

D R A F T

SUMMARY

Eliminates electrician license category authorizing licensee to repair and maintain electrical wiring and equipment in manufactured structure.

Eliminates license requirement for making electrical installations or repairs on recreational vehicle as defined in Electrical and Elevator Board rule.

Eliminates license requirement for making plumbing installations or repairs on recreational vehicles as defined in State Plumbing Board rule.

A BILL FOR AN ACT

Relating to manufactured structures; creating new provisions; amending ORS 446.423, 447.060, 455.117, 455.129, 455.230, 479.540, 479.840, 693.020 and 705.145; and repealing ORS 446.210.

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

ELIMINATION OF ELECTRICIAN LICENSE CATEGORY

SECTION 1. ORS 446.210 is repealed.

SECTION 2. ORS 446.423 is amended to read:

446.423. Except as otherwise provided in ORS 455.220 (1), all moneys deposited to the Consumer and Business Services Fund that are derived pursuant to ORS 446.003 to 446.200, [446.210,] 446.225 to 446.285, 446.395 to 446.420, 446.566 to 446.646, 446.661 to 446.756 and 455.220 (1) are continuously appropriated to the Department of Consumer and Business Services for carrying out any of the duties, functions and powers of the department under ORS 446.003 to 446.200, [446.210,] 446.225 to 446.285, 446.395 to 446.420, 446.566 to 446.646 and 446.661 to 446.756, and rules adopted thereunder.

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 **SECTION 3.** ORS 455.117 is amended to read:

2 455.117. (1) Except as provided in subsection (3) of this section, a regula-
3 tory body listed in subsection (2) of this section may adopt rules to admin-
4 ister the licensing, certification or registration of persons regulated by the
5 body. The rules adopted under this section may include, but need not be
6 limited to:

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

9 (b) Training and continuing education requirements to maintain a license,
10 certificate or registration;

11 (c) The form and content of and the process for preparing and adminis-
12 tering examinations and examination reviews;

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

14 (e) The creation of a system for combining two or more licenses, certif-
15 icates or registrations issued to an individual by an advisory board or the
16 Department of Consumer and Business Services into a single license, certif-
17 icate, registration or other authorization.

18 (2) Subsection (1) of this section applies to the following:

19 (a) Subject to ORS 446.003 to 446.200, 446.225 to 446.285 and 446.395 to
20 446.420, with the approval of the Residential and Manufactured Structures
21 Board, the Department of Consumer and Business Services for purposes of
22 licenses, certificates and registrations issued under ORS 446.003 to 446.200,
23 446.225 to 446.285 and 446.395 to 446.420.

24 (b) Subject to ORS 447.010 to 447.156 and ORS chapter 693, the State
25 Plumbing Board for purposes of licenses issued under ORS 447.010 to 447.156
26 and ORS chapter 693.

27 (c) Subject to ORS 460.005 to 460.175, after consultation with the Elec-
28 trical and Elevator Board, the department for purposes of licenses issued
29 under ORS 460.005 to 460.175.

30 (d) Subject to ORS 479.510 to 479.945, the Electrical and Elevator Board
31 for purposes of licenses issued under ORS [446.210 or] 479.510 to 479.945.

1 (e) Subject to ORS 480.510 to 480.670, the Board of Boiler Rules for pur-
2 poses of licenses issued under ORS 480.510 to 480.670.

3 (3) This section does not authorize the adoption of rules regulating:

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

5 (b) Persons engaged in the manufacture, conversion or repair of prefabri-
6 cated structures, prefabricated components or recreational vehicles; or

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

8 **SECTION 4.** ORS 455.129 is amended to read:

9 455.129. (1) As used in this section, “relative” means an individual related
10 within the third degree as determined by the common law, a spouse, an in-
11 dividual related to a spouse within the third degree as determined by the
12 common law or an individual in an adoptive relationship within the third
13 degree as determined by the common law.

14 (2) Subject to ORS chapter 183, a regulatory body listed in subsection (3)
15 of this section may deny a license, certificate, registration or application or
16 may suspend, revoke, condition or refuse to renew a license, certificate or
17 registration if the regulatory body finds that the licensee, certificate holder,
18 registrant or applicant:

19 (a) Has failed to comply with the laws administered by the regulatory
20 body or with the rules adopted by the regulatory body.

