

**[CHAPTER 448E]
ELECTRICIANS AND PLUMBERS**

SECTION

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§448E-1 Definitions. As used in this chapter, unless otherwise indicated by the context:

"Board" means the board of electricians and plumbers.

"Journey worker electrician" means any person who has been licensed by the board as a journey worker electrician to perform electrical work.

"Journey worker industrial electrician" means any person who has been licensed by the board as a journey worker industrial electrician to perform and maintain electrical work related to substation, switchgear, automatic controls, and all other industrial electrical work in existing industrial buildings and work places.

"Journey worker plumber" means any person who has been licensed by the board as a journey worker plumber to direct and supervise the performance of plumbing work and to perform plumbing work.

"Journey worker specialty electrician" means any person who has been licensed by the board as a journey worker specialty electrician to perform electrical work related to installing, repairing, altering, and maintaining but not the attachment of lighting and power circuits to, the following: electronic equipment, sound public address systems, and communication systems, other than equipment and systems for a single-family or two-family dwelling; master or community radio and television receiving antenna systems; sound recording systems, other than systems for a single-family or two-family dwelling; burglar and fire alarm systems; low voltage remote control, other than a control for a single-family or two-family dwelling; and low voltage communication signal systems.

"Maintenance electrician" means any person who has been licensed by the board as a maintenance electrician to maintain electrical work.

"Master plumber" means any person who has been licensed by the board as a master plumber to direct and supervise the performance of plumbing work and to perform plumbing work and who provides overall supervision and general direction and is responsible for proper installation of plumbing work.

"Supervising electrician" means any person who has been licensed by the board as a supervising electrician to direct and supervise the performance of electrical work and to perform electrical work.

"Supervising industrial electrician" means any person who has been licensed by the board as a supervising industrial electrician to direct and supervise electrical work related to substation, switchgear, automatic controls, and all other industrial electrical work in existing industrial buildings and work places.

"Supervising specialty electrician" means any person who has been licensed by the board as a supervising specialty electrician to direct and supervise the performance of electrical work related to installing, repairing, altering, and maintaining, but not the attachment of lighting and power circuits, to the following: electronic equipment, sound public address systems, other than equipment and systems for a single-family or two-family dwelling; master or community radio and television receiving antenna system; sound recording systems other than systems for a single-family or a two-family dwelling; burglar and fire alarm systems; low voltage remote control, other than control for a single-family or two-family dwelling; and low voltage communication signal systems.

§448E-2 Board; appointment. There is established the board of electricians and plumbers consisting of seven members. Two of the members shall be engaged in the electrical trade and two of the members shall be engaged in the plumbing trade. Three of the members shall be private citizens not connected with the industry.

[§448E-3] REPEALED.

§448E-4 Powers and duties of board. In addition to any other powers and duties authorized by law, the board shall have all the powers and duties necessary or convenient to carry out and effectuate this chapter, including but not limited to the following powers and duties:

- (1) To grant licenses which shall be renewable for:
 - (A) Journey worker electricians;
 - (B) Journey worker specialty electricians;
 - (C) Supervising electricians;
 - (D) Supervising specialty electricians;
 - (E) Master plumbers;
 - (F) Journey worker plumbers;
 - (G) Maintenance electricians;

- (H) Journey worker industrial electricians; and
- (I) Supervising industrial electricians;
- (2) To adopt, amend, or repeal rules in accordance with chapter 91 as it may deem proper to effectuate this chapter and to insure the safety and welfare of the general public; provided that the rules may forbid acts or practices deemed by the board to be detrimental to the accomplishment of the purpose of this chapter;
- (3) To enforce this chapter and rules adopted pursuant to this chapter and chapter 91, including the denial, suspension, or revocation of any license; and
- (4) To examine all applicants and licensees to determine their qualifications prior to the issuance or renewal of licenses.

