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EMERGENCY BILL (PRE–FILED)

3lr0473 CF 3lr1383

By: Senator McCray

Requested: September 28, 2022

Introduced and read first time: January 11, 2023 Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1	AN	ACT	concerning
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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 certain provisions of law relating to liability insurance requirements for certain 5 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:

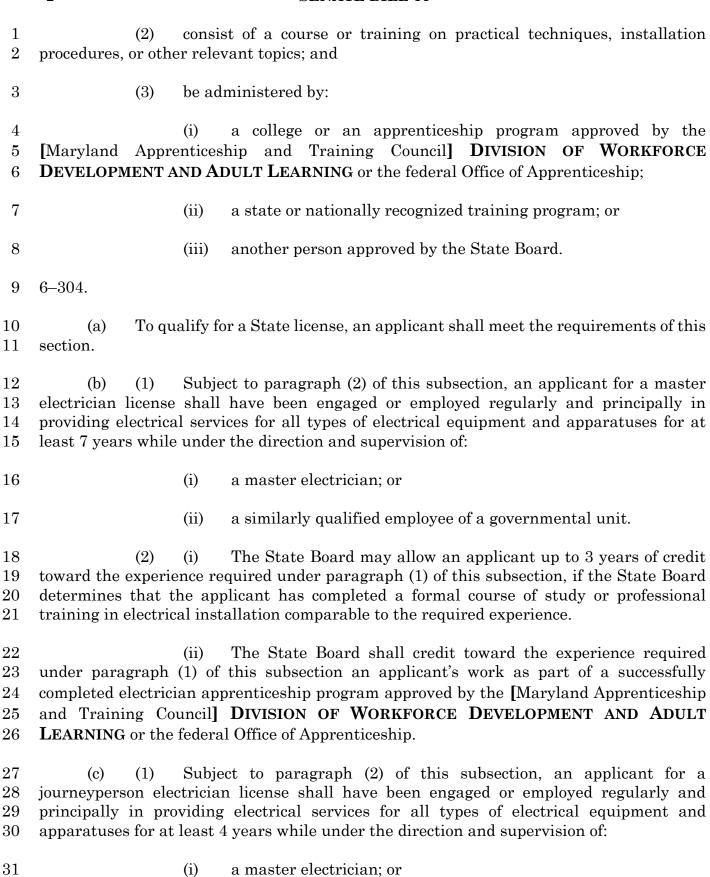
Article – Business Occupations and Professions

20 6–205.

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- 21 (b) The continuing education requirements adopted under this section shall:
- 22 (1) be based on the National Electrical Code or any local variants adopted 23 by a local board;

