

SENATE BILL 163

L2

7lr1516
CF HB 208

By: **Senator Waugh**

Introduced and read first time: January 17, 2017

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: February 13, 2017

CHAPTER _____

1 AN ACT concerning

2 **St. Mary's County – Electricians and Board of Electrical Examiners – Repeal**

3 FOR the purpose of repealing certain provisions of law that relate to the Board of Electrical
4 Examiners and the licensing and regulation of electricians in St. Mary's County; and
5 generally relating to the repeal of certain provisions of law that relate to electricians
6 and the Board of Electrical Examiners in St. Mary's County.

7 BY repealing

8 The Public Local Laws of St. Mary's County

9 Section 38–1 through 38–10 and 38–12 through 38–22 and the chapter “Chapter 38.
10 Electrical Examiners”

11 Article 19 – Public Local Laws of Maryland

12 (2007 Edition and March 2015 Supplement, as amended)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
14 That the Laws of Maryland read as follows:

15 **Article 19 – St. Mary's County**

16 [Chapter 38. Electrical Examiners.]

17 [38–1.

18 A. The Board of County Commissioners of St. Mary's County shall, on or before
19 July 1, 1972, appoint a Board which shall be known as the “Board of Electrical Examiners,”

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 consisting of at least three (3) persons for the purpose of examining into the qualification
2 and capabilities of all persons who are engaged or desire to engage in the business of master
3 electrician, as defined in this chapter. At all times the Board so appointed shall include two
4 (2) competent licensed master electricians who reside in St. Mary's County. The Board of
5 County Commissioners shall select the members of the Board. The Board of County
6 Commissioners are authorized to set the terms of office for members of the Board.

7 B. If any vacancy occurs for any cause during the term of any Board as herein
8 provided for, the Board of County Commissioners shall appoint somebody to fill the
9 unexpired term.

10 C. The Board of County Commissioners shall have full power to remove any
11 member of the Board for incompetency or improper conduct by satisfactory evidence being
12 presented to him of such condition.]

13 [38-2.

14 A. The members of the Board shall respectively take and subscribe the oath
15 required by other state officers.

16 B. The County Commissioners shall designate one (1) member to be Chairman,
17 who shall serve for one (1) year and may succeed himself.

18 C. The Board has the power to elect out of its number a Secretary and Treasurer,
19 and to adopt such rules and regulations and bylaws, not inconsistent with this chapter, for
20 the transaction of business of the Board as they may deem expedient, and which rules,
21 regulations and bylaws shall have the full force of law upon filing them with the Clerk of
22 the Circuit Court for St. Mary's County.

23 D. (1) All inactive records of the Board shall be maintained in official files in
24 the office of the County Commissioners.

25 (2) Active, working files of the Board shall be kept in the custody of the
26 Secretary.

27 (3) Board records shall be maintained for a period of at least seven (7)
28 years.]

29 [38-3.

30 Each member of said Board shall receive as compensation twenty-five dollars
31 (\$25.00) for each meeting attended for actual service in attending meetings of the Board,
32 provided that the Secretary of said Board may receive such additional compensation as the
33 Board may deem just and reasonable and for which the bylaws of said Board may provide;
34 provided, however, that the compensation and expenses of said Board shall in no event be
35 paid out of the funds in the state treasury or become a charge against the state.]

1 [38-4.

2 Said Board shall meet at least once in each month in Leonardtown and shall hold
3 special meetings as frequently as the proper and efficient discharge of its business shall
4 require. Said Board shall adopt such rules and regulations for the examinations of master
5 electricians, as herein defined, and for the placing, installing and operating electrical wires,
6 appliances, apparatus or construction in, upon and about buildings in St. Mary's County,
7 and when so adopted, such rules and regulations shall have the same force and effect as if
8 herein contained. The rules of said Board shall also provide for the giving of timely notice
9 of such meetings to all those who shall have made application for a license as herein
10 provided.]

11 [38-5.

12 The term "master electrician," as used in this chapter, shall be defined as and
13 including any and all persons engaged in the business of or holding themselves out to the
14 public as engaged in the business of installing, erecting or repairing, or contracting to
15 install, erect or repair, electric wires or conductors to be used for the transmission of electric
16 current for electric light, heat or power purposes, or moldings, ducts, raceways or conduits
17 for the reception or protection of such wires or conductors, or to any electrical machinery,
18 apparatus, devices or fixtures to be used for electric light, heat or power purposes. A license
19 of master electrician, issued and in accordance with the provisions of this chapter, shall
20 entitle any such person so licensed to engage in the business of and to hold himself out to
21 the public as engaged in the business of installing, erecting and repairing and of contracting
22 to install, erect and repair any electric wires or conductors, etc.; provided, however, that
23 nothing in this chapter shall apply to any firm or corporation if the person managing and
24 in charge of the electrical work for said firm or corporation is a master electrician licensed
25 under this chapter.]

26 [38-6.