21 (b) Has failed to comply with an order of the regulatory body or the Di-
22 rector of the Department of Consumer and Business Services, including but
23 not limited to the failure to pay a civil penalty.

24 (c) Has filed an application for a license, certificate or registration that,
25 as of the date the license, certificate or registration was issued or the date
26 of an order denying the application, was incomplete in any material respect
27 or contained a statement that, in light of the circumstances under which it
28 was made, was incorrect or misleading in any respect.

29 (d) Has performed work without appropriate licensing, certification or
30 registration or has employed individuals to perform work without appropri-
31 ate licensing, certification or registration.

1 (e) Has advertised or otherwise held out as being a licensed, certified or
2 registered specialty code contractor without holding the appropriate spe-
3 cialty code contractor license, certificate or registration.

4 (f) As a partner, officer, member or employee of a business, has advertised
5 or held out that the business is a licensed, certified or registered specialty
6 code contractor if the business does not possess the appropriate specialty
7 code contractor license, certificate or registration.

8 (g) Has engaged in business as a specialty code contractor without hold-
9 ing a valid specialty code contractor license, certificate or registration re-
10 quired for the business.

11 (h) Has failed to meet any condition or requirement to obtain or maintain
12 a license, certificate or registration.

13 (i) Has acted in a manner creating a serious danger to the public health
14 or safety.

15 (j) Has performed work or operated equipment within the scope of a spe-
16 cialty code license, certificate or registration in a manner that violates an
17 applicable minimum safety standard or a statute or rule regarding safety.

18 (k) Has been subject to a revocation, cancellation or suspension order or
19 to other disciplinary action by the Construction Contractors Board or has
20 failed to pay a civil penalty imposed by the board.

21 (L) Has been subject to a revocation, cancellation or suspension order or
22 to other disciplinary action by another state in regard to construction stan-
23 dards, permit requirements or construction-related licensing violations or has
24 failed to pay a civil penalty imposed by the other state in regard to con-
25 struction standards, permit requirements or construction-related licensing
26 violations.

27 (m) Has, while performing work that requires or that is related to work
28 that requires a valid license or certificate under ORS 446.003 to 446.200,
29 446.225 to 446.285, 446.395 to 446.420, 479.510 to 479.945, 479.950 or 480.510 to
30 480.670 or this chapter or ORS chapter 447, 460 or 693, violated any statute
31 or rule related to the state building code.

1 (n) Has performed a code inspection or plan review on a project to con-
2 struct, alter, repair or make an installation in a structure if the inspector
3 or reviewer, or an employer or relative of the inspector or reviewer, has a
4 financial interest in or business affiliation with the project or structure.

5 (o) Is a business, the owner or an officer of which has an outstanding
6 obligation to pay a civil penalty assessed under ORS 455.895 or has been the
7 subject of action against the license, certificate or registration by the De-
8 partment of Consumer and Business Services, the director or an appropriate
9 advisory board.

10 (p) Is a business, owner or officer of a reorganized business entity as de-
11 fined in ORS 657.682, if an owner, officer, shareholder or partner of the re-
12 organized business entity, or a member if the reorganized business entity is
13 a member-managed limited liability company, has been subject to a revoca-
14 tion or suspension order or to a condition or civil penalty under ORS 446.003
15 to 446.200, 446.225 to 446.285, 446.395 to 446.420, 479.510 to 479.945, 479.950
16 or 480.510 to 480.670 or this chapter or ORS chapter 447, 460, 693 or 701, or
17 by another state in regard to construction standards, permit requirements
18 or construction-related licensing violations.

19 (q) Is ordered to pay damages under a judgment or arbitration award that
20 relates to construction and that has become final by operation of law or on
21 appeal.

22 (r) Is a business, the owner or an officer of which was an owner or officer
23 in another business at the time:

24 (A) The other business was assessed a civil penalty under ORS 455.895
25 that remains unpaid; or

26 (B) An act or failure to act by any owner or officer of the other business
27 resulted in action being taken against the license, certificate or registration
28 of the other business by the department, the director or any advisory board.

29 (3) Subsection (2) of this section applies to:

30 (a) The State Plumbing Board for purposes of licenses issued under ORS
31 447.010 to 447.156 or ORS chapter 693.

