

# House Bill 2473

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 **as introduced**.

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.

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; amending ORS 460.045, 460.047,  
3 479.540, 479.560, 479.570, 479.620, 479.630, 479.840, 479.854, 479.915 and 693.103; repealing ORS  
4 479.945; and declaring an emergency.

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

6 **SECTION 1. Sections 2 and 3 of this 2007 Act are added to and made a part of ORS 479.510**  
7 **to 479.945.**

8 **SECTION 2. A limited energy contractor shall provide written notice to the Department**  
9 **of Consumer and Business Services identifying a person employed as a licensed Class A or**  
10 **B limited energy technician or general journeyman electrician who is designated by the**  
11 **contractor to exercise the duties of signing supervising electrician for the contractor. The**  
12 **limited energy contractor may designate only one employee as signing supervising**  
13 **electrician. An employee may not assume the duties of signing supervising electrician for a**  
14 **limited energy contractor until the contractor provides written notice to the department**  
15 **under this section.**

16 **SECTION 3. (1) A limited specialty contractor, or the employee of a limited specialty**  
17 **contractor, may test, install, alter, maintain, service, replace or repair electrical wiring and**  
18 **electrical products that are within the scope of the contractor's license, including but not**  
19 **limited to:**

20 (a) HVAC systems;

21 (b) Water pumps on residential and agricultural properties; and

22 (c) Existing, built-in or permanently connected appliances, fluorescent ballasts or similar  
23 equipment.

24 (2) The contractor, and employees of the contractor, may perform work only on the load  
25 side of the final point of disconnection from the electrical supply.

26 (3) A limited specialty contractor shall:

**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 (a) Maintain with the Electrical and Elevator Board a current list of all individuals em-  
 2 ployed by the contractor to engage in work permitted under the license of the contractor;

3 (b) Issue an identification card to each individual employed to engage in work under the  
 4 provisions of this section, identifying the contractor, date of issue and contractor’s identifi-  
 5 cation number with the Electrical and Elevator Board and the Construction Contractors  
 6 Board; and

7 (c) Maintain with the Electrical and Elevator Board the current form of identification  
 8 card used by the contractor.

9 (4) The Department of Consumer and Business Services shall adopt rules to identify the  
 10 types of work that may be performed by a limited specialty contractor.

11 **SECTION 4.** ORS 479.540 is amended to read:

12 479.540. (1) Except as otherwise provided in this subsection, a person is not required to obtain  
 13 a license to make an electrical installation on residential or farm property that is owned by the  
 14 person or a member of the person’s immediate family if the property is not intended for sale, ex-  
 15 change, lease or rent. The following apply to the exemption established in this subsection:

16 (a) The exemption established for a person under this subsection does not exempt the work  
 17 performed by the person from having to comply with the requirements for such work under ORS  
 18 chapter 455 or this chapter and rules adopted thereunder.

19 (b) If the property is a building used as a residence and is for rent, lease, sale or exchange, this  
 20 subsection establishes an exemption for work on, alterations to or replacement of parts of electrical  
 21 installations as necessary for maintenance of the existing electrical installations on that property,  
 22 but does not exempt new electrical installations or substantial alterations to existing electrical in-  
 23 stallations on that property. As used in this paragraph, “new electrical installations or substantial  
 24 alterations” does not include the replacement of an existing garbage disposal, dishwasher or electric  
 25 hot water heater with a similar appliance of 30 amps or less, single phase, by a landlord, landlord’s  
 26 agent or the employee of the landlord or landlord’s agent.

27 (2) An electrical contractor license is not required in connection with an electrical installation:

28 (a) Of meters and similar devices for measuring electricity by a person principally engaged in  
 29 the business of generating or selling electricity in connection with the construction or maintenance  
 30 of electrical lines, wires or equipment.

31 (b) Of ignition or lighting systems for motor vehicles.

32 (c) To be made by a person on the person’s property in connection with the person’s business.

33 (d) To be made by a public utility, consumer-owned utility as defined in ORS 757.270, telecom-  
 34 munications carrier as defined in ORS 133.721, competitive telecommunications provider as defined  
 35 in ORS 759.005 or municipality for generation, transmission or distribution of electricity on property  
 36 that the utility, carrier, provider or municipality owns or manages.

