

Senate Bill 314

Sponsored by Senator HANSELL (Pre-session filed.)

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**.

Allows municipality with building inspection program that includes administration and enforcement of electrical code to use contracted electrical inspectors.

A BILL FOR AN ACT

1
2 Relating to electrical inspectors; amending ORS 479.530, 479.820 and 479.855.

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

4 **SECTION 1.** ORS 479.530 is amended to read:

5 479.530. As used in ORS 479.510 to 479.945 and 479.995, unless the context requires otherwise:

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

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

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

12 [(4) "*Competent inspection service*" means an electrical inspection service of a city or county ad-
13 ministered under ORS 455.148 or 455.150 that employs electrical inspectors who are certified to meet
14 standards under ORS 479.810.]

15 [(5)] (4) "Commercial electrical air conditioning equipment" means heating, cooling, refrigeration,
16 dehumidifying, humidifying and filtering equipment used for climatizing or moving of air if
17 used in commerce, industry or government and if installed in a place not accessible to the general
18 public other than the switches regulating the operation of the equipment.

19 [(6)] (5) "Demarcation point" means the place of interconnection between the communications
20 cabling, terminal equipment or protective apparatus of the telecommunications service provider and
21 the customer's premises.

22 [(7)] (6) "Department" means the Department of Consumer and Business Services.

23 [(8)] (7) "Director" means the Director of the Department of Consumer and Business Services.

24 [(9)] (8) "Dwelling unit" means one or more rooms for the use of one or more persons as a
25 housekeeping unit with space for eating, living and sleeping and permanent provisions for cooking
26 and sanitation.

27 [(10)] (9) "Electrical installations" means the construction or installation of electrical wiring
28 and the permanent attachment or installation of electrical products in or on any structure that is
29 not itself an electrical product. "Electrical installation" also means the maintenance or repair of
30 installed electrical wiring and permanently attached electrical products. "Electrical installation"
31 does not include an oil module.

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 [(11)] (10) "Electrical product" means any electrical equipment, material, device or apparatus
2 that, except as provided in ORS 479.540, requires a license or permit to install and either conveys
3 or is operated by electrical current.

4 [(12)] (11) "Equipment" means any material, fittings, devices, appliances, fixtures, apparatus or
5 the like that are used as part of or in connection with an electrical installation.

6 [(13)] (12) "Field evaluation firm" means an independent organization that provides:

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

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

10 [(14)] (13) "Industrial electrical equipment" means electrical products used in industry or gov-
11 ernment that utilize electric energy for mechanical, chemical, heating, lighting or similar purposes,
12 that are designed to service or produce a product and that are used directly in the production of
13 the service or product.

14 [(15)] (14) "Installation label" means an adhesive tag issued by governmental agencies that ad-
15 minister the Electrical Safety Law to licensed electrical contractors for application to those minor
16 electrical installations for which the board by rule determines to be appropriate for random in-
17 spections.

18 [(16)] (15) "License" means a permit issued by the department under ORS 479.630 authorizing
19 the person whose name appears as licensee thereon to act as an electrical contractor, supervising
20 electrician, journeyman electrician, electrical apprentice or limited elevator journeyman as indicated
21 thereon.

22 [(17)] (16) "Minimum safety standards" means safety standards prescribed by concurrence of the
23 board and the director under ORS 479.730.

24 [(18)] (17) "Multifamily dwelling" means a building containing more than one dwelling unit.

25 [(19)] (18) "Oil module" means a prefabricated structure manufactured to the specifications of
26 the purchaser and used outside this state in the exploration for or processing or extraction of pe-
27 troleum products.

28 [(20)] (19) "Permit" means an official document or card issued by the enforcing agency to au-
29 thorize performance of a specified electrical installation.

30 [(21)] (20) "Single family dwelling" means a building consisting solely of one dwelling unit.

31 [(22)] (21) "Telecommunications service provider" means a telecommunications carrier as de-
32 fined in ORS 133.721 or a telecommunications utility or competitive telecommunications provider,
33 both as defined in ORS 759.005.

34 [(23)] (22) "Uncertified product" means any electrical product that is not an electrical product
35 certified under ORS 479.760.

36 **SECTION 2.** ORS 479.820 is amended to read:

37 479.820. (1) The Department of Consumer and Business Services shall:

38 (a) Check the authenticity, appropriateness and expiration dates of licenses issued under ORS
39 479.510 to 479.945.

40 (b) Inspect electrical installations and products for which a permit or license is required by ORS
41 479.510 to 479.945.

42 (c) Inspect permits attached to electrical installations or products for which a permit is required
43 by ORS 479.510 to 479.945.

