

SHORT TITLE: Electricians; authorizing issuance of cable installer license and requiring State Board of Health establish qualifications and training requirements by rule; limiting period for bringing certain administrative proceedings; codification; effective date.

STATE OF OKLAHOMA

1st Session of the 45th Legislature (1995)

SENATE BILL NO. 449

By: Long (Lewis)

AS INTRODUCED

An Act relating to electricians; amending 59 O.S.

1991, Sections 1682, as last amended by Section 5, Chapter 293, O.S.L. 1994, 1685, 1687, as amended by Section 4, Chapter 155, O.S.L. 1994, and 1690 (59 O.S. Supp. 1994, Sections 1682 and 1687), which relate to licensure of electricians; defining term; authorizing issuance of cable installer license and requiring State Board of Health establish qualifications and training requirements by rule; providing for revocation and suspension of license; stating fees; deleting obsolete language; making certain employment a misdemeanor; limiting period for bringing certain administrative proceedings; providing for codification; and providing an effective date.

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

SECTION 1. AMENDATORY 59 O.S. 1991, Section 1682, as last amended by Section 5, Chapter 293, O.S.L. 1994 (59 O.S. Supp. 1994, Section 1682), is amended to read as follows:

Section 1682. As used in the Electrical License Act:

1. "Board" means the State Board of Health;
2. "Commissioner" means the State Commissioner of Health;

3. "Committee" means the Committee of Electrical Examiners appointed by the State Board of Health;

4. "Department" means the State Department of Health;

5. "Electrical apprentice" means any person sixteen (16) years of age or older whose principal occupation is the learning of and assisting in the installation of electrical work under the direct supervision of a licensed journeyman electrician or electrical contractor;

6. "Journeyman electrician" means any person other than an electrical contractor who engages in the actual installation, alteration, repair or renovation of electrical facilities unless specifically exempted by the provisions of the Electrical License Act;

7. "Electrical contractor" means any person skilled in the planning, superintending and practical installation of electrical facilities who is familiar with the laws, rules and regulations governing such work. Electrical contractor also means any individual, firm, partnership, limited liability company, corporation or business performing skills of an electrical contractor or an electrician or the business of contracting, or furnishing labor or labor and materials for the installation, repair, maintenance or renovation of electrical facilities according to the provisions of the Electrical License Act;

8. "Electrical facilities" means all wiring, fixtures, appurtenances, and appliances for, and in connection with, a supply of electricity within or adjacent to any building, structure or conveyance on the premises but not including the connection with a power supply meter or other power supply source;

9. "Category" means the classification by which licenses and electrical work may be limited. ~~Such categories~~ Categories shall include, but shall not be limited to, installation, maintenance, repair, alteration, residential, oilfield, and commercial; ~~and~~

10. "Variance and Appeals Board" means the Oklahoma State Electrical Installation Code Variance and Appeals Board; and

11. "Cable installer license" means a limited license issued to an individual who is not licensed under this act as a journeyman electrician or electrical contractor and who, for hire, installs or maintains cable, excluding the main cable line, adjacent to or within a residence or commercial building.

SECTION 2. AMENDATORY 59 O.S. 1991, Section 1685, is amended to read as follows:

Section 1685. A. The State Commissioner of Health shall issue a license as journeyman electrician or electrical contractor to any person who:

1. Has been certified by the Committee of Electrical Examiners as either having successfully passed the appropriate examination or having a valid license issued by another governmental entity with licensing requirements similar to those provided in the Electrical License Act; and

2. Has paid the license fee and otherwise complied with the provisions of the Electrical License Act.

B. All licenses shall be nontransferable and it shall be a misdemeanor for any person licensed under the provisions of the Electrical License Act to loan or allow the use of ~~such~~ a license by any other person, firm or corporation, except as specifically provided in the Electrical License Act.

C. Until October 1, 1982, the Commissioner shall, upon proper application and payment of fees, issue licenses without examinations to persons who prior to July 1, 1982, held unexpired licenses as journeyman electricians or electrical contractors issued by a city or incorporated town of this state, and who have otherwise complied with the requirements of the Electrical License Act. This license must be produced as a prerequisite to obtaining a state license if

the applicant is a resident of a city or town having a licensing law.

D. The Commissioner may issue a cable installer license to an applicant who meets the qualifications and training requirements which the State Board of Health by rule shall establish. A cable installer license may be revoked or suspended as provided in Section 1689 of this title.

SECTION 3. AMENDATORY 59 O.S. 1991, Section 1687, as amended by Section 4, Chapter 155, O.S.L. 1994 (59 O.S. Supp. 1994, Section 1687), is amended to read as follows:

Section 1687. The following shall be the fees charged under the Electrical License Act:

Electrical Contractor Examination	\$50.00
Journeyman Electrician Examination	\$25.00
Electrical Contractor License	\$50.00
Journeyman Electrician License	\$15.00
<u>Cable Installer License</u>	<u>\$10.00</u>
Electrical Apprentice Registration Fee	\$5.00

License Renewal, if made within thirty (30) days after expiration:

Electrical Contractor License	\$50.00
Journeyman Electrician License	\$15.00
<u>Cable Installer License</u>	<u>\$10.00</u>
Electrical Apprentice Registration	\$5.00

Penalty for Late License Renewal:

Electrical Contractor License	\$10.00
Journeyman Electrician License	\$5.00
<u>Cable Installer License</u>	<u>\$5.00</u>
Electrical Apprentice Registration	\$2.50

SECTION 4. AMENDATORY 59 O.S. 1991, Section 1690, is amended to read as follows:

Section 1690. A. ~~Ninety (90) days from and after July 1, 1982,~~
~~it~~ It shall be a misdemeanor for any person to perform the work of a

journeyman electrician until ~~such~~ the person has qualified and is licensed as a journeyman electrician or electrical contractor.

B. ~~Ninety (90) days from and after July 1, 1982, it~~ It shall be a misdemeanor for any person to act as an electrical contractor or to engage in or offer to engage in, by advertisement or otherwise, the business of an electrical contractor until the person, or a member of the partnership, or an officer of the firm, association, limited liability company or corporation, shall have qualified and is licensed as an electrical contractor.

C. After July 1, 1996, it shall be a misdemeanor for any person to perform the work of a cable installer until the person has qualified and is licensed as a cable installer.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1695.1 of Title 59, unless there is created a duplication in numbering, reads as follows:

Administrative proceedings for violation of the Electrical License Act, or any rule promulgated pursuant thereto, may only be brought within one (1) year after discovery of the violation.

SECTION 6. This act shall become effective November 1, 1995.

45-1-0772 JY