



Bill No. 22-02

Concerning: Amendments to Chapter 1-7 of the
Frederick County Code to Make Changes a Required

by Maryland Senate Bill 762, Chapter 708

Introduced: February 1, 2021

Revised: _____ Draft No. _____

Enacted: _____

Effective: _____

Expires: May 2, 2022

Frederick County Code, Chapter 1-7

Section(s) 91-95, 97, 99-102

COUNTY COUNCIL FOR FREDERICK COUNTY, MARYLAND

By: Council President M. C. Keegan-Ayer on behalf of County Executive Jan Gardner

AN ACT to: Amend Chapter 1-7 of the Frederick County Code to make changes as required by Maryland Senate Bill 762, Chapter 708, which became effective on July 1, 2021.

Date Council Approved: _____ Date Transmitted to Executive: _____

Executive: _____ Date Received: _____

Approved: _____ Date: _____

Vetoed: _____ Date: _____

Date returned to Council by County Executive with no action: _____

By amending:

Frederick County Code, Chapter, 1-7 Section(s) 91-95, 97,99-102

Other: _____

Boldface

Underlining

[Single boldface brackets]

* * *

Heading or defined term.

Added to existing law.

Deleted from existing law.

Existing law unaffected by bill.

Senate Bill 762 – Maryland Electricians Act – Revisions (SB 762) went into effect on July 1, 2021. It made many significant changes to the existing licensure schematic for electricians. The State of Maryland now has authority over virtually all electrical licenses in Maryland. Local authority to issue master, journeyman, and apprentice electrical licenses has been repealed.

Effective immediately, all new master electrician applications submitted to Frederick County must contain a copy of the current State of Maryland master electrician license in order to be issued a master electrician-registration. On or before July 1, 2022, all existing Frederick County master electrician licensees will be provided with an updated registration card to replace the previously issued license card valid until June 30, 2023. On May 16, 2023, the new registration renewal period will begin, allowing those applicants who hold a valid State of Maryland master electrician license to apply for their Frederick County master-electrician registration. Registration is required for any individual who engages in the business of providing electrical services in Frederick County.

Note that SB 762 does not prevent local jurisdictions from issuing a license to perform low voltage electrical work; Frederick County will continue to offer the master electrician-restricted examinations for low voltage electrical work only.

The County Council of Frederick County, Maryland, finds it necessary and appropriate to amend Chapter 1-7 of the Frederick County Code as required by SB 762, Chapter 708, which became effective on July 1, 2021.

NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF FREDERICK COUNTY, MARYLAND, that the Frederick County Code be, and it is hereby, amended as shown on the attached Exhibit 1.

M. C. Keegan-Ayer, President
County Council of Frederick County,
Maryland

CHAPTER 1-7: ELECTRICITY

[Sections 1-7-1 through 1-7-35 remain unchanged]

ARTICLE III: ELECTRICAL CODE

DIVISION 1. GENERALLY

§ 1-7-36. SHORT TITLE.

This article may be cited as the “Electrical Code.”

§ 1-7-37. DEFINITIONS.

As used in this article, the following terms shall have the meanings respectively ascribed to them in this section.

ADMINISTRATIVE AUTHORITY. The Director of the Department of Permits and Inspections, or an authorized agent of the Director.

COUNTY. Frederick County, Maryland.

COUNTY GOVERNING BODY. The County Council and County Executive of Frederick County, Maryland.

ELECTRICAL EQUIPMENT. Includes electrical conductors, wiring, fittings, devices, appliances, fixtures and apparatus.

INSTALLATION. Includes installation of any electrical circuit or electrical equipment or part thereof and shall include alterations, renewals or extensions of the same.

REASONABLY SAFE TO PERSONS AND PROPERTY. As applied to electrical installations and electrical equipment, safe to use in the service for which the installation or equipment is intended without unnecessary hazard to life, limb or property.

[Sections 1-7-38 through 1-7-80 remain unchanged]

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Bill No. 22-02

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2 **ARTICLE IV: ELECTRICIANS**

3 **DIVISION 1. GENERALLY**

4 **§ 1-7-81. PENALTIES.**

5 Any violation of the provisions of this article shall be a misdemeanor, punishable by a fine not
6 to exceed \$500 or by imprisonment not to exceed 6 months, or both fine and imprisonment. Each
7 calendar day the offense shall continue shall be deemed a separate offense.

