

HOUSE BILL 149

C3

EMERGENCY BILL

3lr1383
CF SB 44

By: **Delegate Hornberger**

Introduced and read first time: January 16, 2023

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 21, 2023

CHAPTER _____

1 AN ACT concerning

2 **Maryland Electricians Act – Revisions**

3 FOR the purpose of altering the entity that must administer or approve an apprenticeship
4 program for electricians; substituting the term “uninsured” for the term “inactive” in
5 certain provisions of law relating to liability insurance requirements for certain
6 electricians; prohibiting a certain electrician from contracting to provide electrical
7 services unless the electrical work is covered by certain liability insurance; specifying
8 who is authorized and required to purchase certain insurance; requiring the State
9 Board of Electricians to specify on each license whether the license holder meets the
10 insurance requirements of certain provisions of this Act; and generally relating to
11 electricians and liability insurance requirements.

12 BY repealing and reenacting, with amendments,
13 Article – Business Occupations and Professions
14 Section 6–205(b), 6–304, 6–307.1, 6–311, 6–312, 6–313, and 6–604
15 Annotated Code of Maryland
16 (2018 Replacement Volume and 2022 Supplement)

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

19 **Article – Business Occupations and Professions**

20 6–205.

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 (b) The continuing education requirements adopted under this section shall:

2 (1) be based on the National Electrical Code or any local variants adopted
3 by a local board;

4 (2) consist of a course or training on practical techniques, installation
5 procedures, or other relevant topics; and

6 (3) be administered by:

7 (i) a college or an apprenticeship program approved by the
8 [Maryland Apprenticeship and Training Council] **DIVISION OF WORKFORCE**
9 **DEVELOPMENT AND ADULT LEARNING** or the federal Office of Apprenticeship;

10 (ii) a state or nationally recognized training program; or

11 (iii) another person approved by the State Board.

12 6-304.

13 (a) To qualify for a State license, an applicant shall meet the requirements of this
14 section.

15 (b) (1) Subject to paragraph (2) of this subsection, an applicant for a master
16 electrician license shall have been engaged or employed regularly and principally in
17 providing electrical services for all types of electrical equipment and apparatuses for at
18 least 7 years while under the direction and supervision of:

19 (i) a master electrician; or

20 (ii) a similarly qualified employee of a governmental unit.

21 (2) (i) The State Board may allow an applicant up to 3 years of credit
22 toward the experience required under paragraph (1) of this subsection, if the State Board
23 determines that the applicant has completed a formal course of study or professional
24 training in electrical installation comparable to the required experience.

25 (ii) The State Board shall credit toward the experience required
26 under paragraph (1) of this subsection an applicant's work as part of a successfully
27 completed electrician apprenticeship program approved by the [Maryland Apprenticeship
28 and Training Council] **DIVISION OF WORKFORCE DEVELOPMENT AND ADULT**
29 **LEARNING** or the federal Office of Apprenticeship.

30 (c) (1) Subject to paragraph (2) of this subsection, an applicant for a
31 journeyman electrician license shall have been engaged or employed regularly and
32 principally in providing electrical services for all types of electrical equipment and
33 apparatuses for at least 4 years while under the direction and supervision of:

1 (i) a master electrician; or

2 (ii) an employee of a governmental unit who is similarly qualified as
3 a master electrician licensed under this title.

4 (2) The State Board shall credit toward the experience required under
5 paragraph (1) of this subsection an applicant's work as part of a successfully completed
6 electrician apprenticeship program approved by the [Maryland Apprenticeship and
7 Training Council] **DIVISION OF WORKFORCE DEVELOPMENT AND ADULT LEARNING**
8 or the federal Office of Apprenticeship.

9 (d) Except as otherwise provided in this subtitle, the applicant shall pass an
10 examination given by the State Board under this subtitle.

11 (e) The State Board may investigate the qualifications of each applicant to
12 determine whether the applicant meets the requirements of this section.

13 6-307.1.

14 The State Board shall waive the experience and examination requirements for an
15 applicant for a journeyman electrician license if the applicant:

16 (1) (i) provides written proof of 4 years of work experience providing
17 electrical services under the control and direction of a master electrician; and

18 (ii) submits an application for a license to the State Board on or
19 before December 31, 2022; or

20 (2) provides written proof that the applicant has successfully completed an
21 electrician apprenticeship program approved by the [Maryland Apprenticeship and
22 Training Council] **DIVISION OF WORKFORCE DEVELOPMENT AND ADULT LEARNING**
23 or the federal Office of Apprenticeship that consists of:

24 (i) at least 576 classroom hours; and

25 (ii) 8,000 hours of work experience.

26 6-311.

27 (a) The State Board shall place a State licensee on [inactive] **UNINSURED** status
28 and issue an [inactive] **UNINSURED** status certificate to the State licensee, if the State
29 licensee:

30 (1) submits to the State Board an application for [inactive] **UNINSURED**
31 status on the form that the State Board provides;

1 (ii) If an electronic transmission under subparagraph (i) of this
2 paragraph is returned to the State Board as undeliverable, the State Board shall mail to
3 the individual, at the last known address of the individual, the materials required under
4 subparagraph (i) of this paragraph within 10 business days of the date the State Board
5 received the notice that the electronic transmission was undeliverable.