27 A. (1) Except as otherwise provided in this chapter, a person shall be licensed
28 by the Board of Electrical Examiners before the person may engage in the business of a
29 master electrician.

30 (2) An applicant may obtain a license from the Board if the applicant:

31 (a) Passes an examination given by the Board; or

32 (b) Under the Maryland Master Electricians Act:

33 [1] Holds a state license; or

34 [2] Qualifies for a reciprocal license.

1 B. (1) Examination for licenses shall be held at times and places within the
2 county to be determined by the Board.

3 (2) Examinations shall be held at least two (2) times each year.

4 (3) Except as otherwise provided in this chapter, an applicant shall take
5 and pass an objective written examination to determine fitness for a license.

6 (4) An applicant required to take an examination under this chapter shall:

7 (a) File with the Board an application on the form that the Board
8 requires before the first Tuesday on the month that the examination is scheduled; and

9 (b) Pay to the Board an examination fee that is set by the Board.

10 (5) The Examination fee entitles the applicant to take the examination
11 once.

12 (6) The passing grade shall be seventy (70) percent, and the notice for the
13 examination shall specify the passing grade.

14 (7) The examination promulgated by the Board shall require knowledge of
15 all applicable codes or other rules, laws, or principles of electrical installations from a list
16 of questions submitted by the Maryland Uniform Electrical Licensing Examination
17 Committee, Inc.

18 C. (1) An applicant for examination for a master license shall have been
19 regularly and principally employed or engaged in electrical construction, maintenance,
20 installation, and repair at all type of electrical equipment and apparatus for not less than
21 seven (7) years preceding the date of application, under the direction and supervision of a
22 master electrician, three (3) years during which the applicant supervised or was actively in
23 charge of electrical installation work.

24 (2) The Board may credit not more than three (3) years for formal course
25 study or professional training in electrical installation, if, in the opinion of the Board, the
26 study or training provided comparable experience and training otherwise attainable under
27 the supervision of a master electrician or while employed by a government agency.

28 (3) No license shall be granted to any person under the age of 21 years.

29 D. (1) Any person whose application for a license shall have been rejected by
30 the Board shall have the right to appeal to a Board of Arbitration, which shall consist of
31 one (1) person selected by the person making the appeal, one (1) person selected by the
32 Board herein created and these two (2) to select a third person.

33 (2) The decision of the Board of Arbitration, or a majority of them, shall be
34 final and binding upon all the parties to the appeal.

1 (3) The members of the Board shall be paid the sum of ten dollars (\$10.00)
2 each, which sum shall be deposited with the Board herein created by the person taking the
3 appeal, and if the Board of Arbitration shall affirm the decision of the board herein created,
4 the money so deposited shall be used to pay the Board; if, however, such decision is
5 reversed, the Board of Arbitration shall be paid out of the funds in the hands of the Board
6 herein created, and the deposit of thirty dollars (\$30.00) shall be returned, provided further
7 that each applicant shall pay to the Treasurer of the Board of Electrical Examiners the
8 required license fee as set by the rules, regulations and bylaws of the Board.]

9 [38-7.

10 A. An applicant who qualifies for a license under this chapter shall pay to the
11 Board a license fee set by the Board.

12 B. On payment of the license fee, the Board shall issue a license to each applicant
13 who meets the requirements of this chapter.]

14 [38-8.

15 A. Unless a license is renewed for a 2-year term as provided in this chapter, the
16 license expires on June 30 of each odd-numbered year.

17 B. Each license issued under the provisions of this chapter shall be evidence in
18 any court of St. Mary's County of the business for which the license is issued for the period
19 that the license is in effect.]

20 [38-9.

21 A. (1) A licensee who qualifies to renew a license under this chapter may
22 renew the license in each odd-numbered year by paying to the Board before July 1 a
23 renewal fee set by the Board.

24 (2) A licensee who applies to the Board for renewal during the 30-day
25 period before the license expires may renew the license without taking an examination.

26 (3) After June 30 a person, firm or corporation may not engage or offer to
27 engage, or hold themselves out as engaging, as a master electrician unless a license is
28 renewed.

29 B. (1) If application for renewal is made after July 15 but before October 1, a
30 license which expired because of failure to renew prior to July 1 shall be renewed only if
31 the licensee pays to the Board the renewal fee set by the Board and a restoration fee of
32 twenty dollars (\$20.00).

1 (2) If the application for renewal is not made within the 90-day period after
2 expiration, a renewal may not be issued, and the Board may require compliance by
3 examination, before reissuance of a license, as if the applicant had never been licensed.

4 C. (1) A licensee who holds a valid electrical license may go in an inactive
5 status during which time the licensee may not engage in electrical contracting within the
6 county.

7 (2) The licensee may retain the license with an inactive status by paying
8 to the Board every two (2) years a renewal fee set by the Board.

9 (3) The licensee need not maintain insurance during the period the license
10 is inactive.

11 (4) If the licensee returns to an active status during a licensing period, the
12 licensee shall show proof of general liability and property damage insurance.

