

Senate Bill 399

Sponsored by Senator WESTLUND

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Eliminates requirement that electrical apprenticeship be served in approved program. Applies to private apprenticeship programs not covered by collective bargaining agreements. Requires that work experience and training obtained outside of approved apprenticeship program be recognized, accepted and granted equal credit in evaluating qualifications for examination or licensing in electrical trade.

Requires that verifiable work experience and training obtained in apprenticeship outside of state be recognized, accepted and granted equal credit in evaluating qualifications for examination or licensing in electrical trade. Applies to work experience and training not obtained in federal apprenticeship or apprenticeship covered by interstate agreement.

Eliminates formal academic instruction as requirement for initial licensing. Eliminates Electrical and Elevator Board and apprenticeship committee approval requirements for training programs.

A BILL FOR AN ACT

1
2 Relating to electrical trades; creating new provisions; amending ORS 479.540, 479.630, 479.730 and
3 479.915; and repealing ORS 479.633.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. Section 2 of this 2005 Act is added to and made a part of ORS 479.510 to**
6 **479.860.**

7 **SECTION 2. (1) An employer of electricians may register an apprenticeship program that**
8 **is not a program approved under ORS chapter 660 with the Electrical and Elevator Board.**
9 **Subject to the person qualifying for and maintaining an electrical apprentice's license, the**
10 **board may not limit the ability of the employer to select or reject a person for inclusion or**
11 **continuation in an apprenticeship program registered under this subsection. The job per-**
12 **formance progress of apprentices in a program registered under this subsection, and the**
13 **quality of the training facilities and course content that the employer provides for those**
14 **apprentices, are not subject to review or evaluation by any committee formed under ORS**
15 **chapter 660 or a local or state agency. However, a municipality acting under ORS 455.148 or**
16 **455.150 or a state agency may review training activities to ensure that an apprentice is per-**
17 **forming within the scope and terms of the apprentice's license.**

18 **(2) For purposes of evaluating qualifications or making recommendations regarding ex-**
19 **amination or licensing of an applicant under ORS 479.630, 479.915 or 479.945, the board must**
20 **recognize and accept work experience and training obtained in an apprenticeship program**
21 **registered under subsection (1) of this section in the same manner as work experience and**
22 **training obtained in an apprenticeship program approved under ORS chapter 660.**

23 **(3) Subsections (1) and (2) of this section do not apply to:**

24 **(a) The apprenticeship program of an employer who is subject to a collective bargaining**
25 **agreement regulating the electrical trade employees of the employer;**

26 **(b) An apprenticeship program conducted or subsidized by a public body as defined in ORS**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 174.109; or

2 (c) **An apprenticeship program under ORS 460.059.**

3 (4) **Registration of an apprenticeship program under subsection (1) of this section and the**
 4 **licensing as an apprentice of a person enrolled in that program do not entitle the apprentice**
 5 **or employer to any benefit or privilege conferred on approved apprenticeship program par-**
 6 **ticipants by ORS chapter 660.**

7 (5) **For purposes of evaluating qualifications or making recommendations regarding ex-**
 8 **amination or licensing of an applicant under ORS 479.630, 479.915 or 479.945, except as pro-**
 9 **vided in subsection (6) of this section, the board must recognize and accept verifiable work**
 10 **experience and training obtained in an apprenticeship program in another state in the same**
 11 **manner as work experience and training obtained in an apprenticeship program registered**
 12 **under subsection (1) of this section.**

13 (6) **Subsection (5) of this section does not apply to the recognition of and acceptance of**
 14 **work experience and training obtained in a federal apprenticeship program or in an appren-**
 15 **ticeship program that is the subject of an interstate agreement under ORS 660.158.**

16 (7) **For purposes of determining whether to issue a license under ORS 479.630, 479.915 or**
 17 **479.945, the Department of Consumer and Business Services may not refuse to license a**
 18 **qualified applicant based solely upon the source of the applicant's work experience or train-**
 19 **ing.**

20 **SECTION 3.** ORS 479.540 is amended to read:

21 479.540. (1) Except as otherwise provided in this subsection, a person is not required to obtain
 22 a license to make an electrical installation on residential or farm property that is owned by the
 23 person or a member of the person's immediate family if the property is not intended for sale, ex-
 24 change, lease or rent. The following apply to the exemption established in this subsection:

