

HOUSE BILL 905

C2

9lr1037

By: **Delegates Hornberger, Boteler, Buckel, Long, Miller, Qi, Reilly, and Rose**

Introduced and read first time: February 8, 2019

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Electricians – Low-Voltage Electricians, Continuing Education, and Penalties**

3 FOR the purpose of establishing a low-voltage electrician license as a State license to be
4 awarded to qualifying electricians; altering the name and membership of the State
5 Board of Master Electricians to be the State Board of Electricians; requiring the
6 State Board to enforce certain standards for the provision of electrical services;
7 requiring that the continuing education requirements adopted by the State Board be
8 based on certain standards, consist of a certain course or training, and be
9 administered by certain persons; requiring an applicant for a low-voltage electrician
10 license to have been engaged or employed regularly in providing electrical services
11 for at least a certain period of time; requiring a low-voltage electrician to take a
12 certain examination, except under certain circumstances; requiring the State Board
13 to grant a waiver to the examination requirement for certain applicants for a
14 low-voltage electrician license who complete a certain apprenticeship program;
15 providing that the State Board shall waive the examination requirement for a certain
16 applicant for a low-voltage electrician license, under certain circumstances, if the
17 applicant submits a license on or before a certain date; authorizing the State Board
18 to waive the examination requirement for certain out-of-State low-voltage
19 electricians; requiring the State Board to pursue a policy of reciprocal recognition of
20 electrician licenses awarded in other states; prohibiting individuals from providing
21 electrical services or assisting in the provision of electrical services unless the
22 individual has an appropriate license or permit; requiring that any individual who
23 violates certain provisions of law is guilty of a misdemeanor; establishing a fine not
24 to exceed a certain amount for a first conviction of a certain misdemeanor and a fine
25 not to exceed a certain amount for a subsequent conviction; authorizing the State
26 Board to impose a civil penalty, not exceeding a certain amount, for certain violations
27 of certain provisions of law; requiring the State Board to consider certain matters
28 when imposing a penalty; requiring that the State Board pay certain penalties to the
29 State Occupational Mechanical Licensing Boards' Fund; amending the name of the
30 Maryland Master Electricians Act to be the Maryland Electricians Act; making
31 conforming changes; defining certain terms; and generally relating to the provision

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 of electrical services in the State.

2 BY repealing and reenacting, with amendments,
3 Article – Business Occupations and Professions
4 Section 6–101, 6–201, 6–202(a), 6–205, 6–304, 6–307, 6–308, 6–311(c), 6–312, 6–315,
5 6–321(a)(2), 6–401, 6–604(b), and 6–701
6 Annotated Code of Maryland
7 (2018 Replacement Volume)

8 BY adding to
9 Article – Business Occupations and Professions
10 Section 6–606 and 6–607
11 Annotated Code of Maryland
12 (2018 Replacement Volume)

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

15 **Article – Business Occupations and Professions**

16 6–101.

17 (a) In this title the following words have the meanings indicated.

18 (b) (1) “Assignment of local license” means any procedure by which a licensee
19 grants to another person a right to use a local license to enable that person to engage in the
20 business of providing electrical services.

21 (2) “Assignment of local license” includes any procedure by which:

22 (i) a licensee agrees to be the representative of another person; and

23 (ii) by virtue of that agreement, the other person is authorized to
24 engage in the business of providing electrical services.

25 (c) “Engage in the business of providing electrical services” means to engage in
26 providing electrical services for compensation.

27 (d) “License” means, unless the context requires otherwise, a license issued by the
28 State Board or a local jurisdiction to provide electrical services.

29 **(E) “LICENSED LOW-VOLTAGE ELECTRICIAN” MEANS, UNLESS THE**
30 **CONTEXT REQUIRES OTHERWISE, AN ELECTRICIAN LICENSE ISSUED BY THE STATE**
31 **BOARD OR A LOCAL JURISDICTION TO PROVIDE LOW-VOLTAGE SERVICES.**

32 **[(e) (F)** “Licensed master electrician” means, unless the context requires
33 otherwise, a master electrician who is licensed by the State Board or a local jurisdiction to

1 provide electrical services.

2 **[(f)] (G)** “Local board” means a board that a local jurisdiction of the State creates
3 to regulate any aspect of the electrical trade.

4 **[(g)] (H)** “Local license” means, unless the context requires otherwise, a license
5 that is issued by a local board to provide electrical services as a master electrician.