13 D. A person may not engage in the business of a master electrician in St. Mary's
14 County while the license is expired or revoked.]

15 [38-10.

16 Said Board shall have full power to revoke for proper cause any license or renewal of
17 same after a full hearing of all parties in interest, and all work installed under this chapter
18 shall be in accordance with the National Electrical Code.]

19 [38-12.

20 Any and all persons granted a license or renewal of same shall display the same in a
21 conspicuous place in the office or place of business of such licensee.]

22 [38-13.

23 A. Nothing in this chapter shall be construed to prevent any person from doing
24 or performing any of the kinds of work enumerated in this chapter, provided that the work
25 is performed under the direction and supervision of a duly licensed master electrician; but
26 none of the kinds of work enumerated in this chapter, other than minor electrical repairs
27 for the maintenance of established plants, shall be performed except under the direction
28 and supervision of a duly licensed master electrician, and the licensed electrician shall be
29 responsible for any and all of the work done under his direction and supervision.

30 B. A licensed master electrician may not use his license of master electrician
31 merely as a front to permit a person not licensed as a master electrician in St. Mary's
32 County to engage in the business of master electrician in St. Mary's County or to perform
33 any of the kinds of work enumerated in this chapter in St. Mary's County which a master
34 electrician may perform.]

1 [38-14.

2 Any person who shall practice or engage or continue in the work of a master
3 electrician without having complied with all the provisions of this chapter, and any person
4 not licensed as a master electrician, who shall do or perform any such work except under
5 the direction of a master electrician, and any person having been licensed as a master
6 electrician and who shall fail to renew his license as herein provided and shall do or perform
7 any such work, or who shall violate any of the provisions of this chapter, shall be guilty of
8 a misdemeanor and, upon conviction thereof, shall be sentenced to pay a fine of not less
9 than two hundred fifty dollars (\$250.00) nor more than five hundred dollars (\$500.00) or to
10 an imprisonment not exceeding ninety (90) days, or both, in the discretion of the court, and
11 any such conviction shall ipso facto revoke and annul any license that may have been issued
12 to such person.]

13 [38-15.

14 No license or renewal of same granted or issued under the provisions of his chapter
15 shall be assignable or transferable, and every license and renewal of same shall specify the
16 name of the person to whom it is issued.]

17 [38-16.

18 All fees collected under the provisions of this chapter shall be collected by the Board
19 of Examiners.]

20 [38-17.

21 A. The Board shall submit an annual report to the Board of County
22 Commissioners, before the second Monday of July of each year, containing a detailed
23 statement of the number of licenses issued, the number of examinations given, and the
24 percentage of those passing the examination.

25 B. The Board shall submit monthly minutes of regular Board meetings to the
26 Board of County Commissioners.]

27 [38-18.

28 The provisions of this chapter shall not apply to journeyman electricians or
29 apprentices while such journeymen or apprentices shall be practicing their trade of
30 journeyman electrician or apprentice, nor to any electrical light company, electric railway
31 company, steam railway company, telegraph or telephone company, nor to those performing
32 electrical work for such companies where said electrical work is an integral part of the plant
33 or service used by such company in rendering its duly authorized service to the public.]

34 [38-19.

1 After July 1, 1939, an electric light or power company may not attach its power lines
2 or electrical meters to any consumer's property within the borders of St. Mary's County
3 unless the building was wired before July 1, 1939, or the work has been installed by a
4 master electrician licensed under this chapter and until a temporary or permanent meter
5 cut-in certificate has been issued by the Middle Department Inspection Agency or County
6 Electrical Inspector. The agency or Inspector shall issue a meter cut-in certificate in
7 duplicate. One (1) of the certificates shall be sent to the power or electric company
8 furnishing the electricity for the consumer's property, and the other shall be sent to the
9 Board of Electrical Examiners.]

10 [38-20.

11 If any provision of this chapter is declared unconstitutional or the applicability
12 thereof to any person or circumstances is held invalid, the constitutionality of the
13 remainder of the chapter and the applicability thereof to other persons and circumstances
14 shall not be affected thereby.]

15 [38-21.

16 A. A person, firm, or corporation engaging in the business of electrical
17 contracting under this subtitle may not undertake to do any electrical work within this
18 county unless the person, firm, or corporation carries general liability insurance in the
19 amount of three hundred thousand dollars (\$300,000.00) and property damage insurance
20 in the amount of one hundred thousand dollars (\$100,000.00).

21 B. Proof of insurance shall be shown prior to the issuance or the renewal of a
22 license.

23 C. Notice of cancellation of general liability insurance or property damage
24 insurance shall be forwarded to the Board within ten (10) days of the cancellation date.

25 D. Inactive license holders are exempt from this requirement.]

26 [38-22.

27 Any change of name, address, or employment by a licensee from that which appears
28 on the current license must be reported to the Board, in writing, within ten (10) days of the
29 change.]

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 2017.