8 **§§ 1-7-82 – 1-7-90. RESERVED.**

9

10 **DIVISION 2. LICENSE/REGISTRATION**

11

12 **§ 1-7-91. REQUIRED.**

13 (A) A ~~[licensed]~~registered master electrician cannot sign permits for more than himself/herself
14 or 1 company, not both, in Frederick County. In other words, he or she can only be self-employed
15 or be employed by 1 electrical company, not both at the same time for the purposes of securing
16 permits, whenever he or she has at least 1 electrical permit outstanding in Frederick County.

17 (B) No person shall install, repair, maintain or erect any kind of electrical wiring, conduits, or
18 wiring to or repair of electrical elements or circuits of machinery and fixed or stationary appliance,
19 motors, fixtures, signs, electrically operated heating equipment, elevators, or any other electrically
20 operated apparatus or device in, on, or about any premises in the county without a license or
21 registration issued in conformity with this division.

22 **§ 1-7-92. CLASSES OF LICENSES/REGISTRATIONS.**

23 The following classes of licenses/registrations are hereby established.

24 (A) *Master electrician-general*. This ~~[license]~~registration may be issued to any person eligible
25 under this division. ~~[Any firm or corporation shall be entitled to receive this license provided at~~

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Bill No. 22-02

1 least 1 of its employees is the holder of a master electrician-general license.] Such
2 [license]registration shall authorize the [licensed]registered person to perform or have [performed]
3 electrical work performed under the[licensed]registered person's supervision. [This]The
4 individual being [licensed]registered can only represent or trade as an individual or for 1 company
5 under this [license]registration while more than 1 permit is outstanding in Frederick County. [On
6 and after July 1, 1995, no firm or corporation is entitled to receive this license and the second
7 sentence above is then void.]

8 [(B) Master electrician limited. This license may be issued to any person and such license
9 shall further specify the representative and the alternate representative, if any, of the person under
10 whose direction the work authorized by the license shall be performed. The licensee is authorized
11 to perform electrical work solely on the premises occupied by the holder of such license. In the
12 event that the holder shall die or cease operations for which the license is issued, or the designated
13 representative dies or leaves the employ of the employer, the license shall be caused to become
14 void or such license shall be modified by the county to indicate any change.

15 —(C)—[(B) Master electrician-restricted.

16 (1) This license may be issued to any person determined to be qualified by examination and
17 shall permit the holder to install, maintain and repair [the particular type or types of] low voltage
18 electrical equipment (50 volts or less) as specified in the license[, including:

19 —(a) Electrically operated heating/air conditioning and refrigeration equipment;

20 —(b) Motor repairs, and services;

21 —(c) Low voltage 50 volts or less;

22 —(d) Or any other electrical equipment, to be specified on license.

23 —(2) The holder of this license shall be eligible for the maintenance, repair and installation of
24 electrical household fixed stationary appliances and shall be permitted to make installations of
25 electrical wiring from the point of existing distribution panels to the equipment being installed.
26 This license does not permit installation of service or change of distribution of service. This license
27 may be issued to any firm or corporation if and so long as it has in its employ at least 1 responsible

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Bill No. 22-02

holder of a master electrician-restricted license. On and after July 1, 1995, no firm or corporation is entitled to receive this license and the preceding sentence is then void].

§ 1-7-93. APPLICATION FOR EXAMINATION AND ISSUANCE GENERALLY.

(A) The master electrician-restricted license application ~~[of an individual]~~ shall be made on a form supplied by the county, which form shall show the following:

(1) The number of years the applicant has been engaged in electrical work;

(2) The type or types of work in which ~~[he]~~the applicant has been engaged and length of time for each;

(3) The name and address of present employer;

(4) The name and address of last previous employer.

(B) ~~[The application for a firm or corporation shall be signed in the name of the applicant by an executive officer or major official and shall set forth the name and qualifications of the employee or employees whose employment and qualifications entitle the applicant to receive the type of license applied for and under whose supervision all electrical work to be done by the applicant will be performed.~~

~~—(C)]~~

The Electrical Board is authorized to make a decision to issue a license to an applicant who can certify successful completion of technical or vocational education in lieu of, in whole or in part, field experience, upon presentation of scholastic records.

~~[(D)]~~(C) Any outstanding violations may be cause for rejection of application.

~~[(E)]~~(D) A license is to be in an individual name only ~~[beginning with the license renewal period on July 1, 1995]~~. Frederick County will not license companies, only individuals.

§ 1-7-94. BOND.

A surety bond or cash bond in the amount of \$10,000 from any firm or individual licensed to do business in the state shall accompany all applications for licenses required by this division except ~~[limited licenses and]~~ holders of State of Maryland licenses. (After July 1, 1995, firm will not

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Bill No. 22-02

1 apply.) Such bond, upon violation by the licensee of any of the requirements for electrical licensing
2 shall, in addition to any other penalties, be subject to forfeiture to the county.