§448E-5 Minimum requirements. An applicant shall possess the following minimum qualifications:

- (1) Journey worker electrician. Every applicant to be eligible for the journey worker electrician examination shall be at least eighteen years of age and shall provide satisfactory evidence of experience in residential or commercial wiring of at least five years full-time or its equivalent, but not less than 10,000 hours of experience in the trade under the supervision of a journey worker or supervising electrician.
- (2) Journey worker specialty electrician. Every applicant to be eligible for the journey worker specialty electrician examination shall be at least eighteen years of age and shall have had at least five years' experience in the trade.
- (3) Supervising electrician. Every applicant to be eligible for the supervising electrician examination shall have been registered with the board as a journey worker electrician for at least a period of four years in the trade or shall have had equivalent experience in the trade.
- (4) Supervising specialty electrician. Every applicant to be eligible for the supervising specialty electrician examination shall have been registered with the board as a journey worker specialty electrician for at least a period of four years in the trade or shall have had equivalent experience in the trade.
- (5) Journey worker plumber. Every applicant to be eligible for the journey worker plumber examination shall have had experience of at least five years' full-time or its equivalent but not less than 10,000 hours as a journey worker's or master plumber's helper, and is able to furnish satisfactory evidence of such fact.
- (6) Master plumber. Every applicant to be eligible for the master plumber examination shall have been registered with the board as a journey worker plumber for at least two years or shall have had equivalent experience in the trade.
- (7) Maintenance electrician. Every applicant to be eligible for the maintenance electrician examination shall be not less than eighteen years of age and shall have had at least one year of experience in performing electrical maintenance work or proof of two years of schooling in the electrical trade.
- (8) Journey worker industrial electrician. Every applicant to be eligible for the journey worker industrial electrician examination shall be at least eighteen years of

age and shall have had experience in industrial electrical work of at least five years full-time or its equivalent, but not less than 10,000 hours.

- (9) Supervising industrial electrician. Every applicant to be eligible for the supervising industrial electrician examination shall have been registered with the board as a journey worker industrial electrician for a period of at least four years or shall have had equivalent experience in the trade.

[§448E-5.5] Examination. (a) Every applicant shall be examined and shall pass an examination to be eligible for licensure. The board shall provide in its rules the passing score for the examination. The board may examine applicants or may contract with professional testing services to prepare, administer, and grade the examination as may be required for the purpose of this section.

(b) Every applicant shall pay an examination fee as provided in rules adopted by the director pursuant to chapter 91. Should the board contract with a professional testing agency to prepare, administer, and grade the examination, the examination fee may be paid directly to the testing agency by the director or the examinee.

§448E-6 REPEALED.

[§448E-7] REPEALED.

§448E-8 Fees; renewals. (a) Renewal fees shall be paid to the board before July 1. (b)

Plumbers shall renew the license every three years effective June 30, 2006 and shall pay all required fees. Prior to the June 30, 2009 renewal of the license, and prior to every license renewal thereafter, the applicant shall:

- (1) Pay all required fees; and
- (2) Meet the requirements prescribed in section 448E-8.5.
- (c) Electricians shall renew the license every three years effective with the July 1, 1996, renewal; provided that prior to the renewal of the license the applicant shall:

- (1) Pay all required fees; and
- (2) Meet the requirements prescribed in section 448E-8.5.

(d) Failure, neglect, or refusal of any licensee to pay the renewal fee or meet the requirements of section 448E-8.5 before the renewal date shall constitute a forfeiture of the license. Any license so forfeited may be restored upon written application within one year from the date of forfeiture, upon payment of the required renewal fee plus penalty fees and upon meeting the requirements in section 448E-8.5.