1 (b) The Electrical and Elevator Board for purposes of licenses issued un-
2 der ORS [446.210 or] 479.510 to 479.945.

3 (c) The Board of Boiler Rules for purposes of licenses issued under ORS
4 480.510 to 480.670.

5 (d) The department for purposes of licenses issued under this chapter.

6 (e) The department, subject to Electrical and Elevator Board approval, for
7 purposes of licenses issued under ORS 460.005 to 460.175.

8 (f) The department, subject to Residential and Manufactured Structures
9 Board approval, for purposes of licenses, certificates and registrations issued
10 under ORS 446.003 to 446.200, 446.225 to 446.285 and 446.395 to 446.420.

11 (4) The department may administer and enforce subsection (2) of this
12 section in the same manner and to the same extent as any advisory board.

13 **SECTION 5.** ORS 455.230 is amended to read:

14 455.230. (1) Except as otherwise provided by law, all moneys appropriated
15 or credited to the Consumer and Business Services Fund and received under
16 this chapter, ORS 447.010 to 447.156, 447.992, 460.005 to 460.175, 460.310 to
17 460.370, 479.510 to 479.945, 479.995, 480.510 to 480.670 and ORS chapter 693
18 hereby are appropriated continuously for and shall be used by the director
19 for the purpose of carrying out the duties and responsibilities imposed upon
20 the department under this chapter, ORS 446.566 to 446.646, 446.661 to 446.756,
21 447.010 to 447.156, 447.992, 460.005 to 460.175, 460.310 to 460.370, 479.510 to
22 479.945, 479.995 and 480.510 to 480.670 and ORS chapter 693.

23 (2) Except as otherwise provided by law, all moneys appropriated or
24 credited to the Consumer and Business Services Fund and received under
25 ORS 446.003 to 446.200, [446.210,] 446.225 to 446.285, 446.395 to 446.420, 446.566
26 to 446.646, 446.661 to 446.756 and 455.220 (1) hereby are appropriated contin-
27 uously for and shall be used by the director for the purpose of carrying out
28 the duties and responsibilities imposed upon the department under ORS
29 446.003 to 446.200, [446.210,] 446.225 to 446.285, 446.395 to 446.420, 446.566 to
30 446.646 and 446.661 to 446.756, and education and training programs pertain-
31 ing thereto.

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

2 479.840. (1) Upon receiving payment of the applicable application fee, the
3 Department of Consumer and Business Services may issue or renew a license
4 or permit applied for under ORS 479.510 to 479.945. The fee to apply for or
5 renew a license is:

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

8 (b) \$125 per year for a limited energy contractor, restricted energy con-
9 tractor or limited sign contractor license.

10 (c) \$25 per year for a pump specialty contractor or limited maintenance
11 specialty contractor license.

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

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

14 (A) General journeyman electrician;

15 (B) General supervising electrician;

16 (C) Limited supervising industrial electrician;

17 (D) Limited supervising manufacturing plant electrician;

18 (E) Limited maintenance industrial electrician; **or**

19 [(F) *Limited maintenance manufactured dwelling or recreational vehicle*
20 *electrician; or*]

21 [(G)] **(F)** Limited journeyman manufacturing plant electrician.

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

23 (A) Limited elevator journeyman;

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

25 (C) Limited journeyman sign electrician;

26 (D) Limited journeyman stage electrician; or

27 (E) Limited building maintenance electrician.

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

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

1 (4) Each electrical contractor may furnish to the department a corporate
2 surety bond to be approved by the department, an irrevocable letter of credit
3 issued by an insured institution as defined in ORS 706.008 or a cash bond
4 under procedures approved by the department, in the sum of \$2,000 guaran-
5 teeing the payment of all fees provided for under ORS 479.510 to 479.945.
6 Before commencing any electrical job an electrical contractor who has a
7 current bond or letter of credit under this subsection may apply to the de-
8 partment for a working permit which shall cost an amount established by the
9 department by rule. The working permit shall authorize the electrical con-
10 tractor to commence work. The total of all fees due for permits for each job,
11 and the time such fees are payable, shall be determined by the department
12 by administrative rule under ORS 479.730. The contractor shall keep the bond
13 or letter of credit in force at all times. Any cancellation or revocation of the
14 bond or letter of credit shall revoke and suspend the license issued to the
15 principal until such time as a new bond or letter of credit shall be filed and
16 approved. The department may bring an action against the surety named in
17 the bond or the letter of credit issuer with or without joining in such action
18 the principal named in the bond or letter of credit.