6 **(I) “LOW-VOLTAGE SERVICES” MEANS:**

7 **(1) FOR AUDIO SIGNAL PROCESSING, AMPLIFICATION, AND**
8 **REPRODUCTION EQUIPMENT, ELECTRICAL SERVICES THAT ARE OPERATED AT NOT**
9 **MORE THAN 80 VOLTS OF ELECTRICAL CURRENT; AND**

10 **(2) FOR ALL OTHER ELECTRICALLY OPERATED SERVICES, SERVICES**
11 **THAT ARE OPERATED AT NOT MORE THAN 50 VOLTS OF ELECTRICAL CURRENT.**

12 **[(h)] (J)** “Master electrician” means an individual who has the experience,
13 knowledge, and skill to provide electrical services in all aspects of the electrical trade, in a
14 manner that complies with applicable plans, specifications, codes, or law.

15 **[(i)] (K)** (1) “Provide electrical services” means to provide any service in the
16 electrical trade.

17 (2) “Provide electrical services” includes installing, repairing, or altering
18 any electrical wiring, fixture, appliance, apparatus, raceway, or conduit that:

19 (i) generates, transmits, transforms, or uses electrical energy in any
20 form for light, heat, power, or communication; and

21 (ii) is located within a plant, substation, or elsewhere.

22 **[(j)] (L)** “State Board” means the State Board of **[Master]** Electricians.

23 **[(k)] (M)** “State license” means a license that is issued by the State Board to a
24 master electrician **OR A LOW-VOLTAGE ELECTRICIAN.**

25 6–201.

26 There is a State Board of **[Master]** Electricians in the Department.

27 6–202.

28 (a) (1) The State Board consists of 9 members appointed by the Governor with
29 the advice and consent of the Senate.

- 1 (2) Of the 9 members of the State Board:
- 2 (i) [6] 4 shall be licensed master electricians; [and]
- 3 (ii) 3 shall be consumer members; **AND**
- 4 **(III) 2 SHALL BE LICENSED LOW-VOLTAGE ELECTRICIANS.**
- 5 (3) Of the [6 master electrician] members:
- 6 (i) 1 shall be from Baltimore City;
- 7 (ii) 1 shall be from the area that consists of Caroline, Dorchester,
8 Kent, Queen Anne's, Somerset, Talbot, Wicomico, and Worcester counties;
- 9 (iii) 1 shall be from the area that consists of Baltimore, Cecil, and
10 Harford counties;
- 11 (iv) 1 shall be from the area that consists of Anne Arundel, Calvert,
12 Charles, and St. Mary's counties;
- 13 (v) 1 shall be from the area that consists of Montgomery and Prince
14 George's counties; and
- 15 (vi) 1 shall be from the area that consists of Allegany, Carroll,
16 Frederick, Garrett, Howard, and Washington counties.
- 17 (4) The [consumer] **OTHER** members shall be from the State at large.
- 18 (5) A member of the State Board may not reside in the same county as
19 another member.
- 20 6–205.
- 21 **(A)** In addition to any powers and duties set forth elsewhere, the State Board
22 shall:
- 23 (1) twice a year hold a seminar and invite members from each local
24 licensing jurisdiction to discuss any industry or licensing problems; [and]
- 25 (2) adopt regulations to establish:
- 26 (i) application and examination fees;
- 27 (ii) continuing education requirements; and

1 (iii) application deadlines; AND

2 (3) ENFORCE MINIMUM STANDARDS FOR THE PROVISION OF
3 ELECTRICAL SERVICES CONSISTENT WITH THE NATIONAL ELECTRICAL CODE
4 ADOPTED BY THE STATE OR ANY CODE OR STANDARD OF THE NATIONAL FIRE
5 PROTECTION ASSOCIATION THAT RELATES TO THE PROVISION OF ELECTRICAL
6 SERVICES.

7 (B) THE CONTINUING EDUCATION REQUIREMENTS ADOPTED UNDER THIS
8 SECTION SHALL:

9 (1) BE BASED ON THE NATIONAL ELECTRICAL CODE ADOPTED BY
10 THE STATE BOARD, OR ANY LOCAL VARIANTS ADOPTED BY A LOCAL BOARD;

11 (2) CONSIST OF A COURSE OR TRAINING ON PRACTICAL TECHNIQUES,
12 INSTALLATION PROCEDURES, OR OTHER RELEVANT TEACHINGS; AND

13 (3) BE ADMINISTERED BY:

14 (I) A COLLEGE OR TRADE SCHOOL;

15 (II) A STATE OR NATIONALLY RECOGNIZED TRAINING
16 PROGRAM; OR

17 (III) ANOTHER PERSON APPROVED BY THE STATE BOARD.