6 (3) Before the [inactive] **UNINSURED** status expires, an individual on
7 [inactive] **UNINSURED** status periodically may renew it for an additional 2-year term, if
8 the individual:

9 (i) otherwise is entitled to be placed on [inactive] **UNINSURED**
10 status;

11 (ii) except for an electrical inspector, pays to the State Board a
12 renewal fee set by the State Board; [and]

13 (iii) submits to the State Board a renewal application on the form
14 that the State Board provides; **AND**

15 (IV) **MEETS THE CONTINUING EDUCATION REQUIREMENTS**
16 **ESTABLISHED BY THE STATE BOARD UNDER § 6-310(C) OF THIS SUBTITLE.**

17 (4) After an [inactive] **UNINSURED** status expires, the former licensee may
18 reapply for [inactive] **UNINSURED** status only if the former licensee:

19 (i) otherwise is entitled to be placed on [inactive] **UNINSURED**
20 status;

21 (ii) pays to the State Board a reapplication fee set by the State
22 Board; and

23 (iii) reapplies to the State Board for [inactive] **UNINSURED** status
24 within 2 years after initial expiration of [inactive] **UNINSURED** status on a form that the
25 State Board provides.

26 (5) The State Board shall renew the [inactive] **UNINSURED** status of each
27 individual or grant the reapplication for [inactive] **UNINSURED** status of each former
28 licensee who meets the requirements of this subsection.

29 (e) If [a former licensee] **AN INDIVIDUAL WHO WAS FORMERLY** on [inactive]
30 **UNINSURED** status who has failed to renew the [inactive] **UNINSURED** status within 2
31 years of its expiration reapplies for that status, the State Board shall require the [former
32 licensee] **INDIVIDUAL** to comply with the requirements for obtaining a State license under

1 §§ 6–304 and 6–307 of this subtitle and § 6–503 of this title as well as the requirements for
2 [inactive] **UNINSURED** status under this section.

3 (f) The State Board shall reactivate the State license of an individual who is on
4 [inactive] **UNINSURED** status, if the individual:

5 (1) meets the renewal requirements that are in effect when the individual
6 requests the reactivation of the State license;

7 (2) submits to the State Board an application for reactivation on the form
8 that the State Board provides; and

9 (3) pays to the State Board a reactivation fee set by the State Board.

10 6–312.

11 (a) The State Board shall reinstate the State license of an individual who is not
12 on [inactive] **UNINSURED** status and who has failed to renew the State license for any
13 reason, if the individual:

14 (1) applies to the State Board for reinstatement within 2 years after the
15 State license expires;

16 (2) meets the renewal requirements of § 6–310 of this subtitle; and

17 (3) in addition to the renewal fee required under § 6–310 of this subtitle,
18 pays to the State Board a reinstatement fee set by the State Board.

19 (b) If an individual who has failed to renew the State license for any reason
20 applies for reinstatement more than 2 years after the State license has expired, the State
21 Board shall require the individual to pay a reinstatement fee set by the State Board, and
22 comply with the requirements for obtaining a State license under §§ 6–304 and 6–307 of
23 this subtitle and § 6–503 of this title.

24 6–313.

25 (a) (1) Except as provided in paragraph (2) of this subsection, a county or local
26 government may employ an individual as an electrical inspector only if the individual:

27 (i) holds a State license or local license, as applicable;

28 (ii) previously held, within the last 5 years, a State license or local
29 license, as applicable, that was not suspended or revoked; or

30 (iii) is certified by:

1 1. the International Code Council as a combination inspector
2 or as an electrical inspector for residential or commercial buildings;

3 2. the North American Board of Certified Energy
4 Practitioners; or

5 3. a certifying entity that is comparable to the entity listed
6 in item 1 or 2 of this item.

7 (2) Paragraph (1) of this subsection does not apply to a county or local
8 government that uses code inspectors or combination building code inspectors to conduct
9 trade-specific inspections on residential or commercial buildings to determine compliance
10 with adopted electrical codes or related building codes.

11 (b) An individual may not have any financial interest in any electrical business
12 while employed by the State, a county, or a local government as an electrical inspector.

13 (c) (1) On appointment or employment as an electrical inspector, the
14 individual:

15 (i) shall place the State license of the individual on [inactive]
16 **UNINSURED** status; and

17 (ii) except for the renewal fee, shall meet the [inactive] **UNINSURED**
18 status requirements of § 6-311 of this subtitle.

19 (2) The State Board may issue an electrical inspector identification card to
20 an electrical inspector who has placed the State license on [inactive] **UNINSURED** status.

21 (3) The State Board may not charge a fee to issue the identification card.