19 **SECTION 7.** ORS 705.145 is amended to read:

20 705.145. (1) There is created in the State Treasury a fund to be known as
21 the Consumer and Business Services Fund, separate and distinct from the
22 General Fund. All moneys collected or received by the Department of Con-
23 sumer and Business Services, except moneys required to be paid into the
24 Workers' Benefit Fund, shall be paid into the State Treasury and credited
25 to the Consumer and Business Services Fund. Moneys in the fund may be
26 invested in the same manner as other state moneys and any interest earned
27 shall be credited to the fund.

28 (2) The department shall keep a record of all moneys deposited in the
29 Consumer and Business Services Fund that shall indicate, by separate ac-
30 count, the source from which the moneys are derived, the interest earned and
31 the activity or program against which any withdrawal is charged.

1 (3) If moneys credited to any one account are withdrawn, transferred or
2 otherwise used for purposes other than the program or activity for which the
3 account is established, interest shall accrue on the amount withdrawn from
4 the date of withdrawal and until such funds are restored.

5 (4) Moneys in the fund are continuously appropriated to the department
6 for its administrative expenses and for its expenses in carrying out its func-
7 tions and duties under any provision of law.

8 (5) Except as provided in ORS 705.165, it is the intention of the Legisla-
9 tive Assembly that the performance of the various duties and functions of
10 the department in connection with each of its programs shall be financed by
11 the fees, assessments and charges established and collected in connection
12 with those programs.

13 (6) There is created by transfer from the Consumer and Business Services
14 Fund a revolving administrative account in the amount of \$100,000. The re-
15 volving account shall be disbursed by checks or orders issued by the director
16 or the Workers' Compensation Board and drawn upon the State Treasury, to
17 carry on the duties and functions of the department and the board. All
18 checks or orders paid from the revolving account shall be reimbursed by a
19 warrant drawn in favor of the department charged against the Consumer and
20 Business Services Fund and recorded in the appropriate subsidiary record.

21 (7) For the purposes of ORS chapter 656, the revolving account created
22 pursuant to subsection (6) of this section may also be used to:

23 (a) Pay compensation benefits; and

24 (b) Refund to employers amounts paid to the Consumer and Business
25 Services Fund in excess of the amounts required by ORS chapter 656.

26 (8) Notwithstanding subsections (2), (3) and (5) of this section and except
27 as provided in ORS 455.220 (1), the moneys derived pursuant to ORS 446.003
28 to 446.200, [446.210,] 446.225 to 446.285, 446.395 to 446.420, 446.566 to 446.646,
29 446.661 to 446.756 and 455.220 (1) and deposited to the fund, interest earned
30 on those moneys and withdrawals of moneys for activities or programs under
31 ORS 446.003 to 446.200, [446.210,] 446.225 to 446.285, 446.395 to 446.420, 446.566

1 to 446.646 and 446.661 to 446.756, or education and training programs per-
2 taining thereto, must be assigned to a single account within the fund.

3 (9) Notwithstanding subsections (2), (3) and (5) of this section, the moneys
4 derived pursuant to ORS 455.240 or 460.370 or from state building code or
5 specialty code program fees for which the amount is established by depart-
6 ment rule pursuant to ORS 455.020 (2) and deposited to the fund, interest
7 earned on those moneys and withdrawals of moneys for activities or pro-
8 grams described under ORS 455.240 or 446.566 to 446.646, 446.661 to 446.756
9 and 460.310 to 460.370, structural or mechanical specialty code programs or
10 activities for which a fee is collected under ORS 455.020 (2), or programs
11 described under subsection (10) of this section that provide training and ed-
12 ucation for persons employed in producing, selling, installing, delivering or
13 inspecting manufactured structures or manufactured dwelling parks or re-
14 creation parks, must be assigned to a single account within the fund.

15 (10) Notwithstanding ORS 279.835 to 279.855 and ORS chapters 279A and
16 279B, the department may, after consultation with the appropriate specialty
17 code advisory boards established under ORS 455.132, 455.135, 455.138, 480.535
18 and 693.115, contract for public or private parties to develop or provide
19 training and education programs relating to the state building code and as-
20 sociated licensing or certification programs.

