

## **CHAPTER 298**

**(House Bill 878)**

AN ACT concerning

### **Washington County – Regulation of Electricians and the Provision of Electrical Services**

FOR the purpose of providing that the compensation of each member of the Board of Electrical Examiners and Supervisors shall be in an amount approved by the County Commissioners of Washington County; requiring the Board to adopt certain rules and regulations for the examining and licensing of master electricians, restricted electricians, and apprentice and journeyman electricians in Washington County and the conduct of certain hearings by the Board under certain circumstances; authorizing the County Commissioners to modify certain regulations under certain circumstances; providing for the types of businesses that an individual may engage in if that individual holds a certain master electrician license; providing for the types of businesses that an individual may engage in if that individual holds a certain restricted electrician license; requiring that a certain master electrician license be issued in accordance with certain rules and regulations of the Board; repealing certain provisions relating to the application and issuance of a certain master electrician license; repealing provisions relating a right of appeal for certain applicants for a certain license to a certain arbitration board; providing that a certain license examination be administered and the results determined in accordance with certain rules and regulations of the Board; requiring a certain individual to deliver a certain certificate of comprehensive general liability insurance to the Board before the issuance or renewal of a certain restricted electrician license; requiring a certain certificate of insurance to contain certain information; altering the fees for a certain master electrician license or restricted electrician license; repealing certain provisions relating to the expiration or inactive status of a certain license; providing that an individual is guilty of a misdemeanor if that individual performs certain work while not licensed as, or under the supervision of, a master electrician or a restricted electrician under certain circumstances; providing that an individual is guilty of a misdemeanor if that individual practices the work of a restricted electrician without complying with certain provisions of law; repealing certain provisions relating to the licensing of certain restricted electricians; defining certain terms; and generally relating to the Washington County Board of Electrical Examiners and Supervisors and the regulations of electrical services in Washington County.

BY repealing and reenacting, with amendments,  
The Public Local Laws of Washington County  
Section 8–101, 8–103, 8–104, 8–105, 8–106, 8–107, and 8–112

Article 22 – Public Local Laws of Maryland  
(2007 Edition, as amended)

BY repealing

The Public Local Laws of Washington County  
Section 8–108 and 8–117  
Article 22 – Public Local Laws of Maryland  
(2007 Edition, as amended)

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

**Article 22 – Washington County**

**Subtitle 1. Electrical Apparatus and Wiring**

8–101.

(a) **IN THIS SUBTITLE, “BOARD” MEANS THE BOARD OF ELECTRICAL EXAMINERS AND SUPERVISORS.**

(B) The County Commissioners shall appoint a Board of **ELECTRICAL** Examiners and Supervisors, consisting of 5 individuals, for the purpose of examining into the qualifications and capabilities of all individuals who are engaged or desire to engage in the business of Master Electrician as defined in this subtitle.

[(b)] (C) The Board shall consist of 4 competent individuals who are familiar with the electrical business. Those individuals shall have been residents of the county for at least 5 years. One individual shall be selected from an electric public utility company doing business in Washington County, 2 individuals shall be from among the duly licensed Master Electricians in the county, and 1 member shall be appointed at-large. Their term of office shall be for 2 years.

[(c)] (D) The fifth member shall be designated by the Washington County Fire and Rescue Association and shall be an active member of a Volunteer Fire Company in the county. The term of office of this member is 2 years.

[(d)] (E) Should a vacancy occur during the term of any member, the County Commissioners shall appoint an individual to fill the vacant position. The County Commissioners may remove any member of the Board for incompetency or improper conduct upon satisfactory evidence being presented to it of the condition.

8–103.

(a) (1) Each member of the Board shall receive compensation [of \$30 per day subject to a maximum of \$300 per year] **IN AN AMOUNT APPROVED BY THE COUNTY COMMISSIONERS** for actual service in attending meetings of the Board.

(2) The compensation shall be paid by the County Commissioners.

(3) The Secretary of the Board may receive additional compensation as the Board considers just and reasonable, subject to the bylaws of the Board.

(b) The compensation and expenses of the Board may not be paid out of the funds in the State Treasury or become a charge against the State.