37 (3) A person whose sole business is generating or selling electricity in connection with the  
 38 construction or maintenance of electrical lines, wires or equipment, is not required to obtain a li-  
 39 cense to transform, transmit or distribute electricity from its source to the service head of the  
 40 premises to be supplied thereby.

41 (4)(a) A person is not required to obtain a license for the repair or replacement of light fixtures,  
 42 light switches, lighting ballast, electrical outlets or smoke alarms in a building used for housing  
 43 purposes that is owned, leased, managed or operated by a housing authority and the person doing  
 44 the repair or replacement is a member of the housing authority’s regular maintenance staff.

45 (b) A license is not required for:

1 (A) Temporary demonstrations;

2 (B) A street lighting system located on a public street or in a right of way if the system is  
 3 similar to a system provided by a public utility and the installation or maintenance, or both, is  
 4 performed by a qualified employee of a licensed electrical contractor principally engaged in the  
 5 business of installing and maintaining such systems; or

6 (C) An outdoor transmission or distribution system, whether overhead or underground, if the  
 7 system is similar to a system provided by a public utility and the installation or maintenance, or  
 8 both, is performed by a qualified employee of a licensed electrical contractor principally engaged in  
 9 the business of installing and maintaining such systems.

10 (c) For the purposes of this subsection, “qualified employee” means an employee who has regis-  
 11 tered with or graduated from a State of Oregon or federally approved apprenticeship course de-  
 12 signed for the work being performed. The supervising electrician signature required under ORS  
 13 479.560 (1)(b) does not apply to contractors working under this subsection.

14 (5) The provisions of ORS 479.510 to 479.945 and 479.995 do not apply:

15 (a) To electrical products owned by, supplied to or to be supplied to a public utility as defined  
 16 in ORS 757.005, consumer-owned utility as defined in ORS 757.270, telecommunications carrier as  
 17 defined in ORS 133.721 or competitive telecommunications provider as defined in ORS 759.005;

18 (b) To electrical installations made by or for a public utility, consumer-owned utility, telecom-  
 19 munications carrier or competitive telecommunications provider if the electrical installations are  
 20 an integral part of the equipment or electrical products of the utility, carrier or provider; or

21 (c) To any electrical generation plant owned or operated by a municipality to the same extent  
 22 that a utility, telecommunications carrier or competitive telecommunications provider is exempted  
 23 under paragraphs (a) and (b) of this subsection.

24 (6) A permit is not required:

25 (a) For the repair or replacement of light fixtures, light switches, lighting ballast, electrical  
 26 outlets or smoke alarms in a building used for housing purposes that is owned, leased, managed or  
 27 operated by a housing authority; or

28 (b) For the repair, alteration or replacement of existing electrical products or electrical instal-  
 29 lations authorized by ORS 479.560 (3) at an industrial plant, a commercial office building, a building  
 30 that is owned, leased, managed or operated by the state or a local government entity or other fa-  
 31 cilities designated by the Electrical and Elevator Board when the owner, operating manager or  
 32 electrical contractor of the facility meets the provisions of ORS 479.630 (1) and [(2)] (3) and:

33 (A) Obtains a master permit for inspection under ORS 479.560 (3); or

34 (B) Obtains a master individual inspection permit under ORS 479.565.

35 (7) In cases of emergency in industrial plants, a permit is not required in advance for electrical  
 36 installation made by a person licensed as a general supervising electrician, a general journeyman  
 37 electrician or an electrical apprentice under ORS 479.630 if an application accompanied by appro-  
 38 priate fee for a permit is submitted to the Department of Consumer and Business Services within  
 39 five days after the commencement of such electrical work.

40 (8)(a) A license or permit is not required for the installation or assembly of industrial electrical  
 41 equipment by the duly authorized agents of the factory, vendor or owner.

42 (b) The license and permit exemptions of this subsection do not apply to activity in an area  
 43 where industrial electrical equipment is installed in or enters a hazardous location or penetrates  
 44 or enters a fire rated assembly or plenum rated assembly.

45 (c) As used in this subsection:

1 (A) "Duly authorized agents" means individuals trained by the factory or a vendor or by experience and who are knowledgeable in the operation, maintenance, repair and installation of industrial electrical equipment.