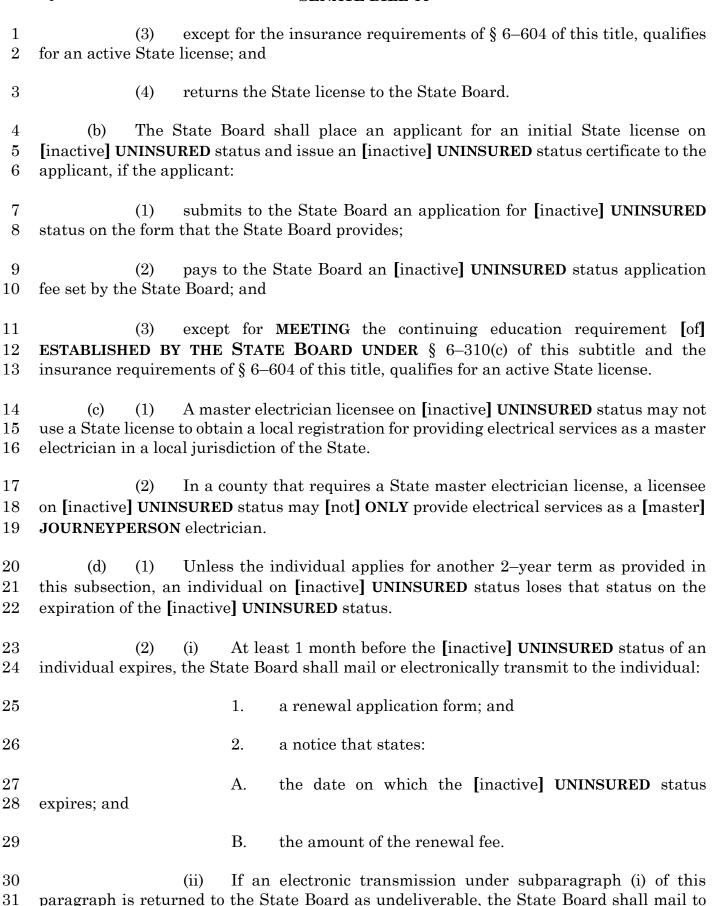




32 (ii) an employee of a governmental unit who is similarly qualified as 33 a master electrician licensed under this title.

- 1 (2) The State Board shall credit toward the experience required under paragraph (1) of this subsection an applicant's work as part of a successfully completed electrician apprenticeship program approved by the [Maryland Apprenticeship and Training Council] **DIVISION OF WORKFORCE DEVELOPMENT AND ADULT LEARNING** or the federal Office of Apprenticeship.
- 6 (d) Except as otherwise provided in this subtitle, the applicant shall pass an examination given by the State Board under this subtitle.
- 8 (e) The State Board may investigate the qualifications of each applicant to determine whether the applicant meets the requirements of this section.
- 10 6-307.1.
- The State Board shall waive the experience and examination requirements for an applicant for a journeyperson electrician license if the applicant:
- 13 (1) (i) provides written proof of 4 years of work experience providing 14 electrical services under the control and direction of a master electrician; and
- 15 (ii) submits an application for a license to the State Board on or 16 before December 31, 2022; or
- 17 (2) provides written proof that the applicant has successfully completed an 18 electrician apprenticeship program approved by the [Maryland Apprenticeship and 19 Training Council] **DIVISION OF WORKFORCE DEVELOPMENT AND ADULT LEARNING** 20 or the federal Office of Apprenticeship that consists of:
- 21 (i) at least 576 classroom hours; and
- 22 (ii) 8,000 hours of work experience.
- 23 6-311.
- 24 (a) The State Board shall place a State licensee on [inactive] UNINSURED status 25 and issue an [inactive] UNINSURED status certificate to the State licensee, if the State 26 licensee:
- 27 (1) submits to the State Board an application for [inactive] UNINSURED status on the form that the State Board provides;
- 29 (2) pays to the State Board any applicable [inactive] UNINSURED status 30 application fee;

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the individual, at the last known address of the individual, the materials required under

- 1 subparagraph (i) of this paragraph within 10 business days of the date the State Board 2 received the notice that the electronic transmission was undeliverable. 3 Before the [inactive] UNINSURED status expires, an individual on (3)4 [inactive] UNINSURED status periodically may renew it for an additional 2-year term, if 5 the individual: 6 (i) otherwise is entitled to be placed on [inactive] UNINSURED 7 status; 8 (ii) except for an electrical inspector, pays to the State Board a 9 renewal fee set by the State Board; [and] 10 submits to the State Board a renewal application on the form (iii) 11 that the State Board provides; AND 12MEETS THE CONTINUING EDUCATION REQUIREMENTS ESTABLISHED BY THE STATE BOARD UNDER § 6-310(C) OF THIS SUBTITLE. 13 14 **(4)** After an [inactive] UNINSURED status expires, the former licensee may 15 reapply for [inactive] UNINSURED status only if the former licensee: otherwise is entitled to be placed on [inactive] UNINSURED 16 (i) 17 status; 18 pays to the State Board a reapplication fee set by the State (ii) 19 Board; and 20 (iii) reapplies to the State Board for [inactive] UNINSURED status 21within 2 years after initial expiration of [inactive] UNINSURED status on a form that the 22State Board provides. 23The State Board shall renew the [inactive] UNINSURED status of each individual or grant the reapplication for [inactive] UNINSURED status of each former 2425licensee who meets the requirements of this subsection. 26
 - (e) If [a former licensee] AN INDIVIDUAL WHO WAS FORMERLY on [inactive] UNINSURED status who has failed to renew the [inactive] UNINSURED status within 2 years of its expiration reapplies for that status, the State Board shall require the [former licensee] INDIVIDUAL to comply with the requirements for obtaining a State license under §§ 6–304 and 6–307 of this subtitle and § 6–503 of this title as well as the requirements for [inactive] UNINSURED status under this section.

