

A-Engrossed
House Bill 2473

Ordered by the House May 2
Including House Amendments dated May 2

Sponsored by Representative SCHAUFLER

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.

[Requires limited energy contractor to notify Department of Consumer and Business Services of identity of employee designated as signing supervising electrician.]

[Replaces limited maintenance specialty contractor, limited pump installation specialty contractor and restricted energy contractor licenses with limited specialty contractor license. Restricts limited specialty contractor work to load side of final disconnection point.]

Reduces required term of apprenticeship for limited journeyman sign electrician, limited journeyman stage electrician and Class A limited energy technician.

Limits work by limited maintenance electrician to systems that are less than 600 volts phase-to-phase.

Eliminates Class I oil module electrician's license, Class II oil module electrician's license, limited journeyman railroad electrician license and limited journeyman industrial electrician license. Provides that eliminated licenses in effect on effective date of Act expire at end of license term and may not be renewed.

[Makes provisions operative on January 1, 2008.]

[Declares emergency, effective on passage.]

A BILL FOR AN ACT

1
2 Relating to electrical trade licensees; creating new provisions; and amending ORS 479.620, 479.630,
3 479.840 and 479.915.

4 **Be It Enacted by the People of the State of Oregon:**

5 "SECTION 1. ORS 479.620 is amended to read:

6 479.620. Subject to ORS 479.540, a person may not:

7 (1) Without an electrical contractor's license, engage in the business of making electrical in-
8 stallations, advertise as or otherwise purport to be licensed to make electrical installations or pur-
9 port to be acting as a business that makes electrical installations.

10 (2) Except as provided in ORS 479.630 (10)(c) and (11)(f), direct, supervise or control the making
11 of an electrical installation without a supervising electrician's license.

12 (3) Except as provided in subsection (5) of this section, make any electrical installation without
13 a supervising or journeyman electrician's license.

14 (4) Perform work on an electrical installation as an apprentice electrician without an electrical
15 apprentice's license.

16 (5) Make any electrical installation on a single or multifamily dwelling unit not exceeding three
17 floors above grade, as provided in ORS 479.630 (14), without a limited residential electrician's li-
18 cense.

19 (6) Permit or suffer any electrical installation on property which the person owns, controls,
20 manages or supervises to be made by a person not licensed to make such an installation.

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 *[(7) Install, maintain, replace or repair electrical wiring or electrical products on an oil module*
2 *without a Class I oil module electrician's license.]*

3 *[(8) Perform electrical work on an oil module in the capacity of helper or trainee without a Class*
4 *II oil module electrician's license.]*

5 **SECTION 2.** ORS 479.630 is amended to read:

6 479.630. If the person pays the applicable examination and license fees required under ORS
7 479.840 and complies with ORS 479.510 to 479.945 and the rules adopted under ORS 455.117 and
8 479.510 to 479.945, the Department of Consumer and Business Services shall issue:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

43 (b)(A) **Except as provided in subparagraph (B) of this paragraph**, submits proof satisfactory
44 to the board that the person has had at least four years of specialized experience as an apprentice
45 or its equivalent, as determined by the board by rule, in a recognized branch of the electrical

1 trade[.]; or

2 **(B) If applying for licensing as a limited journeyman sign electrician or limited**
3 **journeyman stage electrician, submits proof satisfactory to the board that the person has**
4 **had at least two years of specialized experience as an apprentice or its equivalent, as deter-**
5 **mined by the board by rule, in the sign or stage branch of the electrical trade.**

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

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

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

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

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

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

24 (10) A limited maintenance electrician's license to a person who qualifies under this subsection.
25 A person licensed under this subsection is authorized to maintain, repair and replace electrical in-
26 stallations **on systems that are less than 600 volts phase-to-phase**, including electrical compo-
27 nents, required on the premises of industrial plants, commercial office buildings, buildings occupied
28 by the state or a local government entity or facilities designated by the board. The following apply
29 to this subsection:

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

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

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

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

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

45 (c) A person licensed under this subsection may be employed directly by the owner, or owner's

1 agent, of any government building or commercial office building. A building owner or owner's agent
2 need not be licensed under this section to supervise a limited maintenance electrician.

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

5 (11) A limited building maintenance electrician's license to a person who qualifies under this
6 subsection. The following apply to this subsection:

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

11 (A) Electrical appliances;

12 (B) Light switches;

13 (C) Light fixtures;

14 (D) Fans;

15 (E) Receptacles; and

16 (F) Fluorescent ballasts.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

30 *[(15) A Class I or Class II oil module electrician's license to a person who passes a written ex-
31 amination prepared by the board and administered by the department.]*

32 *[(16)] (15) A limited renewable energy contractor license to a person who:*

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

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

37 *[(17)] (16) A limited renewable energy technician license to a person who qualifies under this
38 subsection. A person qualifies for licensing as a limited renewable energy technician if the person
39 completes a two-year apprenticeship program and passes an examination approved by the board. A
40 person licensed under this subsection may, while in the employ of a licensed electrical contractor
41 or a limited renewable energy contractor:*

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

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

45 (A) On devices using renewable energy involving wind, solar energy systems, micro-

1 hydroelectricity, photovoltaic systems or fuel cells.

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

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

4 **SECTION 3.** ORS 479.840 is amended to read:

5 479.840. (1) Upon receipt of the following fee, the Department of Consumer and Business Ser-
6 vices shall issue or renew a license or permit applied for under ORS 479.510 to 479.945:

7 (a) \$125 for an electrical contractor license for each place of business operated by the applicant.

8 (b) \$125 for a limited energy contractor or limited sign contractor license.

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

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

11 (e) \$100 for a 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)] (E) Limited maintenance industrial electrician;~~

18 ~~[(G)] (F) Limited maintenance manufactured dwelling or recreational vehicle electrician; or~~

19 ~~[(H)] (G) Limited journeyman manufacturing plant electrician.]; or]~~

20 ~~[(I) Limited journeyman railroad electrician.]~~

21 (f) \$50 for a 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)] (D) Limited journeyman stage electrician; or~~

27 ~~[(F)] (E) 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 4.** ORS 479.915 is amended to read:

3 479.915. (1) An applicant for a Class B limited energy technician license must:

4 (a) Submit proof satisfactory to the Electrical and Elevator Board that the person has:

5 (A) At least two years of experience as an apprentice in limited energy electrical activity; or

6 (B) At least two years of experience equivalent to an apprenticeship in limited energy electrical
7 activity and completed a board-approved 32-hour training program; and

8 (b) Pass a written examination approved by the board and administered by the Department of
9 Consumer and Business Services.

10 (2) An applicant for a Class A limited energy technician license must:

11 (a) Submit proof satisfactory to the board that the person has completed at least [*four*] **three**
12 years of experience as an apprentice, or the equivalent as determined by the board by rule, in a
13 recognized branch of the electrical trade; and

14 (b) Pass a written examination prepared by the board and administered by the department.

15 (3) The board shall determine the adequacy of any training program for qualification under the
16 requirements of this section and ORS 479.910 and section 1, chapter 728, Oregon Laws 2001.

17 (4) The department shall issue a Class A limited energy technician license to a person who
18 qualifies under subsection (2) of this section and pays the required fees.

19 **SECTION 5. A Class I or Class II oil module electrician's license, limited journeyman**
20 **railroad electrician license or limited journeyman industrial electrician license that is in ef-**
21 **fect on the effective date of this 2007 Act shall expire at the end of the license term and may**
22 **not be renewed.**