2 (B) "Installation or assembly" means the reassembly at a job site of equipment that is wired and assembled at the factory and then disassembled for shipping purposes or of existing equipment that is relocated. "Installation or assembly" does not include work involving field fabricated assemblies or any other electrical product that is not an original part of the industrial electrical equipment. "Installation or assembly" does not include the connection of industrial electrical equipment to a power source.

3 (9) The provisions of ORS 479.510 to 479.945 and 479.995 do not apply to:

4 (a) Electrical installations and repairs involving communication and signal systems of railroad companies.

5 (b) Electrical installations and repairs involving remote and permanent broadcast systems of radio and television stations licensed by the Federal Communications Commission if the systems are not part of the building's permanent wiring.

6 (c) The installing, maintaining, repairing or replacement of telecommunications systems on the provider side of the demarcation point by a telecommunications service provider.

7 (d) The maintaining, repairing or replacement of telecommunications equipment on the customer side of the demarcation point by a telecommunications service provider.

8 (e) Installations, by a telecommunications service provider or an appropriately licensed electrical contractor, of telecommunications systems on the customer side of the demarcation point except:

9 (A) Installations involving more than 10 telecommunications outlets; and

10 (B) Installations of any size that penetrate fire-resistive construction or air handling systems or that pass through hazardous locations.

11 (f) Notwithstanding paragraph (e) of this subsection, installation of telecommunications systems on the customer side of the demarcation point in:

12 (A) One and two family dwellings; and

13 (B) Multifamily dwellings having not more than four dwelling units if the installation is by a telecommunications service provider.

14 (g) Notwithstanding paragraph (e) of this subsection, installation or replacement of cord or plug connected telecommunications equipment on the customer side of the demarcation point.

15 (h) Notwithstanding paragraph (e) of this subsection, installation of patch cord and jumper cross-connected equipment on the customer side of the demarcation point.

16 (10)(a) The board may grant partial or complete exemptions by rule for any electrical product from any of the provisions of ORS 455.610 to 455.630 or 479.510 to 479.945 and 479.995 if the board determines that the electrical product does not present a danger to the health and safety of the people of this state.

17 (b) If the board grants an exemption pursuant to subsection (1) of this section, the board may determine that the product may be installed by a person not licensed under ORS 479.510 to 479.945.

18 (11) ORS 479.760 does not apply to products described in this subsection that comply with the electrical product safety standards established by concurrence of the board and the Director of the Department of Consumer and Business Services as described under ORS 479.730. This subsection does not exempt any products used in locations determined to be hazardous in the electrical code of this state. The following apply to this subsection:

1 (a) Except as provided in paragraph (b) of this subsection, the exemption under this subsection  
 2 applies to:

3 (A) The rotating equipment portion of power generation equipment.

4 (B) Testing equipment used in a laboratory or hospital.

5 (C) Commercial electrical air conditioning equipment.

6 (D) Prefabricated work performed by an electrical contractor with licensed electrical personnel  
 7 in the contractor's place of business for assembly on the job site if the work is composed of parts  
 8 that meet the electrical product safety standards established by concurrence of the board and the  
 9 director.

10 (b) Notwithstanding paragraph (a) of this subsection, the board may require any of the products  
 11 described in paragraph (a) of this subsection to be subject to the certification requirements under  
 12 ORS 479.760 if the board determines that the product or class of products has presented a fire or  
 13 life safety hazard in use. A determination under this paragraph shall be effective as to any such  
 14 product or class of products installed after the date of the determination becomes final. The board  
 15 may reinstate any exemption removed under this paragraph if the board determines that the reasons  
 16 for the removal of the exemption have been corrected.

17 (12)(a) ORS 479.610 does not apply to installations of industrial electrical equipment unless the  
 18 board determines that the product or class of products may present a fire or life safety hazard.

19 (b) The board may reinstate an exemption removed under this subsection if the product qualifies  
 20 for reinstatement under:

21 (A) An equipment safety program approved by the board;

22 (B) Equipment minimum safety standards established by concurrence of the board and the di-  
 23 rector;

24 (C) An evaluation by an approved field evaluation firm;

25 (D) A listing from a nationally recognized testing laboratory;

26 (E) An evaluation of a first model of a product by the board; or

27 (F) Any other method approved by the board.

28 (13) ORS 479.760 does not apply to electrical equipment that has been installed and in use for  
 29 one year or more.