18 6-304.

19 (a) To qualify for a State license, an applicant shall be an individual who meets
20 the requirements of this section.

21 (b) (1) Subject to paragraph (2) of this subsection, [the] AN applicant FOR A
22 MASTER ELECTRICIAN'S LICENSE shall have been engaged or employed regularly and
23 principally in providing electrical services for all types of electrical equipment and
24 [apparatus] APPARATUSES for at least 7 years while under the direction and supervision
25 of:

26 (i) a master electrician; or

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

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

1 **(C) AN APPLICANT FOR A LOW-VOLTAGE ELECTRICIAN LICENSE SHALL**
2 **HAVE BEEN ENGAGED OR EMPLOYED REGULARLY AND PRINCIPALLY IN PROVIDING**
3 **ELECTRICAL SERVICES FOR ALL TYPES OF ELECTRICAL EQUIPMENT AND**
4 **APPARATUSES FOR AT LEAST 3 YEARS.**

5 **[(c)] (D)** Except as otherwise provided in this subtitle, the applicant shall pass
6 an examination given by the State Board under this subtitle.

7 **[(d)] (E)** The State Board may investigate the qualifications of each applicant to
8 determine whether the applicant meets the requirements of this section.

9 6–307.

10 (a) Subject to the limitations in this section, the State Board shall waive the
11 examination requirements of this subtitle for an individual who holds a local license.

12 (b) The State Board shall grant a waiver under this section **TO AN APPLICANT**
13 **FOR A MASTER ELECTRICIAN’S LICENSE** only if the applicant:

14 (1) pays the application fee established by the **STATE** Board under § 6–205
15 of this title;

16 (2) provides adequate evidence that the applicant:

17 (i) meets the qualifications otherwise required by this subtitle; and

18 (ii) is licensed in a local jurisdiction after:

19 1. passing, in that local jurisdiction, an examination that is
20 equivalent to the examination for which the applicant is seeking the waiver; and

21 2. meeting, in that local jurisdiction, requirements that are
22 equivalent to the licensing requirements of this subtitle; and

23 (3) submits a statement from the local jurisdiction certifying:

24 (i) the applicant is in good standing with the local jurisdiction;

25 (ii) the applicant obtained the local license by taking an examination
26 equivalent to the examination given by the State Board; and

27 (iii) the date of the local examination.

28 **(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,**
29 **THE STATE BOARD SHALL GRANT A WAIVER UNDER THIS SUBSECTION TO AN**

1 APPLICANT FOR A LOW-VOLTAGE ELECTRICIAN LICENSE ONLY IF THE APPLICANT
2 PROVIDES WRITTEN PROOF OF SUCCESSFUL COMPLETION OF AN ELECTRICIAN
3 APPRENTICESHIP PROGRAM, APPROVED BY THE MARYLAND APPRENTICESHIP AND
4 TRAINING COUNCIL OR THE FEDERAL COMMITTEE ON APPRENTICESHIP, THAT
5 CONSISTS OF:

6 (I) AT LEAST 241 CLASSROOM HOURS; AND

7 (II) AT LEAST 3,000 HOURS OF WORK EXPERIENCE.

8 (2) THE STATE BOARD SHALL WAIVE THE EXAMINATION
9 REQUIREMENTS FOR AN APPLICANT FOR A LOW-VOLTAGE ELECTRICIAN LICENSE IF
10 THE APPLICANT:

11 (I) SUBMITS AN APPLICATION FOR A LICENSE TO THE STATE
12 BOARD ON OR BEFORE DECEMBER 31, 2020; AND

13 (II) 1. HOLDS AN ACTIVE LOW-VOLTAGE ELECTRICIAN
14 LOCAL LICENSE; OR

15 2. PROVIDES WRITTEN PROOF THAT THE APPLICANT
16 HAS AT LEAST 3 YEARS OF WORK EXPERIENCE PROVIDING ELECTRICAL SERVICES.

17 [(c)] (D) An initial State license that is obtained under this section may not be
18 reinstated unless the requirements of § 6-312 of this subtitle are met.

19 6-308.