8-104.

(a) The Board shall meet at least quarterly in each year in Hagerstown and shall hold special meetings as frequently as the proper and efficient discharge of its business requires.

(b) (1) The Board shall adopt **RULES AND** regulations for:

(i) The examinations and licensing of Master Electricians **AND RESTRICTED ELECTRICIANS;**

(ii) **IF APPROVED BY THE STATE BOARD OF MASTER ELECTRICIANS, THE EXAMINATIONS AND LICENSING OF APPRENTICE AND JOURNEYMAN ELECTRICIANS;**

(iii) The approval of reciprocal licensing agreements with other municipalities and local governments with similar regulation;

[(iii)] (iv) The enforcement of codes and certain permitting issues related to electrical work, including the adjudication of disputes;

[(iv)] (v) [Providing] **THE PROVISION OF** timely notice of meetings to those who have made application for a license; [and

(v)] (vi) **THE CONDUCT OF HEARINGS BY THE BOARD, INCLUDING APPEALS TO THE BOARD RELATED TO THE ORDERS, DECISIONS, OR DETERMINATIONS MADE BY THE CODE OFFICIAL RELATIVE TO THE APPLICATION AND INTERPRETATION OF THE CODE; AND**

(vii) The placement, installation, and operation of electrical wires, appliances, apparatus, or construction in, upon, and about buildings in Washington County.

(2) (i) Prior to the adoption of any new or amended regulations by the Board, the County Commissioners shall review the regulations.

(ii) The County Commissioners may either approve, **MODIFY**, or reject the regulations following their review in subparagraph (i) of this paragraph.

(3) (i) If the County Commissioners approve **OR MODIFY** the regulations as provided in paragraph (2) of this subsection and the Board adopts these regulations, the regulations have the same force and effect as law.

(ii) If the County Commissioners reject the regulations as provided in paragraph (2) of this subsection, the Board may not adopt the regulations.

(4) The Board shall give notice of the adoption of new or amended regulations.

8–105.

(a) **(1)** In this subtitle, Master Electrician means and includes any and all individuals engaged in the business of, or holding themselves out to the public as engaged in the business of installing, erecting, or repairing, or contracting to install, erect, or repair electric wires or conductors that are used for the transmission of electric current for electric light, heat, or power purposes, or moldings, ducts, raceways, or conduits for the reception or protection of such wires or conductors, or to any electrical machinery, apparatus, devices, or fixtures to be used for electric light, heat, or power purposes.

**(2) IN THIS SUBTITLE, “RESTRICTED ELECTRICIAN” MEANS ANY INDIVIDUAL WHO HAS BEEN FOUND COMPETENT BY THE BOARD OF ELECTRICAL EXAMINERS AND SUPERVISORS TO ENGAGE IN LIMITED FIELDS OF ELECTRICAL WORK.**

(b) **(1)** A “Master Electrician” license issued in accordance with the provisions of this subtitle **AND THE RULES AND REGULATIONS OF THE BOARD** entitles any licensed individual to engage in the business of and to hold himself out to the public as engaged in the business of installing, erecting, and repairing and of contracting to install, erect, and repair any electric wires or conductors, etc.

**(2) A “RESTRICTED ELECTRICIAN” LICENSE ISSUED IN ACCORDANCE WITH THIS SUBTITLE AND THE RULES AND REGULATIONS OF THE BOARD PERMITS ANY LICENSED INDIVIDUAL TO ENGAGE IN THE BUSINESS OF AND TO HOLD HIMSELF OR HERSELF OUT TO THE PUBLIC AS ENGAGED IN THE BUSINESS OF INSTALLATION AND REPAIR OF THE PARTICULAR CATEGORY OF ELECTRICAL EQUIPMENT AND APPARATUS DESCRIBED IN THE RULES AND REGULATIONS OF THE BOARD AND ON THE LICENSE.**

(c) This subtitle does not apply to any firm or corporation if the individual managing and in charge of the electrical work for the firm or corporation is a Master Electrician licensed under this subtitle.

8-106.