30 (14) A person who holds a limited [*maintenance specialty contractor license or a limited pump in-*  
 31 *stallation specialty contractor license issued under ORS 479.510 to 479.945*] **specialty contractor li-**  
 32 **cence**, or a person who is [*the employee of such license holder and who is*] **employed by a limited**  
 33 **specialty contractor and** listed with the board as an employee, is not required to have a  
 34 journeyman license or supervising electrician's license to perform work authorized under the [*per-*  
 35 *son's*] **limited specialty contractor** license.

36 (15) A person is not required to obtain a permit for work on, alterations to or replacement of  
 37 parts of electrical installations as necessary for maintenance of existing electrical installations on  
 38 residential property owned by the person or by a member of the person's immediate family. This  
 39 subsection does not establish an exemption for new electrical installations or substantial alterations  
 40 to existing electrical installations.

41 (16) A permit is not required for those minor electrical installations for which the board has  
 42 authorized an installation label.

43 (17) A residential home, as defined in ORS 443.580, and an adult foster home, as defined in ORS  
 44 443.705, is not a multifamily dwelling and only electrical installation standards and safety require-  
 45 ments applicable to single family dwellings apply to such homes.

1 (18) The permit requirements of ORS 479.550 and the license requirements of ORS 479.620 do  
2 not apply to cable television installations.

3 (19) The provisions of any electrical products code or rule adopted pursuant to ORS 479.510 to  
4 479.945 and 479.995 apply to cable and such products installed as part of a cable television instal-  
5 lation.

6 (20) A person is not required to obtain a license to make an electrical installation in a prefab-  
7 ricated structure, as defined in ORS 455.010, that is designed for residential use and intended for  
8 delivery in another state.

9 (21) As used in this section, "smoke alarm" has the meaning given that term under ORS 479.250.

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

11 479.630. If the person pays the applicable examination and license fees required under ORS  
12 479.840 and complies with ORS 479.510 to 479.945 and the rules adopted under ORS 455.117 and  
13 479.510 to 479.945, the Department of Consumer and Business Services shall issue:

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

16 **(2) A limited specialty contractor license to a person who submits proof satisfactory to**  
17 **the Electrical and Elevator Board that the person has sufficient experience in the type of**  
18 **work authorized by department rule to be performed under the license.**

19 [(2)] (3) A general supervising electrician's license to a person who:

20 (a) Passes a written examination prepared by the [*Electrical and Elevator*] board and adminis-  
21 tered by the department; and

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

25 [(3)] (4) A limited supervising electrician's license to a person who qualifies under this sub-  
26 section. A person licensed under this subsection is authorized to supervise the class of electrical  
27 work included in the branch of the electrical trade and for which the person has passed the exam-  
28 ination administered by the department. A person qualifies under this subsection if the person:

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

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

32 [(4)] (5) A general journeyman electrician's license to a person who:

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

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

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

39 (B) If the person is licensed as a limited residential electrician under subsection [(14)] (13) of  
40 this section, subsequent to receiving that license, the person has worked for at least two years as  
41 a limited residential electrician and subsequent to those two years has completed an additional two  
42 years' experience as an apprentice or its equivalent, as determined by the board by rule, for that  
43 period of apprenticeship time worked exclusively in installing, maintaining and repairing electrical  
44 wires and equipment in the commercial and industrial branches of the electrical trade under the  
45 supervision of a licensed electrical contractor.

1        [(5)] (6) A limited journeyman electrician’s license to a person who qualifies under this sub-  
 2 section. A person licensed under this subsection is authorized to perform the class of electrical work  
 3 included in the branch of the electrical trade for which the person has passed the examination ad-  
 4 ministered by the department. A person qualifies under this subsection if the person:

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

6        (b)(A) **Except as provided in subparagraph (B) of this paragraph**, submits proof satisfactory  
 7 to the board that the person has had at least four years of specialized experience as an apprentice  
 8 or its equivalent, as determined by the board by rule, in a recognized branch of the electrical  
 9 trade[.]; or

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

14        [(6)] (7) A limited elevator journeyman license to a person who qualifies under this subsection.  
 15 A person licensed under this subsection is authorized to install, maintain and repair elevators, in-  
 16 cluding all electrical and mechanical systems. A person qualifies under this subsection if the person  
 17 has completed an elevator apprenticeship program, including both electrical and mechanical training  
 18 components, approved by the board by rule and the person submits an application for licensure to  
 19 the board in writing. A person issued a license under this subsection is exempt from continuing ed-  
 20 ucation requirements established under ORS 455.117 and 479.680.