25 (a) The exemption established for a person under this subsection does not exempt the work
 26 performed by the person from having to comply with the requirements for such work under ORS
 27 chapter 455 or this chapter and rules adopted [*thereunder*] **under those chapters.**

28 (b) If the property is a building used as a residence and is for rent, lease, sale or exchange, this
 29 subsection establishes an exemption for work on, alterations to or replacement of parts of electrical
 30 installations as necessary for maintenance of the existing electrical installations on that property,
 31 but does not exempt new electrical installations or substantial alterations to existing electrical in-
 32 stallations on that property. As used in this paragraph, "new electrical installations or substantial
 33 alterations" does not include the replacement of an existing garbage disposal, dishwasher or electric
 34 hot water heater with a similar appliance of 30 amps or less, single phase, by a landlord, landlord's
 35 agent or the employee of the landlord or landlord's agent.

36 (2) An electrical contractor license is not required in connection with an electrical installation:

37 (a) Of meters and similar devices for measuring electricity by a person principally engaged in
 38 the business of generating or selling electricity in connection with the construction or maintenance
 39 of electrical lines, wires or equipment.

40 (b) Of ignition or lighting systems for motor vehicles.

41 (c) To be made by a person on the person's property in connection with the person's business.

42 (d) To be made by a public utility, consumer-owned utility as defined in ORS 757.270, telecom-
 43 munications carrier as defined in ORS 133.721, competitive telecommunications provider as defined
 44 in ORS 759.005 or municipality for generation, transmission or distribution of electricity on property
 45 that the utility, carrier, provider or municipality owns or manages.

1 (3) A person whose sole business is generating or selling electricity in connection with the
 2 construction or maintenance of electrical lines, wires or equipment, is not required to obtain a li-
 3 cense to transform, transmit or distribute electricity from *[its]* **the electricity** source to the service
 4 head of the premises to be supplied *[thereby]* **electricity**.

5 (4)(a) A person is not required to obtain a license for the repair or replacement of light fixtures,
 6 light switches, lighting ballast, electrical outlets or smoke alarms in a building used for housing
 7 purposes that is owned, leased, managed or operated by a housing authority and the person doing
 8 the repair or replacement is a member of the housing authority's regular maintenance staff.

9 (b) A license is not required for:

10 (A) Temporary demonstrations;

11 (B) A street lighting system located on a public street or in a right of way if the system is
 12 similar to a system provided by a public utility and the installation or maintenance, or both, is
 13 performed by a qualified employee of a licensed electrical contractor principally engaged in the
 14 business of installing and maintaining *[such]* **those** systems; or

15 (C) An outdoor transmission or distribution system, whether overhead or underground, if the
 16 system is similar to a system provided by a public utility and the installation or maintenance, or
 17 both, is performed by a qualified employee of a licensed electrical contractor principally engaged in
 18 the business of installing and maintaining *[such]* **those** systems.

19 (c) For the purposes of this subsection, "qualified employee" means an employee who has regis-
 20 tered with or graduated from a State of Oregon or federally approved apprenticeship course **or an**
 21 **apprenticeship program registered under section 2 of this 2005 Act**, designed for the work being
 22 performed. The supervising electrician signature required under ORS 479.560 (1)(b) does not apply
 23 to contractors working under this subsection.

24 (5) The provisions of ORS 479.510 to 479.945 and 479.995 do not apply:

25 (a) To electrical products owned by, supplied to or to be supplied to a public utility as defined
 26 in ORS 757.005, consumer-owned utility as defined in ORS 757.270, telecommunications carrier as
 27 defined in ORS 133.721 or competitive telecommunications provider as defined in ORS 759.005;

28 (b) To electrical installations made by or for a public utility, consumer-owned utility, telecom-
 29 munications carrier or competitive telecommunications provider if the electrical installations are
 30 an integral part of the equipment or electrical products of the utility, carrier or provider; or

31 (c) To any electrical generation plant owned or operated by a municipality to the same extent
 32 that a utility, telecommunications carrier or competitive telecommunications provider is exempted
 33 under paragraphs (a) and (b) of this subsection.

