

# HOUSE BILL 149

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EMERGENCY BILL

3lr1383  
CF SB 44

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By: **Delegate Hornberger**

Introduced and read first time: January 16, 2023

Assigned to: Economic Matters

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## A BILL ENTITLED

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.

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;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 (3) be administered by:

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

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

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

9 6-304.

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

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

16 (i) a master electrician; or

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

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

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

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

31 (i) a master electrician; or

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  
2 paragraph (1) of this subsection an applicant's work as part of a successfully completed  
3 electrician apprenticeship program approved by the [Maryland Apprenticeship and  
4 Training Council] **DIVISION OF WORKFORCE DEVELOPMENT AND ADULT LEARNING**  
5 or the federal Office of Apprenticeship.

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

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

10 6-307.1.

11           The State Board shall waive the experience and examination requirements for an  
12 applicant for a journeyman 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**  
28 status on the form that the State Board provides;

29           (2) pays to the State Board any applicable [inactive] **UNINSURED** status  
30 application fee;

1 (3) except for the insurance requirements of § 6–604 of this title, qualifies  
2 for an active State license; and

3 (4) returns the State license to the State Board.

4 (b) The State Board shall place an applicant for an initial State license on  
5 **[inactive] UNINSURED** status and issue an **[inactive] UNINSURED** status certificate to the  
6 applicant, if the applicant:

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

9 (2) pays to the State Board an **[inactive] UNINSURED** status application  
10 fee set by the State Board; and

11 (3) except for **MEETING** the continuing education requirement **[of]**  
12 **ESTABLISHED BY THE STATE BOARD UNDER § 6–310(c)** of this subtitle and the  
13 insurance requirements of § 6–604 of this title, qualifies for an active State license.

14 (c) (1) A master electrician licensee on **[inactive] UNINSURED** status may not  
15 use a State license to obtain a local registration for providing electrical services as a master  
16 electrician in a local jurisdiction of the State.

17 (2) In a county that requires a State master electrician license, a licensee  
18 on **[inactive] UNINSURED** status may **[not] ONLY** provide electrical services as a **[master]**  
19 **JOURNEYPerson** electrician.

20 (d) (1) Unless the individual applies for another 2–year term as provided in  
21 this subsection, an individual on **[inactive] UNINSURED** status loses that status on the  
22 expiration of the **[inactive] UNINSURED** status.

23 (2) (i) At least 1 month before the **[inactive] UNINSURED** status of an  
24 individual expires, the State Board shall mail or electronically transmit to the individual:

25 1. a renewal application form; and

26 2. a notice that states:

27 A. the date on which the **[inactive] UNINSURED** status  
28 expires; and

29 B. the amount of the renewal fee.

30 (ii) If an electronic transmission under subparagraph (i) of this  
31 paragraph is returned to the State Board as undeliverable, the State Board shall mail to  
32 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 (3) Before the [inactive] **UNINSURED** status expires, an individual on  
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 (iii) submits to the State Board a renewal application on the form  
11 that the State Board provides; **AND**

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

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

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

18 (ii) pays to the State Board a reapplication fee set by the State  
19 Board; and

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

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

26 (e) If [a former licensee] **AN INDIVIDUAL WHO WAS FORMERLY** on [inactive]  
27 **UNINSURED** status who has failed to renew the [inactive] **UNINSURED** status within 2  
28 years of its expiration reapplies for that status, the State Board shall require the [former  
29 licensee] **INDIVIDUAL** to comply with the requirements for obtaining a State license under  
30 §§ 6-304 and 6-307 of this subtitle and § 6-503 of this title as well as the requirements for  
31 [inactive] **UNINSURED** status under this section.

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

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

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

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

6 6–312.

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

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

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

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

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

20 6–313.

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

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

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

26 (iii) is certified by:

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

29 2. the North American Board of Certified Energy  
30 Practitioners; or

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

3                                   (2)       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  
5 trade-specific inspections on residential or commercial buildings to determine compliance  
6 with adopted electrical codes or related building codes.

7                                   (b)       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  
10 individual:

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

13   (ii)       except for the renewal fee, shall meet the **[inactive] UNINSURED**  
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                                   (d)       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  
21 subtitle; and

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

23                                   (e)       On termination of the appointment or employment of an individual as an  
24 electrical inspector, the State Board shall reactivate the State license of the individual who  
25 is 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 [shall], OR ANOTHER  
2 PERSON WHO ENGAGES IN THE BUSINESS OF PROVIDING ELECTRICAL SERVICES  
3 MAY NOT CONTRACT TO PROVIDE ELECTRICAL SERVICES UNLESS THE ELECTRICAL  
4 WORK, INCLUDING COMPLETED OPERATIONS, OF THE LICENSED MASTER  
5 ELECTRICIAN, PERSON ASSIGNED A LOCAL REGISTRATION, OR PERSON WHO  
6 ENGAGES IN THE BUSINESS OF PROVIDING ELECTRICAL SERVICES IS COVERED BY  
7 LIABILITY INSURANCE:

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.

31 [(c)] (E) (1) An applicant for a State license shall submit proof of the  
32 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.

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

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.

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

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

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