and manner of giving notice to interested persons  
 2 of intention to consider one or more of the things which the board may consider under this section.

3 (4) All rules and minimum safety standards adopted under this section shall be reasonable and  
 4 in substantial conformity with generally accepted nationwide engineering standards. In adopting  
 5 rules the board shall consider the probability, extent and gravity of injuries to health and property  
 6 which would result from the failure to adopt the standards being considered and the standards fol-  
 7 lowed, proposed or approved by members of affected industries.

8 (5) The board[, *by rule,*] shall adopt **rules establishing a continuing education requirement**  
 9 **for persons described in ORS 480.630 (8) and** fees necessary for the administration and enforce-  
 10 ment of the continuing education requirement [*under ORS 480.630*].

11 (6) Any rule adopted by the board under ORS 480.510 to 480.670 shall be submitted to the Di-  
 12 rector of Department of Consumer and Business Services. The director shall have 30 calendar days  
 13 from the date of adoption of the rules to review them. If the director fails to disapprove the rules  
 14 within the 30-day period, the rules become effective in accordance with their terms and as provided  
 15 by law. If the director disapproves the rules within the 30-day period, the rules immediately shall  
 16 be returned to the board with the director’s written objections, and the rules do not become effec-  
 17 tive until approved by the director.

18 **SECTION 9.** ORS 480.605 is amended to read:

19 480.605. The Department of Consumer and Business Services may:

20 (1) Collect fees for shop inspections, inspections of vessels and for inspection of vessels which  
 21 have been changed in installation location after primary use and for any other type of inspection  
 22 of boilers, pressure vessels or pressure piping which may be required by any person or persons, in-  
 23 cluding any governmental units, all such inspections to be at the cost of inspection, in accordance  
 24 with the time required to make the inspection, plus the expense of the inspector including lodging  
 25 and travel. The hourly charge, or portion thereof, shall be fixed by the Board of Boiler Rules.

26 (2) Collect a fee for welding and inspectors’ examinations and for [*annual*] **the** renewal of in-  
 27 spectors’ certifications. The amount of the fee shall be fixed by the board.

28 (3) Collect an additional fee from the owner or user when it is necessary to make a special trip  
 29 to witness the application of a hydrostatic or other test. The amount of the fee shall be fixed by the  
 30 board.

31 **SECTION 10.** ORS 480.630 is amended to read:

32 480.630. (1) A person engaging in the business of installing, repairing or altering boilers or  
 33 pressure vessels must possess a boiler contractor license issued by the Department of Consumer and  
 34 Business Services.

35 (2) A person who installs, repairs or alters boilers or pressure vessels as the employee or agent  
 36 of a business engaged in the installation, repair or alteration of boilers or pressure vessels must  
 37 possess an employee or agent license issued by the department.

38 (3) The chief inspector may conduct examinations for licensing an employee or agent of a busi-  
 39 ness to establish the competency of the applicant.

40 [*(4) Licenses shall be issued and renewed by the department as provided by rules adopted under*  
 41 *ORS 455.117 by the Board of Boiler Rules upon payment of a fee of \$25 for each application for an*  
 42 *employee or agent license and \$150 for each application for a boiler contractor license.*]

43 (4) **Upon payment of the applicable application fee, the department shall issue a license**  
 44 **to an applicant who qualifies as provided in rules adopted under ORS 455.117 by the Board**  
 45 **of Boiler Rules. Upon payment of the applicable renewal application fee, the department shall**

1 **renew the license of a person who complies with ORS 480.510 to 480.670 and the rules adopted**  
 2 **by the board under ORS 455.117 or 480.545. The fee to apply for or renew a license is:**

3 (a) **\$25 per year for an employee or agent license.**

4 (b) **\$150 per year for a boiler contractor license.**

5 (5) A person required to be licensed under this section may not install, alter or repair a boiler  
 6 or pressure vessel unless an appropriate permit is first secured from the department. Permits shall  
 7 be issued only to persons possessing a valid boiler contractor license or as provided by the depart-  
 8 ment by rule. A permit fee of \$15 shall be paid directly to the department.

9 (6) In the case of an emergency, a permit under subsection (5) of this section is not required in  
 10 advance for boiler or pressure vessel installations or repair, if an application accompanied by the  
 11 appropriate fee for a permit is submitted to the department within five days after the commencing  
 12 of the boiler or pressure vessel work.

13 (7) The license and examination requirements of this section do not apply when a person is  
 14 brought in from out of state to repair or alter a boiler or pressure vessel utilizing special tools or  
 15 a special process for which that person is uniquely qualified. The activity shall be limited solely to  
 16 the special process and the person performing the work shall have qualifications that meet or exceed  
 17 license standards as determined by the chief boiler inspector. The chief boiler inspector shall be  
 18 notified prior to performance of any work under this subsection.