34 (6) A permit is not required:

35 (a) For the repair or replacement of light fixtures, light switches, lighting ballast, electrical
 36 outlets or smoke alarms in a building used for housing purposes that is owned, leased, managed or
 37 operated by a housing authority; or

38 (b) For the repair, alteration or replacement of existing electrical products or electrical instal-
 39 lations authorized by ORS 479.560 (3) at an industrial plant, a commercial office building, a building
 40 that is owned, leased, managed or operated by the state or a local government entity or other fa-
 41 cilities designated by the Electrical and Elevator Board when the owner, operating manager or
 42 electrical contractor of the facility meets the provisions of ORS 479.630 (1) and (2) and:

43 (A) Obtains a master permit for inspection under ORS 479.560 (3); or

44 (B) Obtains a master individual inspection permit under ORS 479.565.

45 (7) In cases of emergency in industrial plants, a permit is not required in advance for electrical

1 installation made by a person licensed as a general supervising electrician, a general journeyman
2 electrician or an electrical apprentice under ORS 479.630 if an application accompanied by appro-
3 priate fee for a permit is submitted to the Department of Consumer and Business Services within
4 five days after the commencement of such electrical work.

5 (8)(a) A license or permit is not required for the installation or assembly of industrial electrical
6 equipment by the duly authorized agents of the factory, vendor or owner.

7 (b) The license and permit exemptions of this subsection do not apply to activity in an area
8 where industrial electrical equipment is installed in or enters a hazardous location or penetrates
9 or enters a fire rated assembly or plenum rated assembly.

10 (c) As used in this subsection:

11 (A) "Duly authorized agents" means individuals trained by the factory or a vendor or by expe-
12 rience and who are knowledgeable in the operation, maintenance, repair and installation of indus-
13 trial electrical equipment.

14 (B) "Installation or assembly" means the reassembly at a job site of equipment that is wired and
15 assembled at the factory and then disassembled for shipping purposes or of existing equipment that
16 is relocated. "Installation or assembly" does not include work involving field fabricated assemblies
17 or any other electrical product that is not an original part of the industrial electrical equipment.
18 "Installation or assembly" does not include the connection of industrial electrical equipment to a
19 power source.

20 (9) A person is not required to obtain a license or permit to set in place and connect a certified
21 electrical product [*as long as*] **if** the work performed is not an electrical installation as defined in
22 ORS 479.530.

23 (10) The provisions of ORS 479.510 to 479.945 and 479.995 do not apply to:

24 (a) Electrical installations and repairs involving communication and signal systems of railroad
25 companies.

26 (b) Electrical installations and repairs involving remote and permanent broadcast systems of
27 radio and television stations licensed by the Federal Communications Commission if the systems are
28 not part of the building's permanent wiring.

29 (c) The installing, maintaining, repairing or replacement of telecommunications systems on the
30 provider side of the demarcation point by a telecommunications service provider.

31 (d) The maintaining, repairing or replacement of telecommunications equipment on the customer
32 side of the demarcation point by a telecommunications service provider.

33 (e) Installations, by a telecommunications service provider or an appropriately licensed elec-
34 trical contractor, of telecommunications systems on the customer side of the demarcation point ex-
35 cept:

36 (A) Installations involving more than 10 telecommunications outlets; and

37 (B) Installations of any size that penetrate fire-resistive construction or air handling systems or
38 that pass through hazardous locations.

39 (f) Notwithstanding paragraph (e) of this subsection, installation of telecommunications systems
40 on the customer side of the demarcation point in:

41 (A) One and two family dwellings; and

42 (B) Multifamily dwellings having not more than four dwelling units if the installation is by a
43 telecommunications service provider.

44 (g) Notwithstanding paragraph (e) of this subsection, installation or replacement of cord or plug
45 connected telecommunications equipment on the customer side of the demarcation point.

1 (h) Notwithstanding paragraph (e) of this subsection, installation of patch cord and jumper
2 cross-connected equipment on the customer side of the demarcation point.

3 (11)(a) The board may grant partial or complete exemptions by rule for any electrical product
4 from any of the provisions of ORS 455.610 to 455.630 or 479.510 to 479.945 and 479.995 if the board
5 determines that the electrical product does not present a danger to the health and safety of the
6 people of this state.