20 (a) Subject to the limitations in this section, on the affirmative vote of at least a
21 majority of the authorized membership of the State Board, the State Board may waive the
22 examination requirements of this subtitle for an individual who is licensed to provide
23 electrical services as a master electrician OR A LOW-VOLTAGE ELECTRICIAN in another
24 state.

25 (b) The State Board may grant a waiver under this section only if the applicant:

26 (1) pays the appropriate application fee set by the Board under § 6-205(2)
27 of this title; and

28 (2) provides adequate evidence that the applicant:

29 (i) meets the qualifications otherwise required by this subtitle;

30 (ii) holds an active license in good standing in the other state;

1 (iii) holds a license that is equivalent to the State license; and

2 (iv) **1. IN THE CASE OF AN APPLICANT FOR A MASTER**
3 **ELECTRICIAN'S LICENSE**, meets a 7-year experience requirement in providing electrical
4 services, at least 4 years of which must have been gained prior to licensure in the other
5 state, while under the supervision of a master electrician or similarly qualified employee of
6 a governmental unit; **OR**

7 **2. IN THE CASE OF AN APPLICANT FOR A LOW-VOLTAGE**
8 **ELECTRICIAN'S LICENSE, HAS BEEN ENGAGED OR EMPLOYED REGULARLY AND**
9 **PRINCIPALLY IN PROVIDING LOW-VOLTAGE ELECTRICAL SERVICES FOR ALL TYPES**
10 **OF ELECTRICAL EQUIPMENT AND APPARATUSES FOR AT LEAST 3 YEARS.**

11 (c) The State Board may grant a waiver only if the state in which the applicant
12 is licensed waives the examination of licensees of this State to a similar extent as this State
13 waives the examination requirements for individuals licensed in that state.

14 (d) The **STATE** Board may allow an applicant up to 3 years credit toward the
15 experience required under subsection (b)(2) of this section, if the State Board determines
16 that the applicant has completed a formal course of study or professional training in
17 electrical installation comparable to the required experience.

18 **(E) THE STATE BOARD SHALL PURSUE A POLICY OF RECIPROCAL**
19 **RECOGNITION OF ELECTRICIAN LICENSES AWARDED IN OTHER STATES.**

20 6-311.

21 (c) (1) A **MASTER ELECTRICIAN** licensee on inactive status may not use a
22 State license to obtain a local license for providing electrical services as a master electrician
23 in a local jurisdiction of the State.

24 (2) In a county that requires a State **MASTER ELECTRICIAN** license, a
25 licensee on inactive status may not provide electrical services as a master electrician.

26 6-312.

27 (a) The State Board shall reinstate the State license of [a master] **AN** electrician
28 who is not on inactive status and who has failed to renew the State license for any reason,
29 if the [master] electrician:

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

32 (2) meets the renewal requirements of § 6-310 of this subtitle; and

33 (3) in addition to the renewal fee required under § 6-310 of this subtitle,

1 pays to the State Board a reinstatement fee set by the State Board.

2 (b) If [a master] AN electrician who has failed to renew the State license for any
3 reason applies for reinstatement more than 2 years after the State license has expired, the
4 State Board shall require the [master] electrician to pay a reinstatement fee set by the
5 State Board, and comply with the requirements for obtaining a State license under §§
6 6–304 and 6–307 of this subtitle and § 6–503 of this title.

7 6–315.

8 The State Board may investigate or act in a disciplinary proceeding against a
9 licensed [master] electrician notwithstanding:

10 (1) a lapse, by operation of law, of the State license of the [master]
11 electrician;

12 (2) a suspension of the State license of the [master] electrician by order of
13 the State Board or a court; or

14 (3) a voluntary surrender of the State license of the [master] electrician to
15 the State Board.

16 6–321.

17 (a) (2) When the State Board receives notice of a local disciplinary action
18 against a licensed [master] electrician, the State Board shall provide notice of the
19 disciplinary action to each local licensing jurisdiction.

20 6–401.

21 (a) Subject to the limitations in this subtitle, an individual who holds a State
22 **MASTER ELECTRICIAN** license or qualifies for a State **MASTER ELECTRICIAN** license may
23 use the State license to:

24 (1) obtain a local license; and

25 (2) assign that local license to another person, including a sole
26 proprietorship, who engages in the business of providing electrical services.