(a) [(1) (i)] Before any individual engages in the business of a Master Electrician **OR RESTRICTED ELECTRICIAN** in Washington County, that individual shall apply to the Board for a license examination.

[(ii) (B)] The Board shall hold license examinations 4 times annually at a time and place determined by the Board.

[(iii)] An applicant shall file a license application with work experience verification letters and an examination fee of \$50 at least 30 days before the examination date. The examination fee is not refundable.

(iv) An applicant shall take and pass an objective written examination to determine fitness for a license.

(v) The passing grade for the examination shall be 70 percent.

(vi) The examination shall require knowledge of all applicable codes, laws, rules, and principles of electrical installations.

(2) (i) The Board may not grant a license to an applicant who:

1. Is under the age of 21 years; or

2. Has not taken and subscribed an oath that the applicant has been regularly and principally employed or engaged in electrical construction, installation, and repair of all types of electrical equipment and apparatus for a period of not less than 7 years preceding the date of the application, under the direction and supervision of a Master Electrician, 3 years during which the applicant supervised or was actively in charge of electrical installation work.

(ii) An applicant's work experience shall be verified by letters from qualified supervisory personnel of present or previous employers of the applicant. The letters shall be on letterhead of the employer and shall be under affidavit.

(iii) An applicant shall file the work experience verification letters with the applicant's license application.

(iv) The Board shall review the work experience verification letters to determine if, in the opinion of the Board, the applicant has had sufficient practical experience for a license as a Master Electrician.

(3) (i) The Board shall issue a license to an applicant if:

1. The applicant passes the examination;
2. The Board determines after review of the applicant's work experience verification letters that the applicant has had sufficient practical experience;
3. The applicant pays the fee; and
4. The applicant delivers to the Board a certificate of insurance that meets the requirements of § 8–107 of this title.

(ii) If an applicant meets the requirements of subparagraph (i) of this paragraph, the Board shall register the applicant as a duly licensed Master Electrician for a term of 3 years.

(iii) The Board shall issue the license in the individual's name only.

(b) An individual whose application for a license has been rejected by the Board has the right to appeal to a Board of Arbitration. The Board of Arbitration shall consist of 1 member selected by the individual making the appeal and 1 member selected by the Board. These 2 members shall select a third member, and the decision of a majority of the Board of Arbitration shall be final and binding upon all of the parties to the appeal. The members of the Board of Arbitration shall be paid \$50 each, which sum shall be deposited with the Board by the individual taking the appeal. If the Board of Arbitration affirms the decision of the Board, the deposited money shall be used to pay the Board of Arbitration. If, however, the decision is reversed, the Board of Arbitration shall be paid by the County Commissioners and the deposit shall be returned.]

**(C) EXAMINATIONS SHALL BE ADMINISTERED AND RESULTS DETERMINED ACCORDING TO THE RULES AND REGULATIONS OF THE BOARD.**

8–107.

(a) (1) Before the issuance or the renewal of a Master Electrician's license **OR A RESTRICTED ELECTRICIAN'S LICENSE**, an individual shall deliver to the Board a certificate of comprehensive general liability insurance, including completed operations coverage, with limits of \$300,000 for bodily injury and \$100,000 for property damage.

(2) The certificate of insurance shall be issued to the “Board of Electrical Examiners and Supervisors of Washington County” with the applicant’s name, **AND COMPANY NAME IF APPLICABLE**, appearing on the certificate.

(3) A holder of a Master Electrician’s license shall forward any notice of cancellation of insurance to the Board within 10 days of the cancellation date.

(4) Insurance obtained in compliance with this section shall relieve the applicant for a Master Electrician’s license from any requirement to furnish a separate surety bond.

(5) An applicant for a Restricted Electrician’s license shall also comply with the insurance requirements of this section.

(6) Holders of an inactive Master Electrician’s license are exempt from the insurance requirements of this subsection.

