

# Senate Bill 711

Sponsored by Senator BOQUIST (at the request of Karl Garner)

## 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**.

Eliminates license requirement for performing certain work involving lighting, electrical outlets and smoke alarms. Changes requirements for obtaining Class B limited energy technician license.

## A BILL FOR AN ACT

1  
2 Relating to Electrical and Elevator Board licensing; creating new provisions; and amending ORS  
3 479.540 and 479.915.

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

5 **SECTION 1.** ORS 479.540 is amended to read:

6 479.540. (1) Except as otherwise provided in this subsection, a person is not required to obtain  
7 a license to make an electrical installation on residential or farm property that is owned by the  
8 person or a member of the person's immediate family if the property is not intended for sale, ex-  
9 change, lease or rent. The following apply to the exemption established in this subsection:

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

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

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

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

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

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

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

31 (3) A person whose sole business is generating or selling electricity in connection with the

**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 construction or maintenance of electrical lines, wires or equipment, is not required to obtain a li-  
2 cense to transform, transmit or distribute electricity from its source to the service head of the  
3 premises to be supplied thereby.

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

8 (b) A license is not required for:

9 (A) Temporary demonstrations;

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

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

18 (c) For the purposes of this subsection, "qualified employee" means an employee who has regis-  
19 tered with or graduated from a State of Oregon or federally approved apprenticeship course de-  
20 signed for the work being performed. The supervising electrician signature required under ORS  
21 479.560 (1)(b) does not apply to contractors working under this subsection.

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

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

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

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

32 (6) A permit is not required:

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

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

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

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

43 (7) In cases of emergency in industrial plants, a permit is not required in advance for electrical  
44 installation made by a person licensed as a general supervising electrician, a general journeyman  
45 electrician or an electrical apprentice under ORS 479.630 if an application accompanied by appro-

1 puate fee for a permit is submitted to the Department of Consumer and Business Services within  
2 five days after the commencement of such electrical work.

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

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

8 (c) As used in this subsection:

9 (A) "Duly authorized agents" means individuals trained by the factory or a vendor or by expe-  
10 rience and who are knowledgeable in the operation, maintenance, repair and installation of indus-  
11 trial electrical equipment.

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

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

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

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

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

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

28 (e) Installations, by a telecommunications service provider or an appropriately licensed elec-  
29 trical contractor, of telecommunications systems on the customer side of the demarcation point ex-  
30 cept:

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

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

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

36 (A) One and two family dwellings; and

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

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

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

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

1 people of this state.

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

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

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

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

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

13 (C) Commercial electrical air conditioning equipment.

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

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

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

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

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

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

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

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

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

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

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

38 (14) A person who holds a limited maintenance specialty contractor license or a limited pump  
39 installation specialty contractor license issued under ORS 479.510 to 479.945 or a person who is the  
40 employee of such license holder and who is listed with the board as an employee is not required to  
41 have a journeyman license or supervising electrician's license to perform work authorized under the  
42 person's license.

43 (15) A person is not required to obtain a permit for work on, alterations to or replacement of  
44 parts of electrical installations as necessary for maintenance of existing electrical installations on  
45 residential property owned by the person or by a member of the person's immediate family. This

1 subsection does not establish an exemption for new electrical installations or substantial alterations  
 2 to existing electrical installations.

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

5 (17) A residential home, as defined in ORS 443.580, and an adult foster home, as defined in ORS  
 6 443.705, is not a multifamily dwelling and only electrical installation standards and safety require-  
 7 ments applicable to single family dwellings apply to such homes.

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

10 (19) The provisions of any electrical products code or rule adopted pursuant to ORS 479.510 to  
 11 479.945 and 479.995 apply to cable and such products installed as part of a cable television instal-  
 12 lation.

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

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

17 **SECTION 2.** ORS 479.915 is amended to read:

18 479.915. (1) An applicant for a Class B limited energy technician license must:

19 *[(a) Submit proof satisfactory to the Electrical and Elevator Board that the person has:]*

20 *[(A) At least two years of experience as an apprentice in limited energy electrical activity; or]*

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

23 **(a) Submit proof satisfactory to the Electrical and Elevator Board that the person has**  
 24 **successfully completed a board-approved 32-hour training program; and**

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

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

28 (a) Submit proof satisfactory to the board that the person has completed at least three years of  
 29 experience as an apprentice, or the equivalent as determined by the board by rule, in a recognized  
 30 branch of the electrical trade; and

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

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

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

36 **SECTION 3. The amendments to ORS 479.915 by section 2 of this 2013 Act apply to ap-**  
 37 **plications received by the Electrical and Elevator Board on or after the effective date of this**  
 38 **2013 Act.**