3 **§ 1-7-95. PERSONS ELIGIBLE FOR LICENSE[S] EXAMINATION.**

4 (A) ~~[An applicant for examination for a master electrician general license shall have been~~
5 ~~regularly and principally employed or engaged in electrical construction, maintenance, installation,~~
6 ~~and repair of all types of electrical equipment and apparatus for not less than 7 years preceding the~~
7 ~~date of the application under the direction and supervision of a master electrician general or its~~
8 ~~equivalent. The Electrical Board may credit not more than 3 years for formal course study or~~
9 ~~professional training in electrical installation, if, in the option of the Electrical Board, the study or~~
10 ~~training provided comparable experience and training otherwise attainable under the supervision~~
11 ~~of a master electrician general or while employed by a government agency.~~

12 ~~—(B) In order to qualify for examination for a master electrician limited license, the applicant~~
13 ~~shall submit the name of the representative and alternate, if any, under whom the work is to be~~
14 ~~done or supervised and satisfactorily provide that the representative or alternate, if any, has worked~~
15 ~~under the direction or supervision of a qualified person for at least 7 years or equivalent as~~
16 ~~determined by the Electrical Board. The representative and alternate, if any, must pass an~~
17 ~~examination as to the qualifications herein provided.~~

18 ~~—(C)]~~ The applicant for a master electrician-restricted license shall satisfactorily establish that
19 the applicant has been actively in charge of electrical installation work under the supervision of a
20 master electrician or master electrician-general or master electrician-restricted in the particular
21 branch or branches applied for, for the period of at least 2 years, or equivalent as determined by
22 the Electrical Board and shall pass an examination ~~[with respect to the particular branch or~~
23 ~~branches to be covered by the license applied]~~ for low voltage electrical work (50 volts or less).

24 ~~[(D)]~~B An applicant [for] may file an application to have their license deemed inactive[shall],
25 but they must comply with all requirements for the type of license for which the application is
26 filed. The applicant shall not, however, be required to supply a bond so long as the applicant's
27 license is kept on an inactive status and the applicant does not operate under the license.

28 **§ 1-7-96. FEES GENERALLY.**

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Bill No. 22-02

1 The fees for a license as an electrician shall be paid in accordance with the fee schedule as
2 adopted by separate resolution of the county governing body.

3 **§ 1-7-97. EXAMINATIONS.**

4 (A) To be eligible for an electrical license, any applicant for [~~a master electrician general,~~
5 ~~master electrician limited, or~~] the master electrician-restricted category shall satisfactorily pass an
6 examination, except as herein provided. Such examination shall be standard for each category and
7 qualification for passage shall be determined by the Electrical Board. The questions for the
8 examination will be determined by the Chairperson of the Electrical Board, the Chief Electrical
9 Inspector, and the administrative authority. Examination and grading procedures shall be
10 established and publicized 30 days prior to each examination date and be available at all times to
11 an applicant or other interested party. Examination results shall be available at the earliest possible
12 date following the date of the examination but not later than 45 days thereafter. Notice of the
13 decision to grant or refuse a master electrician-restricted license shall be sent by certified mail to
14 the person and/or firm or corporation for which the application was filed.

15 (B) There shall be reciprocity for licensees as stated under terms of Md. Code, Business
16 Occupations and Professions Article, Title 6, Electricians, as amended or replaced.

17 (C) Examinations for a master electrician-restricted license shall be given during the months of
18 April and October each year, and special examination may be provided at such other dates of which
19 reasonable notice is given.

20 (D) A registration fee in accordance with the fee schedule adopted by resolution of the county
21 governing body shall be submitted prior to examination date. Checks are to be made payable to
22 the county. The fee is a nonrefundable fee.

23 **§ 1-7-98. APPEALS FROM REFUSAL OF LICENSE TO BOARD OF ARBITRATION.**

24 Any person whose application for a license shall have been rejected by the Electrical Board shall
25 have the right to appeal to a Board of Arbitration, which shall consist of 1 person selected by the
26 person making the appeal, 1 person selected by the Board; these 2 shall select a third person, and
27 the decision of said Board of Arbitration or a majority of them shall be final and binding upon all

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1 of the parties of said appeal; the members of said Board shall be paid the sum of \$5 each, which
2 sum shall be deposited with the Board by the person taking said appeal.