27 (b) (1) Subject to the limitations in this section, if an individual obtains a State
28 license on the basis of a local license under Subtitle 5 of this title and that local license has
29 been assigned to a person who engages in the business of providing electrical services, the
30 individual shall identify on the State license the person to whom that local license has been
31 assigned.

32 (2) Subject to the limitations in this section, if an individual obtains a local

1 license on the basis of a State **MASTER ELECTRICIAN** license and intends to assign that
2 local license to a person who engages in the business of providing electrical services, the
3 individual shall identify on the State license the person to whom that local license is to be
4 assigned.

5 (c) (1) If, at the time of application for a State **MASTER ELECTRICIAN** license,
6 an individual intends to assign a local license obtained on the basis of the State license, the
7 individual shall:

8 (i) meet the requirements for issuance of a State license under §
9 6–309 of this title;

10 (ii) include, on the application form submitted to the State Board,
11 the name of the person to whom the local license is to be assigned;

12 (iii) pay the appropriate State license fee under § 6–309 of this title;
13 and

14 (iv) submit to the State Board proof of general liability and property
15 damage insurance as required under § 6–604 of this title.

16 (2) If an individual obtains a State license on the basis of a local license
17 that has been assigned, the individual shall:

18 (i) meet the requirements for issuance of a State license under §
19 6–309 of this title;

20 (ii) include, on an application form submitted to the State Board, the
21 name of the person to whom the local license has been assigned;

22 (iii) pay the appropriate State license fee under § 6–309 of this title;
23 and

24 (iv) submit to the State Board proof of general liability and property
25 damage insurance, **IF APPLICABLE**, as required under § 6–604 of this title.

26 (3) If, after issuance of a State **MASTER ELECTRICIAN** license to an
27 individual, the individual intends to assign a local license obtained on the basis of the State
28 **MASTER ELECTRICIAN** license, the individual shall:

29 (i) meet the notification requirements of § 6–314 of this title;

30 (ii) submit to the State Board an application for identification of the
31 assignment on the State license;

32 (iii) pay to the State Board an identification fee set by the State
33 Board;

1 (iv) submit to the State Board proof of general liability and property
2 damage insurance as required under § 6-604 of this title; and

3 (v) return the State license.

4 (d) (1) If an individual obtains a local license by the use of the State **MASTER**
5 **ELECTRICIAN** license of the individual, the local license may be assigned at any 1 time to
6 only 1 person who engages in the business of providing electrical services.

7 (2) If at any time an individual holds 2 or more current local licenses that
8 were obtained by the use of a State **MASTER ELECTRICIAN** license, the individual may
9 assign those local licenses only if the assignment is made to the same person.

10 6-604.

11 (b) A master electrician who is licensed by the State Board and provides electrical
12 services, **A LOW-VOLTAGE ELECTRICIAN WHO IS LICENSED BY THE STATE BOARD**
13 **AND PROVIDES LOW-VOLTAGE ELECTRICAL SERVICES**, or a person to whom the master
14 electrician assigns a local license under this title shall:

15 (1) maintain general liability insurance in the amount of at least \$300,000;

16 (2) maintain property damage insurance in the amount of at least
17 \$100,000; and

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

19 **6-606.**

20 (A) **EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, AN INDIVIDUAL MAY**
21 **NOT:**

22 (1) **PROVIDE, ATTEMPT TO PROVIDE, OR OFFER TO PROVIDE**
23 **ELECTRICAL SERVICES FOR COMPENSATION WITHOUT AN APPROPRIATE LICENSE**
24 **ISSUED UNDER THIS TITLE;**

25 (2) **ASSIST, ATTEMPT TO ASSIST, OR OFFER TO ASSIST IN PROVIDING**
26 **ELECTRICAL SERVICES FOR COMPENSATION WITHOUT AN APPROPRIATE LICENSE**
27 **ISSUED UNDER THIS TITLE;**

28 (3) **PROVIDE ELECTRICAL SERVICES FOR COMPENSATION WITHOUT**
29 **OBTAINING A PERMIT FOR THE SERVICES IF REQUIRED BY A LOCAL JURISDICTION;**
30 **OR**

1 **(D) THE STATE BOARD SHALL PAY ANY PENALTY COLLECTED UNDER THIS**
2 **SECTION INTO THE STATE OCCUPATIONAL MECHANICAL LICENSING BOARDS'**
3 **FUND.**

4 6-701.

5 This title may be cited as the "Maryland [Master] Electricians Act".

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2019.