21        [(7)] (8) An electrical apprentice’s license to a person who has complied with ORS 660.002 to  
 22 660.210 as an electrical apprentice.

23        [(8)] (9) An electrical apprentice’s license to a trainee toward a limited residential electrician’s  
 24 license who has complied with ORS 660.002 to 660.210 as an electrical apprentice.

25        [(9)] (10) An electrical apprentice’s license to a trainee toward a limited journeyman’s license  
 26 in a recognized branch of the electrical trade who is employed by an employer who also:

27        (a) Employs a holder of either a general journeyman electrician’s license or a limited  
 28 journeyman electrician’s license; and

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

32        [(10)] (11) A limited maintenance electrician’s license to a person who qualifies under this sub-  
 33 section. A person licensed under this subsection is authorized to maintain, repair and replace elec-  
 34 trical installations **on systems that are less than 600 volts phase-to-phase**, including electrical  
 35 components, required on the premises of industrial plants, commercial office buildings, buildings  
 36 occupied by the state or a local government entity or facilities designated by the board. The fol-  
 37 lowing apply to this subsection:

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

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

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

45        (ii) Submits proof satisfactory to the board that the person has had sufficient experience and

1 related educational training in the repair, replacement and maintenance of electrical wiring and  
 2 equipment of the type and nature used in an industrial plant, commercial office building or govern-  
 3 ment building, as determined by the board or by an appropriate local apprenticeship committee re-  
 4 cognized by the State Apprenticeship and Training Council.

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

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

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

13 [(11)] (12) A limited building maintenance electrician's license to a person who qualifies under  
 14 this subsection. The following apply to this subsection:

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

- 19 (A) Electrical appliances;
- 20 (B) Light switches;
- 21 (C) Light fixtures;
- 22 (D) Fans;
- 23 (E) Receptacles; and
- 24 (F) Fluorescent ballasts.

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

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

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

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

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

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

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

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

44 (f) A person licensed under this subsection may be employed by the owner of a commercial office  
 45 building or the owner's agent. A building owner or owner's agent need not be licensed under this



1 section to supervise a limited building maintenance electrician.

2 [(12) A limited maintenance specialty contractor license to a person who qualifies under this sub-  
3 section. A person licensed under this subsection is authorized to engage in the electrical work related  
4 to the repair, service, maintenance, installation or replacement of existing, built-in or permanently con-  
5 nected appliances, fluorescent ballasts or similar equipment and to employ individuals to engage in that  
6 work. This subsection does not authorize the installation of appliances, ballasts or other equipment if  
7 there is no existing installation of similar equipment. A person qualifies under this subsection if the  
8 person submits:]

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

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

13 [(13) A limited pump installation specialty contractor license to a person who qualifies under this  
14 subsection. A person licensed under this subsection is authorized to engage in electrical work related  
15 to the testing, repair, service, maintenance, installation or replacement of new or existing pump equip-  
16 ment for potable or irrigation water systems, sump pumps, effluent pumps and ground water pumps on  
17 residential and agricultural property, to employ individuals to engage in such work. A person qualifies  
18 under this subsection if the person:]

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

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

23 [(14)] **(13)** A limited residential electrician's license to a person who qualifies under this sub-  
24 section. A person licensed under this subsection is authorized to perform the class of electrical work  
25 included in the branch of the electrical trade for which the person has passed the examination ad-  
26 ministered by the department and approved by the board. However, a person licensed under this  
27 subsection shall perform the electrical work allowed by the license only on single and multifamily  
28 dwelling units not exceeding three floors above grade. For purposes of this subsection, the first floor  
29 of a building is the floor that is designed for human habitation and that has 50 percent or more of  
30 its perimeter level with or above finished grade of the exterior wall line. A person qualifies under  
31 this subsection if the person:

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

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

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

38 [(15)] **(14)** A Class I or Class II oil module electrician's license to a person who passes a written  
39 examination prepared by the board and administered by the department.