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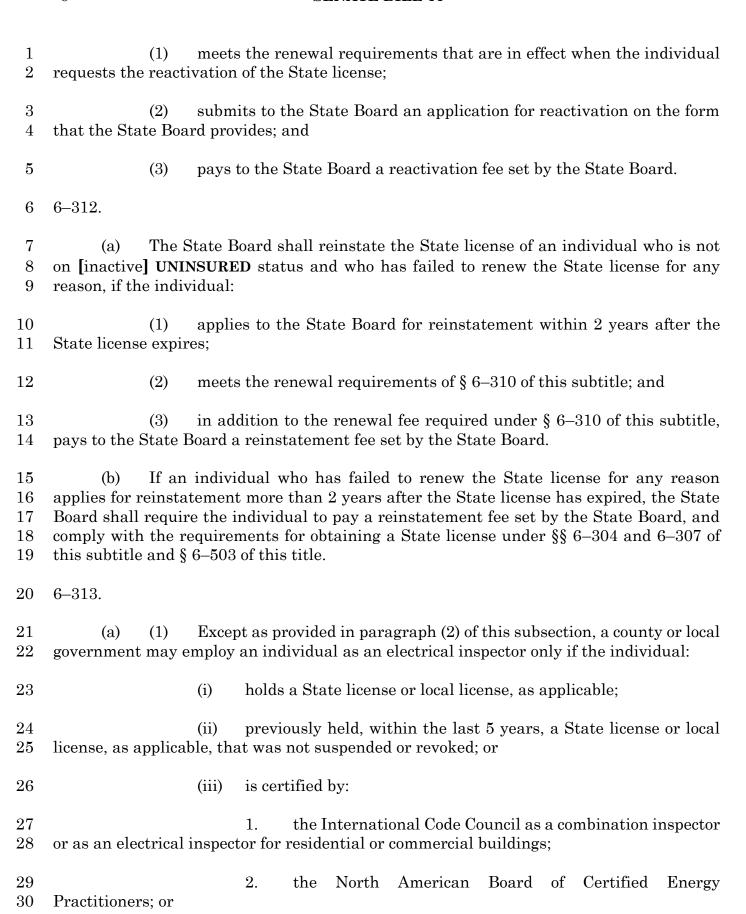
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32 (f) The State Board shall reactivate the State license of an individual who is on 33 [inactive] UNINSURED status, if the individual:



- 1 3. a certifying entity that is comparable to the entity listed 2 in item 1 or 2 of this item. 3 Paragraph (1) of this subsection does not apply to a county or local 4 government that uses code inspectors or combination building code inspectors to conduct trade-specific inspections on residential or commercial buildings to determine compliance 5 6 with adopted electrical codes or related building codes. 7 An individual may not have any financial interest in any electrical business 8 while employed by the State, a county, or a local government as an electrical inspector. 9 (c) (1) On appointment or employment as an electrical inspector, the individual: 10 shall place the State license of the individual on [inactive] 11 (i) 12 UNINSURED status: and 13 except for the renewal fee, shall meet the [inactive] UNINSURED (ii) 14 status requirements of § 6–311 of this subtitle. 15 (2)The State Board may issue an electrical inspector identification card to 16 an electrical inspector who has placed the State license on [inactive] UNINSURED status. 17 (3)The State Board may not charge a fee to issue the identification card. 18 The State Board may change the status of an electrical inspector to individual 19 [inactive] UNINSURED status, if the electrical inspector: 20 (1) meets the [inactive] UNINSURED status requirements of § 6–311 of this 21subtitle; and 22(2)pays an [inactive] UNINSURED status fee set by the State Board. 23On termination of the appointment or employment of an individual as an 24electrical inspector, the State Board shall reactivate the State license of the individual who 25is on [inactive] UNINSURED status, without examination, if the individual meets the 26 reactivation requirements for a State license under § 6–311(f) of this subtitle, including 27 payment of the reactivation fee. 28 6-604.
- 29 (a) This section does not apply to a State licensee on [inactive] UNINSURED 30 status.
- 31 (b) A LICENSED master electrician [who is licensed by the State Board and 32 provides electrical services or], a person to whom a LICENSED master electrician [licensed