(b) The fees shall be[:

(1) Active and renewal license – \$150;

(2) Inactive license – \$50;

(3) Fee to reactivate license – \$50 for each of the remaining years in the licensing period, the total not to exceed \$150;

(4) Late payment penalty – \$100; and

(5) Active license for those individuals who become eligible for a license after the beginning of a licensing period – \$50 for each remaining year or part of a year in the licensing period] **DETERMINED BY A FEE SCHEDULE ADOPTED BY THE COUNTY COMMISSIONERS.**

[8–108.

(a) An active license expires on the third December 31 after its effective date and is renewable every 3 years upon payment of the fee and delivery of the certificate of insurance, unless the Board has revoked the license.

(b) An individual who holds a valid electrical license may go on inactive status, during which time the licensee may not engage in electrical contracting in Washington County. An inactive license expires on the third December 31 after its effective date and is renewable every 3 years upon payment of the inactive license fee. Insurance is not required while the license is inactive. After 2 years of inactive status, a licensee must pass a written electrical examination before the license may be

reactivated unless the licensee submits to the Board a letter from an employer of the licensee, certifying that, during inactive status, the licensee has been performing electrical work.

(c) A licensee may reactivate a license upon a written request to the Board and payment of the reactivating fee and delivery of a certificate of insurance as required by § 8-107 of this subtitle.]

8-112.

(a) A person is guilty of a misdemeanor who:

(1) Practices, engages, or continues in the work of a Master Electrician **OR A RESTRICTED ELECTRICIAN** without compliance with all the provisions of this subtitle;

(2) [Is not licensed as Master Electrician] **PERFORMS THE WORK OF A MASTER ELECTRICIAN OR A RESTRICTED ELECTRICIAN WHILE NOT LICENSED AS, OR UNDER THE SUPERVISION OF, A MASTER ELECTRICIAN OR A RESTRICTED ELECTRICIAN, RESPECTIVELY;**

(3) [Does or performs any such work except under the direction of a Master Electrician;

(4)] Has been licensed as a Master Electrician **OR A RESTRICTED ELECTRICIAN** and who fails to renew his license and [does or] performs [any such] **THE work OF A MASTER ELECTRICIAN OR A RESTRICTED ELECTRICIAN;** and

~~[(5)]~~ (4) Violates any of the provisions of this subtitle.

(b) (1) Upon conviction, the person shall be fined not less than \$250 nor more than \$1,000 or imprisoned not more than 90 days, or both.

(2) Any conviction automatically shall revoke and annul any license that may have been issued to that person.

[8-117.

(a) The Board shall also examine into the qualifications and capabilities of all persons who are engaged or desire to engage in limited fields of electrical work.

(b) (1) Persons found properly qualified by the Board shall be issued Restricted Electrician licenses which shall be designated as such and shall contain the name of the particular fields of electrical work in which the persons are qualified.



(2) The Board may not grant a Restricted Electrician license to an applicant who:

(i) Is under the age of 21 years; or

(ii) Has not taken and subscribed an oath that the applicant has been regularly and principally employed or engaged, for a period of at least 4 years preceding the date of the application, in electrical installation and repair of the particular category of electrical equipment and apparatus described in subsection (d) of this section for which the applicant is to be licensed.

(c) A licensed Restricted Electrician may install electrical wiring from the point of distribution to, and including, the equipment or appliance.

(d) A Restricted Electrician license may be issued for the following categories:

(1) Electrically operated heating, air-conditioning, ventilation, and refrigeration equipment utilizing oil or gas burners and temperature and control wiring;

(2) Electrically operated elevators, cranes, hoists, and pumps;

(3) Electrical display signs;

(4) Alarm systems, radio and television antennae, cable television, and telephone and low-voltage communications systems;

(5) Petroleum dispensing units (gasoline, kerosene, diesel, and aviation fuels);

(6) Household appliances;

(7) On premises electrician (plant electrician) who works only on the premises of the individual's employer which is a corporation, firm, or company not engaged in the business of electrical work; or

(8) Residential one and two family dwellings.

(e) All matters handled by the Board in connection with the issuance of Restricted Electrician licenses shall be dealt with in the same way and under the same rules and regulations and to the same extent as the Board uses in the issuance of Master Electrician licenses.]

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2008.

**Approved by the Governor, April 24, 2008.**