40 [(16)] **(15)** A limited renewable energy contractor license to a person who:

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

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

45 [(17)] **(16)** A limited renewable energy technician license to a person who qualifies under this

1 subsection. A person qualifies for licensing as a limited renewable energy technician if the person  
 2 completes a two-year apprenticeship program and passes an examination approved by the board. A  
 3 person licensed under this subsection may, while in the employ of a licensed electrical contractor  
 4 or a limited renewable energy contractor:

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

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

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

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

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

12 **SECTION 6.** ORS 479.840 is amended to read:

13 479.840. (1) Upon receipt of the following fee, the Department of Consumer and Business Ser-  
 14 vices shall issue or renew a license or permit applied for under ORS 479.510 to 479.945:

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

16 (b) \$125 for a **limited specialty contractor**, limited energy contractor or limited sign contrac-  
 17 tor license.

18 *[(c) \$25 for a pump specialty contractor or limited maintenance specialty contractor license.]*

19 *[(d)] (c)* \$150 for an elevator contractor license.

20 *[(e)] (d)* \$100 for a license for a:

21 (A) General journeyman electrician;

22 (B) General supervising electrician;

23 (C) Limited supervising industrial electrician;

24 (D) Limited supervising manufacturing plant electrician;

25 (E) Limited journeyman industrial electrician;

26 (F) Limited maintenance industrial electrician;

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

28 (H) Limited journeyman manufacturing plant electrician; or

29 (I) Limited journeyman railroad electrician.

30 *[(f)] (e)* \$50 for a license for a:

31 (A) Limited elevator journeyman;

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

33 (C) Limited journeyman sign electrician;

34 (D) Limited journeyman sign service electrician;

35 (E) Limited journeyman stage electrician; or

36 (F) Limited building maintenance electrician.

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

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

40 (3) The fees provided for in this section do not apply to persons paying inspection fees under the  
 41 terms of ORS 479.560 (3) or 479.630 *[(10)] (11)*.

42 (4) Each electrical contractor may furnish to the department a corporate surety bond to be ap-  
 43 proved by the department, an irrevocable letter of credit issued by an insured institution as defined  
 44 in ORS 706.008 or a cash bond under procedures approved by the department, in the sum of \$2,000  
 45 guaranteeing the payment of all fees provided for under ORS 479.510 to 479.945. Before commencing

1 any electrical job an electrical contractor who has a current bond or letter of credit under this  
 2 subsection may apply to the department for a working permit which shall cost an amount established  
 3 by the department by rule. The working permit shall authorize the electrical contractor to com-  
 4 mence work. The total of all fees due for permits for each job, and the time such fees are payable,  
 5 shall be determined by the department by administrative rule under ORS 479.730. The contractor  
 6 shall keep the bond or letter of credit in force at all times. Any cancellation or revocation of the  
 7 bond or letter of credit shall revoke and suspend the license issued to the principal until such time  
 8 as a new bond or letter of credit shall be filed and approved. The department may bring an action  
 9 against the surety named in the bond or the letter of credit issuer with or without joining in such  
 10 action the principal named in the bond or letter of credit.

11 **SECTION 7.** ORS 479.915 is amended to read:

12 479.915. (1) An applicant for a Class B limited energy technician license must:

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

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

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

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

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

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

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

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

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

28 **SECTION 8.** ORS 460.045 is amended to read:

29 460.045. A person may not:

30 (1) Engage in the business of installation, alteration, repair or maintenance of an elevator  
 31 without an elevator contractor license issued under ORS 460.005 to 460.175 or 479.510 to 479.945.

32 (2) Install, alter, repair or maintain an elevator unless the person possesses a valid license is-  
 33 sued under ORS 460.059 or 479.630 [*(6)*] **(7)**.

34 (3) Install, alter, or commence to install or alter, an elevator covered by ORS 460.005 to 460.175  
 35 unless the Department of Consumer and Business Services has approved the plans and pertinent  
 36 data for the installation or alteration.

37 (4) Permit or suffer an elevator to be operated, without a current operating permit, on property  
 38 that the person owns, controls, manages or supervises.

39 (5) Act or offer to act as a certified elevator inspector unless the person has a current certif-  
 40 icate of competency as an elevator inspector issued by the department.

