ENGROSSED SENATE
BILL NO. 370

BY: BROWN of the SENATE

and

BASTIN of the HOUSE

[PROFESSIONS AND OCCUPATIONS - AMENDING 59 O.S., SECTIONS 1017, 1692 AND 1850.10 - LICENSURE OF PLUMBERS, ELECTRICIANS AND HEATING AND AIR CONDITIONING WORKERS - EMERGENCY]

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 59 O.S. 1981, Section 1017, is amended to read as follows:

Section 1017. The provisions of ~~the Plumbing License Law of 1955~~ Section 1001 et seq. of this title shall not apply:

~~(a)~~ 1. To minor repairs, consisting of repairing or replacing faucets or minor working parts of plumbing fixtures~~.~~;

~~(b)~~ 2. To farm buildings located outside any city or town unless such buildings are connected to a public water or sewer system~~.~~;

~~(c)~~ 3. To maintenance work for state institutions and school districts~~.~~;

~~(d)~~ 4. To the installation, maintenance, repair, renovation of automatic sprinkler systems and related mechanical appurtenances beginning at a point where the pipe or piping system provides water

used exclusively for these automatic sprinklers and their related appurtenances and to standpipes connected to automatic sprinkler systems~~.~~;

~~(e)~~ 5. To the construction, installation, maintenance, repair, renovation, and/or removal of pipe or piping systems and related mechanical appurtenances including backflow preventers, appliances and/or equipment used in connection therewith, directly or indirectly within or without any building or structure, from a point or location in a source of potable water supply at which point or location there exists any backflow preventer, provided that said pipe and/or piping systems are for (1) heating, (2) cooling, (3) air conditioning, (4) refrigeration, or (5) boilers and other pressure vessels of whatsoever kind and character. A "backflow preventer," as used herein, means any permanent mechanical device, or combination of permanent mechanical devices, of whatever material, which, after installation acts to prevent a reversal of the normal directional flow of potable water within the piping system in which it is installed, and shall include, but not be limited to, metal checkvalves and airgaps, either naturally or artificially created. Provided, further, that the exclusionary provisions of this subsection shall apply only to and within governmental agencies, counties, cities and towns which now have or which hereafter may adopt separate laws relating to the licensing, registration and regulating of persons engaged, for business purposes, in any of the areas of trade hereinbefore specified in this subsection; the exemptions herein being provided to apply only to these items specifically regulated by any such local laws and ordinances; or

6. To any employee of the Department of Corrections or inmate doing any plumbing work on Department of Corrections property whether or not the property is owned, leased or rented.

SECTION 2. AMENDATORY Section 18, Chapter 337, O.S.L. 1982, as amended by Section 2, Chapter 145, O.S.L. 1984 (59 O.S. Supp. 1990, Section 1692), is amended to read as follows:

Section 1692. A. The provisions of the Electrical License Act shall not apply to:

1. Minor repairs, consisting of repairing or replacing outlets or minor working parts of electrical fixtures;

2. Maintenance work for state and federal institutions;

3. The construction, installation, maintenance, repair and renovation by a public utility regulated by the Corporation Commission;

4. Public service corporations, telephone and telegraph companies, rural electric associations or municipal utilities; or

5. The construction, installation, maintenance, repair and renovation of telephone equipment or computer systems by a person, firm, or corporation engaged in the telecommunications or information systems industry when such activities involve work exclusively for communication of data, voice, or for other signaling purposes; except fire alarm systems, security systems and environmental control systems that are not an integral part of a telecommunications system.

B. Nothing in the Electrical License Act shall be construed to require:

1. Employment of a licensed electrical contractor, journeyman electrician or electrical apprentice except as required by local ordinances and resolutions;

2. Any regular employee of any firm or corporation to hold a license before doing any electrical work on the property of the firm or corporation whether or not the property is owned, leased or rented except as may be required by local ordinances and resolutions; ~~or~~

3. An individual to hold a license before doing electrical work on his own property or residence except as may be required by local ordinances and resolutions; or

4. Any employee of the Department of Corrections or inmate under the supervision of the Department to hold a license before doing any electrical work on the property of the Department whether or not the property is owned, leased or rented.

SECTION 3. AMENDATORY Section 10, Chapter 93, O.S.L. 1987, as amended by Section 2, Chapter 331, O.S.L. 1989 (59 O.S. Supp. 1990, Section 1850.10), is amended to read as follows:

Section 1850.10 A. No person shall install, replace or repair gas piping unless such person is licensed under the Mechanical Licensing Act or is licensed as a plumbing contractor or journeyman plumber pursuant to the laws of this state.

B. The Mechanical Licensing Act shall not apply to:

1. a person who is the property owner of record, or his authorized representative, when performing minor repair which shall include but not be limited to cleaning, adjusting, calibrating and repair of mechanical system parts and the replacement of fuses and room thermostats, and other minor repairs which shall not include any repair which could violate the safe operation of the equipment;

2. the installation of portable, self-contained, ductless air conditioners or heaters;

3. the setting or connecting of detached air conditioning units which utilize flexible ductwork on a manufactured home. The term manufactured home shall have the same definition as such term is defined in Section 1102 of Title 47 of the Oklahoma Statutes;

4. any permanent employee of a manufacturing facility, whether owned or leased, while performing mechanical work on the premises of such facility. The performance of such mechanical work authorized by this paragraph shall not violate any manufacturer specification

or compromise any health or safety standards and practices in accordance with state and federal regulations;

5. the installation of boilers which are subject to the jurisdiction of the Commissioner of Labor pursuant to the provisions of Sections 141.1 through 141.18 of Title 40 of the Oklahoma Statutes; ~~or~~

6. employees of state-owned institutions doing maintenance to state-owned facilities which does not violate manufacturer specifications nor compromise health or safety standards and practices~~.~~; or

7. any employee of the Department of Corrections or inmate doing any mechanical work on Department of Corrections property whether or not the property is owned, leased or rented.

C. The licensing requirements of the Mechanical Licensing Act shall not apply to public utilities, public service corporations, rural electric associations, or municipal utilities and their subsidiaries during work on their own facilities or during the performance of energy audits, operational inspections, minor maintenance, or minor repairs for their customers or on their own equipment.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 11th day of March, 1991.

President of the Senate

Passed the House of Representatives the ____ day of _____, 1991.

Speaker of the House of Representatives