44 (2) If the department finds that the electrical installation or product fails to comply with mini-
45 mum safety standards or electrical product safety standards, the department may disconnect or or-

1 der the disconnection of service thereto.

2 (3) If the department finds that the condition of an electrical installation or product constitutes
3 an immediate hazard to life or property, the department may cut or disconnect any wire necessary
4 to remove such hazard or take corrective action as provided by rules adopted under ORS 479.730.

5 (4) Upon written request of appropriate municipal personnel, the department may make in-
6 spections of electrical installations and products within cities and counties. Such inspections shall
7 be made at cost, in accordance with local municipal ordinances, payable on a monthly basis. **This**
8 **subsection does not require a municipality to use department inspection services when con-**
9 **tracting for an inspection of electrical installations.**

10 (5) For the purpose of discharging any duty imposed by ORS 479.510 to 479.945 and 479.995 or
11 exercising authority conferred hereby the department may enter, during reasonable hours, any
12 building, enclosure, or upon any premises where electrical work is in progress, where an electrical
13 installation has been made or where electrical equipment or products may be located.

14 (6) A person may not obstruct or interfere with the department in performance of any of the
15 department's duties or the exercise of any authority conferred under this section.

16 **SECTION 3.** ORS 479.855 is amended to read:

17 479.855. (1) In addition to the provisions of ORS 455.010 to 455.310 and 455.410 to 455.740, any
18 inspection and enforcement program established by a city or county under ORS 455.148 or 455.150
19 is subject to the provisions of this section. Where the provisions of this section conflict with pro-
20 visions under ORS 455.010 to 455.310 and 455.410 to 455.740, the provisions of this section shall
21 control.

22 (2)(a) Except as otherwise provided in this section, any city or county that wishes to establish
23 a program under ORS 455.150 to enforce and administer ORS 479.510 to 479.945 and 479.995, in-
24 cluding a program for inspection under a master permit pursuant to ORS 479.560 (3), must first make
25 application to the Department of Consumer and Business Services. The program for inspection under
26 a master permit shall be delegated separately from the general electrical program authorization. The
27 department may authorize the city or county to administer and enforce the provisions of this section
28 and ORS 479.540 and 479.560 if it finds that the city or county can comply with the minimum stan-
29 dards and meet the qualifications for inspections, permit applications and other matters to assure
30 adequate administration and enforcement of electrical inspection programs. The department may
31 authorize the city or county to administer and enforce ORS 479.510 to 479.945 and 479.995 if the
32 department finds that the city or county:

33 (A) Can, **through the use of employees or by contract**, comply with minimum standards
34 adopted by the Electrical and Elevator Board by rule for inspections, permit applications and other
35 matters to assure adequate administration and enforcement of ORS 479.510 to 479.945 and 479.995.

36 (B) Can conduct the electrical plan review, if required by the city or county, in a timely manner
37 and by qualified **employee or contract** personnel who meet the standards adopted by rule by the
38 board.

39 (b) The city or county must assume full responsibility allowed under ORS 455.010 to 455.310 and
40 455.410 to 455.740 for the enforcement, inspection and administration of the electrical safety laws
41 under that specialty code and ORS 479.510 to 479.945 and 479.995. This subsection does not require
42 a city or county to assume full responsibility for enforcement, inspection and administration of the
43 electrical safety laws if the only enforcement performed by the city or county involves manufactured
44 dwelling electrical utility connections. **A city or county may use employees or contract for**
45 **electrical inspection services to carry out the county or city responsibilities regarding in-**

1 **spections under the electrical safety laws.**

2 (3) The department, subject to ORS chapter 183, shall revoke any authority of a city or county
3 to carry on inspections, enforcement or administration of electrical installations and electrical pro-
4 ducts under ORS 455.148 or 455.150 if the department determines that the city or county fails to
5 comply with standards adopted by the board or otherwise is not effectively carrying out duties as-
6 sumed by the city or county under this section.

7 (4)(a) Except as provided in paragraph (b) of this subsection, a city or county may not contract
8 with competing electrical contractors to provide permit inspection of electrical installations.

9 (b) A city or county may contract with competing electrical contractors to provide permit in-
10 spection of electrical installations on a temporary basis by a supervising electrician if:

11 (A) Emergency circumstances exist; and

12 (B) The city or county has requested that the department perform permit inspections and the
13 department is unable to respond in a timely manner.

14 (c) Nothing in this subsection prohibits a city or county from contracting with another city or
15 county to perform permit inspections of electrical installations by a supervising electrician.

16 (5) A city or county that performs electrical installation inspections shall perform license
17 enforcement inspections as a part of routine installation inspections.

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