21

22 **EXEMPTION FOR RECREATIONAL VEHICLE ELECTRICAL WORK**

23

24 **SECTION 8.** ORS 479.540 is amended to read:

25 479.540. (1) Except as otherwise provided in this subsection, a person is
26 not required to obtain a license to make an electrical installation on resi-
27 dential or farm property that is owned by the person or a member of the
28 person's immediate family if the property is not intended for sale, exchange,
29 lease or rent. The following apply to the exemption established in this sub-
30 section:

31 (a) The exemption established for a person under this subsection does not

1 exempt the work performed by the person from having to comply with the
2 requirements for such work under ORS chapter 455 or this chapter and rules
3 adopted thereunder.

4 (b) If the property is a building used as a residence and is for rent, lease,
5 sale or exchange, this subsection establishes an exemption for work on, al-
6 terations to or replacement of parts of electrical installations as necessary
7 for maintenance of the existing electrical installations on that property, but
8 does not exempt new electrical installations or substantial alterations to
9 existing electrical installations on that property. As used in this paragraph,
10 “new electrical installations or substantial alterations” does not include the
11 replacement of an existing garbage disposal, dishwasher or electric hot water
12 heater with a similar appliance of 30 amps or less, single phase, by a land-
13 lord, landlord’s agent or the employee of the landlord or landlord’s agent.

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

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

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

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

23 (d) To be made by a public utility, consumer-owned utility as defined in
24 ORS 757.270, telecommunications carrier as defined in ORS 133.721, compet-
25 itive telecommunications provider as defined in ORS 759.005 or municipality
26 for generation, transmission or distribution of electricity on property that
27 the utility, carrier, provider or municipality owns or manages.

28 (3) A person whose sole business is generating or selling electricity in
29 connection with the construction or maintenance of electrical lines, wires
30 or equipment, is not required to obtain a license to transform, transmit or
31 distribute electricity from its source to the service head of the premises to

1 be supplied thereby.

2 (4)(a) A person is not required to obtain a license for the repair or re-
3 placement of light fixtures, light switches, lighting ballast, electrical outlets
4 or smoke alarms in a building used for housing purposes that is owned,
5 leased, managed or operated by a housing authority and the person doing the
6 repair or replacement is a member of the housing authority's regular main-
7 tenance 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
11 way if the system is similar to a system provided by a public utility and the
12 installation or maintenance, or both, is performed by a qualified employee
13 of a licensed electrical contractor principally engaged in the business of in-
14 stalling and maintaining such systems; or

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

20 (c) For the purposes of this subsection, "qualified employee" means an
21 employee who has registered with or graduated from a State of Oregon or
22 federally approved apprenticeship course designed for the work being per-
23 formed. The supervising electrician signature required under ORS 479.560
24 (1)(b) does not apply to contractors working under this subsection.

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

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

30 (b) To electrical installations made by or for a public utility, consumer-
31 owned utility, telecommunications carrier or competitive telecommunications

1 provider if the electrical installations are an integral part of the equipment
2 or electrical products of the utility, carrier or provider; or

3 (c) To any electrical generation plant owned or operated by a munici-
4 pality to the same extent that a utility, telecommunications carrier or com-
5 petitive telecommunications provider is exempted under paragraphs (a) and
6 (b) of this subsection.

7 (6) A permit is not required:

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

12 (b) For the repair, alteration or replacement of existing electrical pro-
13 ducts or electrical installations authorized by ORS 479.560 (3) at an indus-
14 trial plant, a commercial office building, a building that is owned, leased,
15 managed or operated by the state or a local government entity or other fa-
16 cilities designated by the Electrical and Elevator Board when the owner,
17 operating manager or electrical contractor of the facility meets the pro-
18 visions of ORS 479.630 (1) and (2) and:

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

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

21 (7) In cases of emergency in industrial plants, a permit is not required in
22 advance for electrical installation made by a person licensed as a general
23 supervising electrician, a general journeyman electrician or an electrical
24 apprentice under ORS 479.630 if an application accompanied by appropriate
25 fee for a permit is submitted to the Department of Consumer and Business
26 Services within five days after the commencement of such electrical work.