41 (6) Place in service a new or altered elevator without a current operating permit issued after  
 42 a satisfactory acceptance inspection made by the department and satisfactory acceptance tests per-  
 43 formed in the presence of a member of the department's staff of elevator inspectors.

44 (7) Place in service an elevator that has caused an injury to a person or persons unless per-  
 45 mission has been obtained from the department.

**SECTION 9.** ORS 460.047 is amended to read:

460.047. Notwithstanding ORS 460.045 (2), the following persons may conduct electrical and mechanical repairs on an elevator located in an industrial plant:

- (1) A limited supervising electrician licensed under ORS 479.630 [(3)] (4).
- (2) A limited journeyman electrician licensed under ORS 479.630 [(5)] (6).

**SECTION 10.** ORS 479.620 is amended to read:

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

(1) Without an electrical contractor’s license, engage in the business of making electrical installations, advertise as or otherwise purport to be licensed to make electrical installations or purport to be acting as a business that makes electrical installations.

(2) Except as provided in ORS 479.630 [(10)(c)] (11)(e) and [(11)(f)] (12)(f), direct, supervise or control the making of an electrical installation without a supervising electrician’s license.

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

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

(5) Make any electrical installation on a single or multifamily dwelling unit not exceeding three floors above grade, as provided in ORS 479.630 [(14)] (13), without a limited residential electrician’s license.

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

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

(8) Perform electrical work on an oil module in the capacity of helper or trainee without a Class II oil module electrician’s license.

**SECTION 11.** ORS 479.560 is amended to read:

479.560. (1) The Department of Consumer and Business Services or a designated agent shall issue a permit to:

(a) Any applicant who has complied with ORS 479.510 to 479.945 and the rules issued thereunder, covering an electrical installation to be made on residential or farm property owned by the applicant or a member of the applicant’s immediate family as allowed under ORS 479.540 (1).

(b) A licensed electrical contractor or an agent the contractor has designated to the department or the department’s designated agent in a record signed by the electrical contractor. The department or department’s designated agent shall only issue a permit under this subsection if the application for the permit is accompanied by a signed statement that the electrical contractor’s general supervising electrician of record will sign the permit before an inspection of the electrical work is requested. A contractor or the contractor’s general supervisor will promptly request an inspection of electrical work performed under a permit issued under this subsection. A permit issued under this subsection shall state the name of the electrical contractor.

(2) A permit issued to an electrical contractor upon the request of the contractor’s supervising electrician is void upon the end of the employment of such supervising electrician before completion of the electrical installation.

(3) Except for the installation or alteration of an electrical service, the owner, operating manager or electrical contractor of an industrial plant who meets the provisions of ORS 479.630 (1) and [(2)] (3), a commercial office building, a building that is owned, leased, managed or operated by the

1 state or a local government entity or other facilities designated by the Electrical and Elevator  
 2 Board, in lieu of the required inspection permit, may apply to the department or municipality pro-  
 3 viding inspection service for a master electrical inspection permit. Under the permit the authority  
 4 having jurisdiction shall cause a periodic inspection to be made of the electrical installations. The  
 5 authority may also cause a cover inspection, which shall be made before electrical installations are  
 6 covered. The periodic inspection under the permit shall be done at least once a year or more fre-  
 7 quently based on the needs of the particular plant, building or facility. The department shall adopt  
 8 rules in accordance with ORS chapter 183 for:

- 9 (a) The annual issuance of the master electrical inspection permit;
- 10 (b) The conduct of the inspections on the electrical installations and electrical products;
- 11 (c) The granting of a waiver of payment of permit fees other than for the master electrical in-  
 12 spection permit; and
- 13 (d) The fixing and collecting of inspection fees at the cost of making the inspection according  
 14 to the time required of the inspector.

15 **SECTION 12.** ORS 479.570 is amended to read:

16 479.570. (1) Except as provided in subsection (2) of this section, a person who sells electricity  
 17 shall not energize an electrical installation unless the installation is first approved by an inspector  
 18 authorized to perform inspections under ORS 479.510 to 479.945.