22 (d) The State Board may change the status of an electrical inspector to individual
23 [inactive] **UNINSURED** status, if the electrical inspector:

24 (1) meets the [inactive] **UNINSURED** status requirements of § 6-311 of this
25 subtitle; and

26 (2) pays an [inactive] **UNINSURED** status fee set by the State Board.

27 (e) On termination of the appointment or employment of an individual as an
28 electrical inspector, the State Board shall reactivate the State license of the individual who
29 is on [inactive] **UNINSURED** status, without examination, if the individual meets the
30 reactivation requirements for a State license under § 6-311(f) of this subtitle, including
31 payment of the reactivation fee.

32 6-604.

1 (a) This section does not apply to a State licensee on [inactive] UNINSURED
2 status.

3 (b) A LICENSED master electrician [who is licensed by the State Board and
4 provides electrical services or], a person to whom a LICENSED master electrician [licensed
5 by the State Board] assigns a local registration under this title [shall], OR ANOTHER
6 PERSON WHO ENGAGES IN THE BUSINESS OF PROVIDING ELECTRICAL SERVICES
7 MAY NOT CONTRACT TO PROVIDE ELECTRICAL SERVICES UNLESS THE ELECTRICAL
8 WORK, INCLUDING COMPLETED OPERATIONS, OF THE LICENSED MASTER
9 ELECTRICIAN, PERSON ASSIGNED A LOCAL REGISTRATION, OR PERSON WHO
10 ENGAGES IN THE BUSINESS OF PROVIDING ELECTRICAL SERVICES IS COVERED BY
11 LIABILITY INSURANCE:

12 (1) [maintain] FOR general liability [insurance] in the amount of at least
13 \$300,000; AND

14 (2) [maintain] FOR property damage [insurance] in the amount of at least
15 \$100,000[; and

16 (3) submit proof of the required insurance to the State Board].

17 (c) (1) THE INSURANCE REQUIRED UNDER THIS SECTION MAY BE
18 BOUGHT:

19 (I) BY A MASTER ELECTRICIAN; OR

20 (II) FOR A MASTER ELECTRICIAN, BY A PERSON WHO ENGAGES
21 IN THE BUSINESS OF PROVIDING ELECTRICAL SERVICES AND EMPLOYS THE MASTER
22 ELECTRICIAN.

23 (2) THE INSURANCE REQUIREMENT OF THIS SECTION IS NOT MEANT
24 TO COVER ELECTRICAL SERVICES THAT A MASTER ELECTRICIAN PROVIDES OUTSIDE
25 THE SCOPE OF EMPLOYMENT FOR THE PERSON WHO CARRIES THE INSURANCE.

26 (d) (1) A LICENSED APPRENTICE ELECTRICIAN OR LICENSED
27 JOURNEYPerson ELECTRICIAN IN THE EMPLOY OF A LICENSED MASTER
28 ELECTRICIAN NEED NOT OBTAIN SEPARATE INSURANCE WHILE PROVIDING OR
29 ASSISTING IN PROVIDING ELECTRICAL SERVICES UNDER THE CONTROL AND
30 SUPERVISION OF THE LICENSED MASTER ELECTRICIAN.

31 (2) SUBJECT TO THE RESTRICTIONS OF § 6-311 OF THIS TITLE
32 REGARDING UNINSURED STATUS, UNINSURED LICENSEES WHO HAVE HAD THEIR

1 UNINSURED STATUS APPROVED BY THE STATE BOARD NEED NOT OBTAIN
2 INSURANCE WHILE MAINTAINING UNINSURED STATUS.

3 [(c)] (E) (1) An applicant for a State license shall submit proof of the
4 insurance required under this section to the State Board with the license application.

5 (2) The State Board may not issue a State license to an applicant to whom
6 the insurance requirements of this section would apply unless the applicant submits proof
7 of the insurance.

8 [(d)] (F) Unless an applicant meets the insurance requirements of this section,
9 the State Board may not renew a State license of the applicant to whom the insurance
10 requirements of this section would apply.

11 [(e)] (G) If the insurance required under this section is canceled, the insurer
12 shall notify the State Board within 10 days after the date of cancellation.

13 [(f)] (H) If a local jurisdiction requires [an applicant for a local license] A
14 MASTER ELECTRICIAN OR OTHER PERSON WHO ENGAGES IN THE BUSINESS OF
15 PROVIDING ELECTRICAL SERVICES to execute a bond to the local jurisdiction, the
16 applicant may satisfy the bond requirement by submitting proof of the insurance required
17 under this section.

18 (I) THE STATE BOARD SHALL SPECIFY ON EACH LICENSE WHETHER THE
19 LICENSE HOLDER MEETS THE INSURANCE REQUIREMENTS OF THIS SECTION.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
21 measure, is necessary for the immediate preservation of the public health or safety, has
22 been passed by a yea and nay vote supported by three-fifths of all the members elected to
23 each of the two Houses of the General Assembly, and shall take effect from the date it is
24 enacted.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.