27 (8)(a) A license or permit is not required for the installation or assembly
28 of industrial electrical equipment by the duly authorized agents of the fac-
29 tory, vendor or owner.

30 (b) The license and permit exemptions of this subsection do not apply to
31 activity in an area where industrial electrical equipment is installed in or

1 enters a hazardous location or penetrates or enters a fire rated assembly or
2 plenum rated assembly.

3 (c) As used in this subsection:

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

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

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

15 (a) Electrical installations and repairs involving communication and sig-
16 nal systems of railroad companies.

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

21 (c) The installing, maintaining, repairing or replacement of telecommuni-
22 cations systems on the provider side of the demarcation point by a telecom-
23 munications service provider.

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

27 (e) Installations, by a telecommunications service provider or an appro-
28 priately licensed electrical contractor, of telecommunications systems on the
29 customer side of the demarcation point except:

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

31 (B) Installations of any size that penetrate fire-resistive construction or

1 air handling systems or that pass through hazardous locations.

2 (f) Notwithstanding paragraph (e) of this subsection, installation of tele-
3 communications systems on the customer side of the demarcation point in:

4 (A) One and two family dwellings; and

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

7 (g) Notwithstanding paragraph (e) of this subsection, installation or re-
8 placement of cord or plug connected telecommunications equipment on the
9 customer side of the demarcation point.

10 (h) Notwithstanding paragraph (e) of this subsection, installation of patch
11 cord and jumper cross-connected equipment on the customer side of the de-
12 marcation point.

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

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

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

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

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

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

31 (C) Commercial electrical air conditioning equipment.

1 (D) Prefabricated work performed by an electrical contractor with li-
2 censed electrical personnel in the contractor's place of business for assembly
3 on the job site if the work is composed of parts that meet the electrical
4 product safety standards established by concurrence of the board and the
5 director.

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

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

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

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

21 (B) Equipment minimum safety standards established by concurrence of
22 the board and the director;

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

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

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

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

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

29 (14) A person who holds a limited maintenance specialty contractor li-
30 cense or a limited pump installation specialty contractor license issued under
31 ORS 479.510 to 479.945 or a person who is the employee of such license holder

1 and who is listed with the board as an employee is not required to have a
2 journeyman license or supervising electrician's license to perform work au-
3 thorized under the person's license.

4 (15) A person is not required to obtain a permit for work on, alterations
5 to or replacement of parts of electrical installations as necessary for main-
6 tenance of existing electrical installations on residential property owned by
7 the person or by a member of the person's immediate family. This subsection
8 does not establish an exemption for new electrical installations or substan-
9 tial alterations to existing electrical installations.

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

12 (17) A residential home, as defined in ORS 443.580, and an adult foster
13 home, as defined in ORS 443.705, is not a multifamily dwelling and only
14 electrical installation standards and safety requirements applicable to single
15 family dwellings apply to such homes.

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

18 (19) The provisions of any electrical products code or rule adopted pur-
19 suant to ORS 479.510 to 479.945 and 479.995 apply to cable and such products
20 installed as part of a cable television installation.

21 (20) A person is not required to obtain a license to make an electrical
22 installation in a prefabricated structure, as defined in ORS 455.010, that is
23 designed for residential use and intended for delivery in another state.

24 **(21) A person is not required to obtain a license to make electrical**
25 **installations, repairs or replacements in a recreational vehicle as de-**
26 **finied by the board by rule.**

27 [(21)] **(22)** As used in this section, "smoke alarm" has the meaning given
28 that term under ORS 479.250.

29

30 **EXEMPTION FOR RECREATIONAL VEHICLE PLUMBING WORK**

31

1 **SECTION 9.** ORS 447.060 is amended to read:

2 447.060. (1) ORS 447.010 to 447.156 do not apply to a person:

3 (a) Engaging in plumbing work when not so engaged for hire.

4 (b) Using the services of regular employees in performing plumbing work
5 for the benefit of property owned, leased or operated by the person. For
6 purposes of this paragraph, “regular employee” means a person who is sub-
7 ject to the provisions of ORS 316.162 to 316.221 and who has completed a
8 withholding exemptions certificate required by ORS 316.162 to 316.221.

9 (c) Using the services of an employee or contractor of a utility company,
10 energy service provider or water supplier to install an approved low-flow
11 showerhead or faucet aerator in existing plumbing fixtures. The devices in-
12 stalled under this paragraph are exempt from the certification, permit and
13 inspection requirements of ORS 447.010 to 447.156 and ORS chapter 693.