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5 **§ 1-7-99. EXPIRATION.**

6 (A) Licenses and registrations issued pursuant to the provisions of this division shall expire ~~[at~~
7 ~~the end of each calendar year. However, licenses issued after January 1, 1986, shall expire]~~ on
8 June 30 ~~[, 1987, and thereafter, every 2 years; from then on, June 30, every second year]~~ of the
9 next odd-numbered year.

10
11 ~~(B) Any [license not renewed by the due date will require the payment of a late fee as~~
12 ~~established by the county governing body, plus the renewal fee. Any]~~ master electrician-restricted
13 license not renewed within 90 days after the due date shall not be reissued until an examination
14 has been taken and passed by the former license holder at the prescribed examination dates as
15 stated under § 1-7-97 and approval given for the reissuance of the license.

16 ~~[(B) If the]~~

17 (C) For any expired [license was issued in Frederick County by virtue] registration not renewed
18 within 90 days of [reciprocity from another municipality/county in the State of Maryland, a new
19 letter of reciprocity from the original licensing municipality/county must be submitted for the
20 reinstatement of the expired license. If the expired license was issued by virtue of a Maryland state
21 license] the due date, a new copy of [the]a current, valid state license must be submitted for the
22 reinstatement of [the expired license] registration with Frederick County.

23 **§ 1-7-100. SUSPENSION OR REVOCATION.**

24 (A) Any registration or master electrician-restricted license may be suspended or revoked by
25 the Electrical Board after a hearing, provided at least 15 days' notice is given to the
26 licensee/registered person before the hearing and the reasons for the hearing are stated in said
27 notice.

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(B) Such suspension or revocation may be for one or more of the following causes:

(1) Permitting any unlicensed or unregistered person to perform electrical work under the authority of a master electrician license without the control and supervision by the licensed master electrician;

(2) Performing or permitting the performance of defective or dangerous work or work in violation of § 1-7-40, titled “Electrical Code,” either inside Frederick County or in any other jurisdiction within the State of Maryland;

(3) Performing any work for which [~~an application~~] a permit for electrical work has not been secured from the county;

(4) Violation of any of the provisions of this division;

~~(5) [Any license holder whose original license was issued by Frederick County and has been licensed in any other municipality/county in the State of Maryland by virtue of a letter of reciprocity from Frederick County and has had his license revoked by the municipality/county granting reciprocity shall be subject to revocation in Frederick County;~~

~~—(6) Representing]~~ If the licensee or registration holder is representing more than 1 company or individual, including himself (herself) while at least 1 permit, under his or her authority, is still active.

§ 1-7-101. [RESERVED] [~~INSPECTION OF WORK BY LIMITED LICENSE.~~

~~—Firms or corporations operating under a master electrician limited license are required to have an annual inspection by the County Electrical Inspector of all work performed during the preceding year by their licensee according to the Electrical Code. A record of such work shall be maintained by the licensee. The amount of work inspected will be within the discretion of the County Electrical Inspector.]~~

§ 1-7-102. EXEMPTIONS.

(A) ~~[(4)]~~ The provisions of this division shall not apply to:

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([a]1) Utility companies regulated by the Public Service Commission of Maryland when working on own property or on line side of meter or outside of building when using doughnut type meters;

(b)(2) Radio and television transmitting stations licensed and commissioned by the Federal Communications Commission regulations;

([e]3) Federal, state and county employees when engaged in the performance of their official duties only;

([d]4) The owner of a residential single-family dwelling or property wherein the owner resides or is about to reside, who obtains a homeowner's residential electrical permit. To obtain this permit the owner must sign a homeowner's affidavit on file in the Office of Permits and Inspections and successfully pass with a grade of 70% or more an examination, which will consist of 10 code questions. This examination will be given in the Office of Permits and Inspections and will be an open book examination but must be completed without the assistance of any other person and within a two-hour timeframe. This examination will not be allowed to be taken outside of the Office of Permits and Inspections. The questions for the examination will be determined by the Chairperson of the Electrical Board, the Chief Electrical Inspector, and the administrative authority. The owner will be required to produce photo identification before being allowed to take the examination.

~~[(2) The owner of a residential dwelling or property who signs a homeowner's affidavit for an electrical permit, after successfully passing an examination, shall have a permit granted.]~~

(B) Unless otherwise required under this division, no person engaged in the manufacture, assembly or repair of electrical equipment manufactured by such person or manufactured for such person by a parent or subsidiary corporation shall be required to hold or to employ the holder of any of the licenses or registrations provided for by these requirements solely by reason of such manufacture, assembly or repair. All electrical installations for machinery and equipment within such factories shall require ~~[either]~~ a general ~~[or limited license]~~ registration.

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