19 (8) If a license issued under subsection (4) of this section is of a class that authorizes a person  
 20 to perform work equivalent to that performed by pressure vessel installers, building service me-  
 21 chanics, boilermakers or pressure piping mechanics, the person must *[complete eight hours of*  
 22 *board-approved continuing education every year]* **comply with continuing education**  
 23 **requirements.**

24 **SECTION 11.** ORS 693.010 is amended to read:

25 693.010. As used in this chapter, unless the context requires otherwise:

26 (1) "Apprentice plumber" means any person who is an apprentice under ORS 660.002 to 660.210  
 27 and who is employed by a licensed plumbing contractor for the purpose of assisting the journeyman  
 28 plumber and learning the plumbing trade.

29 (2) "Board" means the State Plumbing Board.

30 (3) "Journeyman plumber" means any person holding a valid journeyman plumber license issued  
 31 under this chapter.

32 (4) "Licensed plumbing contractor" means a person *[who has made application and paid a license*  
 33 *fee]* **licensed as required under ORS 447.010 to 447.156** to engage in the business of furnishing  
 34 labor and material, or labor only, to install, alter and repair plumbing.

35 (5) "Plumbing" has the meaning given that term in ORS 447.010.

36 **SECTION 12.** ORS 693.030 is amended to read:

37 693.030. (1) A person may not engage in the trade *[or business]* of journeyman plumber without  
 38 a journeyman plumber license issued under this chapter.

39 (2) A licensed plumbing contractor or a person required under *[this chapter]* **ORS 447.010 to**  
 40 **447.156** to be licensed as a plumbing contractor may not:

41 (a) Permit or suffer any person to work as a journeyman plumber who does not hold a valid  
 42 journeyman plumber license.

43 (b) Permit or suffer any person to work as an apprentice plumber who does not meet the re-  
 44 quirements of ORS 660.002 to 660.210.

45 (c) Employ an apprentice plumber on any plumbing work, representing the apprentice plumber

1 to be a journeyman plumber.

2 (d) Charge a journeyman plumber’s wage for services performed by an apprentice plumber.

3 **SECTION 13.** ORS 693.060 is amended to read:

4 693.060. The State Plumbing Board shall issue a license to a person who:

5 (1) By the examination provided for by this chapter is shown to be fit, competent and qualified  
6 to engage in the [*business, trade or calling of a*] **trade of** journeyman plumber;

7 (2) Complies with board rules adopted under ORS 455.117; and

8 (3) Pays the applicable [*fees*] **application fee** established by the board under ORS 693.135.

9 **SECTION 14.** ORS 693.095 is amended to read:

10 693.095. The State Plumbing Board[, *by rule, may provide for issuing*] **may adopt rules that**  
11 **provide for the issuance of** supervising plumber licenses to journeyman plumbers who:

12 (1) Demonstrate to the satisfaction of the board competency in the supervision of plumbing work  
13 and in the laws, rules, ordinances and practices relating to plumbing;

14 (2) Comply with board rules adopted under ORS 455.117; and

15 (3) Pay the applicable [*fees*] **application fee** established by the board under ORS 693.135.

16 **SECTION 15.** ORS 693.103 is amended to read:

17 693.103. (1) The State Plumbing Board, by rule, may license limited specialty plumbers who:

18 (a) Demonstrate to the satisfaction of the board competency in the laws, rules, ordinances and  
19 practices relating to a plumbing specialty; and

20 (b) Pay the [*applicable*] **journeyman plumber application** fee established by the board under  
21 ORS 693.135.

22 (2) A limited specialty plumber license authorizes a person to perform work in the specific  
23 branch of the plumbing trade for which the license is issued.

24 (3)(a) The board shall establish a limited specialty plumber license for persons licensed under  
25 ORS 479.630 (12) to install and replace residential water heaters in existing plumbing designed for  
26 that purpose if the installation or replacement does not require an alteration of the existing  
27 plumbing.

28 (b) Qualification for a limited specialty plumber license under this subsection shall include  
29 testing and a requirement for training.

30 (c) This subsection does not otherwise affect the ability of persons licensed under subsection (1)  
31 of this section to make connections to water systems.

32 **SECTION 16.** ORS 693.120 is amended to read:

33 693.120. [(1)] The State Plumbing Board shall examine [*for fitness and qualifications*] all persons  
34 applying for journeyman plumber licenses **for qualifications. The examination shall be in written**  
35 **form.**

36 [(2) *The examination for a journeyman plumber license shall consist of the following two parts:*]

37 [(a) *a written examination; and*]

38 [(b) *A practical examination requiring the demonstration of mechanical plumbing skills.*]

39 **SECTION 17.** ORS 693.135 is amended to read:

40 693.135. The State Plumbing Board[, *by rule, shall establish*] **shall adopt rules establishing** fees  
41 to be charged by and paid to the board [*under this chapter*]. The following [*fees*] shall be the maxi-  
42 mum fees established under this section:

43 (1) For an [*examination*] **application** for a journeyman plumber license, \$100.

44 (2) For a journeyman plumber license[, *original and annual*] renewal, \$50 **per year.**

45 (3) For a plumbing contractor license[, *original and annual*] renewal, \$150 **per year.**

- 1 (4) For *[examination]* **an application** for a supervising plumber license, \$50.  
2 (5) For a supervising plumber license<sup>]</sup>, *original and annual* renewal, \$50 **per year**.  
3 (6) For continuing education for renewing a license, \$25.  
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