§448E-8.5 Continued competency; license renewals. (a) Prior to each license renewal, all licensed electricians except maintenance electricians shall:

- (1) Furnish the board with proof of attendance at an educational course related to current updates of the National Electrical Code conducted or approved by the community colleges; or
 - (2) Successfully complete an examination prescribed by the board on current updates to the National Electrical Code. The board shall contract with a professional testing agency to prepare, administer, and grade the examination. Fees related to the examination shall be paid by the licensee directly to the professional testing agency.
- (b) Prior to each license renewal, all licensed plumbers shall:
- (1) Furnish the board with proof of attendance at an educational course related to current updates of the Uniform Plumbing Code conducted or approved by the community colleges; or
 - (2) Successfully complete an examination prescribed by the board on current updates to the Uniform Plumbing Code. The board shall contract with a professional testing agency to prepare, administer, and grade the examination. A licensee shall pay all fees related to the examination directly to the professional testing agency.
- (c) A licensee who has been issued a new license within one year of the renewal date shall not be required to take the course or the examination to renew the licensee's license.

§448E-9 Unlicensed activity. (a) No person shall act or assume to act as a journey worker electrician, journey worker specialty electrician, supervising electrician, supervising specialty electrician, journey worker plumber, master plumber, maintenance electrician, journey worker industrial electrician, or supervising industrial electrician, or advertise or hold the person's self out as an electrician or plumber, without a license previously obtained in compliance with this chapter and the rules of the board; provided that any person may perform emergency plumbing repair work in the person's principal place of residence when such repairs do not involve or require rearrangement of valves, pipes, or fixtures; provided further that no such emergency repairs may be performed on sewer lines, drains, gas lines, and on fixtures being served with backflow devices which include heaters, water closets, dishwashers, and garbage disposal units.

For purposes of this subsection:

"Electrician" means any person who performs electrical work and includes but is not limited to any person who acts as a journey worker electrician, journey worker specialty electrician, maintenance electrician, journey worker industrial electrician, or supervising industrial electrician.

"Plumber" means any person who performs plumbing work and includes but is not limited to any person who acts as a journey worker plumber or master plumber.

- (b) An apprentice or trainee learning the trade of a person licensed under this chapter shall not be required to have a license if the apprentice or trainee acts under the supervision of a person appropriately licensed under this chapter.
- (c) Upon entry of a judgment by a court of competent jurisdiction finding that the person has advertised in violation of this section, the entity furnishing voice

communication service to the violator shall disconnect the telephone number contained in the advertisement or listing."

§448E-10 Suspension; revocation; fine; denial of issuance or renewal of a license. (a) In addition to any other actions authorized by law the board, after notice and hearing as provided in chapter 91, may suspend or revoke any license, or impose fines, or prior to the notice and hearing, deny the issuance or renewal of any license for any cause authorized by law, including but not limited to the following:

- (1) Obtaining, or attempting to obtain a license by fraud, misrepresentation, or deceit;
- (2) Gross negligence, incompetency, misconduct, or dishonesty in the practice of the profession;
- (3) False, fraudulent, or deceptive advertising;
- (4) Permitting an unlicensed person to perform activities requiring a license;
- (5) Aiding or abetting an unlicensed person to violate this chapter;
- (6) Allowing a person's license to be used by an unlicensed person;
- (7) Acting as an agent, partner, or associate of an unlicensed person engaging in an activity in violation of this chapter; or
- (8) Violating any provision of this chapter or rule of the board.

(b) Any person who violates any provision of this chapter shall be fined not less than \$100 and not more than \$5,000 for each violation.

§448E-11 Injunction. The board may, in addition to any other remedy available, apply to a circuit court judge for a temporary restraining order or preliminary or permanent injunction restraining any person from acting, or assuming to act, as a journey worker electrician, journey worker specialty electrician, supervising electrician, supervising specialty electrician, maintenance electrician, journey worker industrial electrician, supervising industrial electrician, journey worker plumber, or master plumber without a license previously obtained in compliance with this chapter and the rules of the board, and upon hearing and for cause shown, the judge may grant the temporary restraining order or preliminary or permanent injunction.

[§448E-12] Inspections. Nothing in this chapter should deprive the several counties of the right to perform electrical or plumbing inspections, as regulated by their respective ordinances.

§448E-13 Exemption of public utility and community antennae television company employees. All employees of a public utility within the State under a franchise or charter granted by the State which is regulated by the public utilities commission and community antennae television company, while so employed, shall be exempt from the provision of this chapter.