

Department of Legislative Services
Maryland General Assembly
2013 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 350

(Senator Colburn, *et al.*)

Education, Health, and Environmental Affairs

Economic Matters

Electrical Inspectors and Plumbing Inspectors - Master License Required

This bill generally requires a county or local government to employ licensed or recently licensed master electricians as electrical inspectors and licensed master plumbers as plumbing inspectors, subject to specified exceptions. This requirement applies only to electrical and plumbing inspectors hired after the bill's effective date.

The bill takes effect January 1, 2014.

Fiscal Summary

State Effect: Potential minimal general fund revenue increase due to increased licensure under the bill. Any increased work can be handled with existing resources.

Local Effect: Potential increase in local government expenditures for electrical inspector and plumbing inspector services to the extent that a county or local government does not currently employ licensed master electricians or master plumbers as inspectors and does not meet specified exemption criteria. Corresponding permit fees (and revenues) may also increase in affected counties and local governments to offset increased expenditures. **This bill may impose a mandate on a unit of local government.**

Small Business Effect: None.

Analysis

Bill Summary: A county or local government may employ an individual as an electrical inspector only if the individual (1) holds, or has held within the last five years, a State or local master electrician license that was not suspended or revoked or (2) is certified by the International Code Council (ICC) as either a combination inspector or an electrical inspector for residential or commercial buildings, by the North American Board of

Certified Energy Practitioners, or by another comparable certifying entity. A county or local government is exempt from the master electrician requirement if it uses code inspectors or combination building code inspectors to conduct trade-specific inspections on residential or commercial buildings to determine compliance with adopted electrical or related building codes.

In addition, a county or local government may employ an individual as a plumbing inspector only if the individual holds a master plumber license from the State Board of Plumbing, the Baltimore County Plumbing Board, or the Washington Suburban Sanitary Commission (WSSC). A county or local government is exempt from the master plumber requirement if it uses combination building code inspectors to conduct concurrent trade-specific inspections on adopted plumbing codes and building codes and the combination inspector, as part of the inspector's training, has passed (1) a master plumber examination given by the State board, the Baltimore County Plumbing Board, or WSSC or (2) the plumbing inspector's test administered by the State board.

Current Law:

Electricians

The State Board of Master Electricians in the Department of Labor, Licensing, and Regulation (DLLR) issues master electrician licenses to qualified individuals under the Maryland Master Electricians Act. Each county is required to adopt licensing qualifications comparable to or more stringent than specified State qualifications or require a State license. In a local jurisdiction that requires a local license, the State license serves only as a mechanism for obtaining reciprocal licenses in other local jurisdictions. In the two jurisdictions that do not have local licensing requirements, Garrett and Allegany counties, an electrician must have a State license to provide electrical services as a master electrician.

To obtain a State license as a master electrician, the applicant must have seven years of experience providing electrical services for all types of electrical equipment and apparatus, under the supervision of a master electrician or a similarly qualified employee of a governmental unit. With the board's approval, the applicant may count up to three years of formal education and training toward the experience requirement. All applicants, except those seeking inactive status, must maintain general liability insurance of at least \$300,000 and property damage insurance of at least \$100,000.

An individual must place his or her State master electrician license on inactive status and is prohibited from having any financial interest in any electrical business for the duration of employment as an electrical inspector. The board may issue an electrical inspector identification card to an electrical inspector who has placed the State license on inactive

status. When employment is terminated, the board must reactivate the State master electrician license, if applicable, without reexamination.

Plumbers

Under State law, the State Board of Plumbing (within DLLR) regulates the plumbing industry throughout most of Maryland, but it lacks jurisdiction in Baltimore County as well as in areas of Montgomery and Prince George's counties under the jurisdiction of WSSC. The licenses issued by the board are not valid in these jurisdictions; however, Baltimore County does require applicants for their journey examination to hold a current State apprentice license.

To provide plumbing services throughout most of the State, a person must be licensed by the board. The board issues three different plumbing licenses: master, journey, and apprentice. These licenses are typically held in conjunction with the equivalent gas fitters license. Apprentice plumbers must have at least four years of experience and at least 7,500 hours under the direction and control of a master plumber or natural gas fitter to qualify to sit for the journey examination. Journey plumbers must have at least two years of experience and 3,750 hours of training in providing plumbing services as a journey plumber to qualify to sit for the master plumber examination.

An individual must place his or her State master plumber license on inactive status and is prohibited from having any financial interest in any plumbing business for the duration of employment as a plumbing inspector. The board may issue a plumbing inspector identification card to a plumbing inspector who has placed the State license on inactive status. When employment is terminated, the board must reactivate the State master plumber license, if applicable, without reexamination.

The board also requires that plumbing inspectors hired by the State, county, or a local government meet minimum standards established by the county or local government in consultation with the board or, if there is no minimum standard in a county or local government, the minimum standards established by the board. The minimum standards are that the plumbing inspector must (1) be a licensed master or journey plumber; (2) have at least four years experience as an inspector or craftsman in a building or construction trade; and (3) pass a written examination prepared and administered by the board. Plumbing inspectors must annually attend a refresher course provided by the board.

Background: Statute requires local jurisdictions to enforce licensing requirements. The local policing of the electrical and plumbing professions primarily occurs through locally issued permits and locally conducted inspections. Every jurisdiction in Maryland has a building permit office that is generally separate from the local licensing board. Not all jurisdictions perform their own inspections, however. Economies of scale result in many

smaller jurisdictions contracting out the inspection function. Allegany County, for example, does not have an electrical board but does have a permit office, and the inspections are contracted out to two separate companies.

The primary function of a permit office is to issue a permit that gives the right to perform specific electrical or plumbing work on a designated site or project. The permit office sends an inspector to each ongoing project to ensure that work on the project complies with applicable codes. Noncompliance with established standards is normally addressed between the inspector and the licensed electrician or plumber, who is expected to bring the project up to code. If the individual does not remedy the problem, the inspector may report the violation to the applicable licensing board. A citation may also be issued.

Local Fiscal Effect: The Department of Legislative Services advises that, because the bill applies prospectively, the impact is phased in as attrition occurs and replacement inspectors must meet the bill's licensing standard.

Inspection of residential and commercial electrical and plumbing work is almost exclusively within the purview of county or local governments. The exact number of electrical and plumbing inspectors employed by local jurisdictions is unknown at this time; however, local fiscal effects will vary based on whether or not county or local governments currently employ master electricians as electrical inspectors and master plumbers as plumbing inspectors and are otherwise not exempt from the bill. The Maryland Building Officials Association advises that most jurisdictions already require inspectors to be licensed master electricians. However, some counties use combination inspectors who are licensed by ICC.

Even if a county does not employ master electricians as electrical inspectors or master plumbers as plumbing inspectors a county may still meet one of the bill's exemptions. For example, Anne Arundel County requires combination inspectors who perform final residential electrical inspections to hold either a State master electrician license or certification from ICC. Montgomery County also employs combination building code inspectors on residential buildings.

Additional Information

Prior Introductions: A similar bill, HB 10 of 2012, passed the House. It subsequently passed the Senate with amendments. No further action was taken.

Cross File: HB 270 (Delegate Haddaway-Riccio, *et al.*) - Economic Matters.

Information Source(s): Department of Labor, Licensing, and Regulation; Washington Suburban Sanitary Commission; Anne Arundel, Baltimore, Charles, Frederick, and Montgomery counties; City of Salisbury; towns of Bel Air and Leonardtown; Department of Legislative Services

Fiscal Note History: First Reader - February 6, 2013
mlm/mcr Revised - Senate Third Reader - March 14, 2013

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