19 (2) Subsection (1) of this section does not apply to:

- 20 (a) An installation for which a written request to energize has been made by a licensed super-  
 21 vising electrician qualified pursuant to ORS 479.630 [(2)] (3) and to which the appropriate electrical  
 22 permit has been attached;
- 23 (b) A temporary installation of less than 480 volts made to provide service to a construction site  
 24 or irrigation pump if the installation is properly grounded and the appropriate electrical permit is  
 25 attached thereto;
- 26 (c) An installation within a plant or system of a person who sells electricity. As used in this  
 27 paragraph, “person who sells electricity” does not include small power production facilities as de-  
 28 fined in ORS 758.500 (1981 Replacement Part); or
- 29 (d) A minor electrical installation for which a valid installation label has been issued.

30 (3) Electrical installations energized without inspection pursuant to subsection (2)(a) and (b) of  
 31 this section must receive final inspection as required by ORS 479.510 to 479.945.

32 **SECTION 13.** ORS 479.854 is amended to read:

33 479.854. (1) A municipality may enact and enforce an ordinance requiring a municipal general  
 34 supervising electrician’s license upon the approval of the Electrical and Elevator Board and the  
 35 Director of the Department of Consumer and Business Services.

36 (2) The *[Electrical and Elevator]* board and **the** director may approve an ordinance under sub-  
 37 section (1) of this section only if electrical installations within the municipality’s jurisdiction are  
 38 of a unique character beyond the education or experience of a general supervising electrician li-  
 39 censed under ORS 479.630 [(2)] (3), and the ordinance applies only to such installations.

40 (3) The director, after obtaining the opinion of the board, shall revoke approval of an ordinance  
 41 upon a finding that in issuing its general supervising electrician’s license, a municipality has en-  
 42 gaged in a pattern or practice of discrimination against electricians from outside the municipality.

43 **SECTION 14.** ORS 693.103 is amended to read:

44 693.103. (1) The State Plumbing Board, by rule, may license limited specialty plumbers who:

- 45 (a) Demonstrate to the satisfaction of the board competency in the laws, rules, ordinances and

1 practices relating to a plumbing specialty; and

2 (b) Pay the applicable fee established by the board under ORS 693.135.

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

5 (3)(a) The board shall establish a limited specialty plumber license for persons licensed under  
6 ORS 479.630 [(12)] (2) to install and replace residential water heaters in existing plumbing designed  
7 for that purpose if the installation or replacement does not require an alteration of the existing  
8 plumbing.

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

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

13 **SECTION 15. A person who immediately prior to the effective date of this 2007 Act holds**  
14 **a valid limited maintenance specialty contractor license or a limited pump installation spe-**  
15 **cialty contractor license issued under ORS 479.630, or a restricted energy contractor's li-**  
16 **cence issued under ORS 479.945, is a licensed limited specialty contractor for purposes of**  
17 **ORS 479.630 and 479.840. Notwithstanding section 3 of this 2007 Act, the amendments to ORS**  
18 **479.630 by section 5 of this 2007 Act and the repeal of ORS 479.945 by section 16 of this 2007**  
19 **Act, the license of a limited maintenance specialty contractor, limited pump installation**  
20 **specialty contractor or restricted energy contractor continues to be valid for the purpose**  
21 **of performing work under the license as described in the 2005 Edition of Oregon Revised**  
22 **Statutes until the Department of Consumer and Business Services adopts rules describing**  
23 **the work that a limited specialty contractor may perform and makes limited specialty con-**  
24 **tractor licenses available to licensees who are limited maintenance specialty contractors,**  
25 **limited pump installation specialty contractors or restricted energy contractors.**

26 **SECTION 16. ORS 479.945 is repealed.**

27 **SECTION 17. Sections 2 and 3 of this 2007 Act, the amendments to ORS 460.045, 460.047,**  
28 **479.540, 479.560, 479.570, 479.620, 479.630, 479.840, 479.854, 479.915 and 693.103 by sections 4 to**  
29 **14 of this 2007 Act and the repeal of ORS 479.945 by section 16 of this 2007 Act become op-**  
30 **erative on January 1, 2008. However, the Department of Consumer and Business Services**  
31 **may take any reasonable actions prior to January 1, 2008, to facilitate the implementation**  
32 **of section 3 of this 2007 Act on or after January 1, 2008, including but not limited to, the**  
33 **adoption of rules defining the scope of work for limited specialty contractors.**

34 **SECTION 18. This 2007 Act being necessary for the immediate preservation of the public**  
35 **peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect**  
36 **on its passage.**

37