- 1 by the State Board assigns a local registration under this title, OR ANOTHER PERSON
- 2 WHO ENGAGES IN THE BUSINESS OF PROVIDING ELECTRICAL SERVICES MAY NOT
- 3 CONTRACT TO PROVIDE ELECTRICAL SERVICES UNLESS THE ELECTRICAL WORK,
- 4 INCLUDING COMPLETED OPERATIONS, OF THE LICENSED MASTER ELECTRICIAN,
- 5 PERSON ASSIGNED A LOCAL REGISTRATION, OR PERSON WHO ENGAGES IN THE
- 6 BUSINESS OF PROVIDING ELECTRICAL SERVICES IS COVERED BY LIABILITY
- 7 INSURANCE [shall]:
- 8 (1) [maintain] FOR general liability [insurance] in the amount of at least 9 \$300,000; AND
- 10 (2) [maintain] FOR property damage [insurance] in the amount of at least 11 \$100,000[; and
- 12 (3) submit proof of the required insurance to the State Board].
- 13 (C) (1) THE INSURANCE REQUIRED UNDER THIS SECTION MAY BE 14 BOUGHT:
- 15 (I) BY A MASTER ELECTRICIAN; OR
- 16 (II) FOR A MASTER ELECTRICIAN, BY A PERSON WHO ENGAGES
- 17 IN THE BUSINESS OF PROVIDING ELECTRICAL SERVICES AND EMPLOYS THE MASTER
- 18 ELECTRICIAN.
- 19 (2) THE INSURANCE REQUIREMENT OF THIS SECTION IS NOT MEANT
- 20 TO COVER ELECTRICAL SERVICES THAT A MASTER ELECTRICIAN PROVIDES OUTSIDE
- 21 THE SCOPE OF EMPLOYMENT FOR THE PERSON WHO CARRIES THE INSURANCE.
- 22 (D) (1) A LICENSED APPRENTICE ELECTRICIAN OR LICENSED
- 23 JOURNEYPERSON ELECTRICIAN IN THE EMPLOY OF A LICENSED MASTER
- 24 ELECTRICIAN NEED NOT OBTAIN SEPARATE INSURANCE WHILE PROVIDING OR
- 25 ASSISTING IN PROVIDING ELECTRICAL SERVICES UNDER THE CONTROL AND
- 26 SUPERVISION OF THE LICENSED MASTER ELECTRICIAN.
- 27 (2) Subject to the restrictions of § 6–311 of this title
- 28 REGARDING UNINSURED STATUS, UNINSURED LICENSEES WHO HAVE HAD THEIR
- 29 UNINSURED STATUS APPROVED BY THE STATE BOARD NEED NOT OBTAIN
- 30 INSURANCE WHILE MAINTAINING UNINSURED STATUS.
- [(c)] (E) (1) An applicant for a State license shall submit proof of the insurance required under this section to the State Board with the license application.

- 1 (2) The State Board may not issue a State license to an applicant to whom 2 the insurance requirements of this section would apply unless the applicant submits proof 3 of the insurance.
 - [(d)] **(F)** Unless an applicant meets the insurance requirements of this section, the State Board may not renew a State license of the applicant to whom the insurance requirements of this section would apply.

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- 7 **[(e)] (G)** If the insurance required under this section is canceled, the insurer 8 shall notify the State Board within 10 days after the date of cancellation.
 - [(f)] (H) If a local jurisdiction requires [an applicant for a local license] A MASTER ELECTRICIAN OR OTHER PERSON WHO ENGAGES IN THE BUSINESS OF PROVIDING ELECTRICAL SERVICES to execute a bond to the local jurisdiction, the applicant may satisfy the bond requirement by submitting proof of the insurance required under this section.
 - (I) THE STATE BOARD SHALL SPECIFY ON EACH LICENSE WHETHER THE LICENSE HOLDER MEETS THE INSURANCE REQUIREMENTS OF THIS SECTION.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three—fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.