14 **(d) Engaging in plumbing work on a recreational vehicle as defined**
15 **by the State Plumbing Board by rule.**

16 (2) A landscape contracting business licensed under ORS 671.560 is not
17 required to be licensed under ORS 447.010 to 447.156 to install, repair or
18 maintain backflow assemblies for irrigation systems and ornamental water
19 features if the work is performed by an individual who is licensed as required
20 by ORS 671.615 and is an owner or employee of the landscape contracting
21 business. The repair and maintenance of the backflow assembly must be
22 performed by a tester certified under ORS 448.279. The licensing exemption
23 established under this subsection does not exempt the landscape contracting
24 business from the inspection and permit requirements of ORS 447.010 to
25 447.156.

26 (3) This section applies to any person, including but not limited to, indi-
27 viduals, corporations, associations, firms, partnerships, joint stock compa-
28 nies, public and municipal corporations, political subdivisions, this state, the
29 federal government and state or federal agencies.

30 **SECTION 10.** ORS 693.020 is amended to read:

31 693.020. (1) Except as provided in subsection (2) of this section, this

1 chapter does not apply to:

2 (a) A person working on a building or premises owned by the person, re-
3 gardless of whether the person holds a license under this chapter, if the
4 person complies with all the rules adopted under this chapter and ORS
5 447.010 to 447.156 and ORS chapter 455.

6 (b) A person testing, repairing, servicing, maintaining, installing or re-
7 placing new or existing potable water pump equipment not exceeding seven
8 and one-half horsepower on residential property and piping between the
9 pumps and storage tanks for the pumps, regardless of whether the person
10 holds any license under this chapter.

11 (c) A person installing exterior storm drains that are not connected to a
12 sanitary sewer or combination sanitary storm sewer.

13 (d) An employee or contractor of a utility, energy service provider or
14 water supplier who is installing an approved low-flow showerhead or faucet
15 aerator in existing plumbing fixtures. The devices installed under this para-
16 graph are exempt from the certification, permit and inspection requirements
17 of this chapter and ORS 447.010 to 447.156.

18 (e) A person who owns, leases or operates residential property and who
19 repairs, or uses regular employees to repair, existing plumbing on property
20 owned, leased or operated by the person, regardless of whether the person
21 or employee holds a license under this chapter. As used in this paragraph:

22 (A) "Repair" means the act of replacing or putting together plumbing
23 parts that restore the existing plumbing system to a safe and sanitary oper-
24 ating condition.

25 (B) "Regular employee" means a person who is subject to the provisions
26 of ORS 316.162 to 316.221 and who has completed a withholding exemptions
27 certificate required by the provisions of ORS 316.162 to 316.221.

28 (f) A person installing plumbing in a prefabricated structure, as defined
29 in ORS 455.010, that is designed for residential use and intended for delivery
30 in another state.

31 **(g) A person making plumbing installations, repairs or replace-**

1 **ments in a recreational vehicle as defined by the State Plumbing**
2 **Board by rule.**

3 (2) Subsection (1)(a) to (d) of this section does not allow a person other
4 than a journeyman plumber or apprentice plumber to install, remodel or alter
5 plumbing in a commercial or industrial building being constructed or offered
6 for sale, exchange, rent or lease. As used in this subsection, “install, remodel
7 or alter” means activities that involve installations or changes to the
8 plumbing inside a wall, floor, crawl space or ceiling, or a change in the
9 configuration of a plumbing system.

10 (3) This section applies to any person, including but not limited to indi-
11 viduals, corporations, associations, firms, partnerships, joint stock compa-
12 nies, public and municipal corporations, political subdivisions, this state and
13 any agencies thereof and the federal government and any agencies thereof.

14 (4) Except as provided in subsection (1)(d) of this section, nothing in this
15 section exempts a person from the plumbing inspection requirements of ORS
16 447.010 to 447.156.

17

18

CAPTIONS

19

20 **SECTION 11. The unit captions used in this 2017 Act are provided**
21 **only for the convenience of the reader and do not become part of the**
22 **statutory law of this state or express any legislative intent in the**
23 **enactment of this 2017 Act.**

24