7 (b) If the board grants an exemption pursuant to subsection (1) of this section, the board may
8 determine that the product may be installed by a person not licensed under ORS 479.510 to 479.945.

9 (12) ORS 479.760 does not apply to products described in this subsection that comply with the
10 electrical product safety standards established by concurrence of the board and the Director of the
11 Department of Consumer and Business Services as described under ORS 479.730. This subsection
12 does not exempt any products used in locations determined to be hazardous in the electrical code
13 of this state. The following apply to this subsection:

14 (a) Except as provided in paragraph (b) of this subsection, the exemption under this subsection
15 applies to:

16 (A) The rotating equipment portion of power generation equipment.

17 (B) Testing equipment used in a laboratory or hospital.

18 (C) Commercial electrical air conditioning equipment.

19 (D) Prefabricated work performed by an electrical contractor with licensed electrical personnel
20 in the contractor's place of business for assembly on the job site if the work is composed of parts
21 that meet the electrical product safety standards established by concurrence of the board and the
22 director.

23 (b) Notwithstanding paragraph (a) of this subsection, the board may require any of the products
24 described in paragraph (a) of this subsection to be subject to the certification requirements under
25 ORS 479.760 if the board determines that the product or class of products has presented a fire or
26 life safety hazard in use. A determination under this paragraph shall be effective as to any such
27 product or class of products sold or offered for sale after the date of the determination becomes
28 final. The board may reinstate any exemption removed under this paragraph if the board determines
29 that the reasons for the removal of the exemption have been corrected.

30 (13)(a) ORS 479.610 does not apply to industrial electrical equipment unless the board determines
31 that the product or class of products may present a fire or life safety hazard.

32 (b) The board may reinstate an exemption removed under this subsection if the product qualifies
33 for reinstatement under:

34 (A) An equipment safety program approved by the board;

35 (B) Equipment minimum safety standards established by concurrence of the board and the di-
36 rector;

37 (C) An evaluation by an approved field evaluation firm;

38 (D) A listing from a nationally recognized testing laboratory;

39 (E) An evaluation of a first model of a product by the board; or

40 (F) Any other method approved by the board.

41 (14) ORS 479.760 does not apply to electrical equipment that has been in use for one year or
42 more and that is offered for sale.

43 (15) A person who holds a limited maintenance specialty contractor license or a limited pump
44 installation specialty contractor license issued under ORS 479.510 to 479.945, or a person who is the
45 employee of *[such]* **the** license holder and *[who]* is listed with the board as an employee, is not re-

1 quired to have a journeyman license or supervising electrician's license to perform work authorized
2 under the person's license.

3 (16) A person is not required to obtain a permit for work on, alterations to or replacement of
4 parts of electrical installations as necessary for maintenance of existing electrical installations on
5 residential property owned by the person or by a member of the person's immediate family. This
6 subsection does not establish an exemption for new electrical installations or substantial alterations
7 to existing electrical installations.

8 (17) A permit is not required for those minor electrical installations for which the board has
9 authorized an installation label.

10 (18) A residential home, as defined in ORS 443.580, and an adult foster home, as defined in ORS
11 443.705, is not a multifamily dwelling and only electrical installation standards and safety require-
12 ments applicable to single family dwellings apply to *[such]* **those** homes.

13 (19) The permit requirements of ORS 479.550 and the license requirements of ORS 479.620 do
14 not apply to cable television installations.

15 (20) The provisions of any electrical products code or rule adopted pursuant to ORS 479.510 to
16 479.945 and 479.995 apply to cable and *[such]* **to** products installed as part of a cable television in-
17 stallation.

18 (21) As used in this section, "smoke alarm" *[shall have]* **has** the meaning given that term under
19 ORS 479.250.

20 **SECTION 4.** ORS 479.630 is amended to read:

21 479.630. Upon payment of applicable examination and license fees required under ORS 479.840,
22 the Department of Consumer and Business Services shall issue:

23 (1) An electrical contractor's license to a person engaging in or carrying on a business of mak-
24 ing electrical installations who has complied with ORS 479.510 to 479.945 and the rules issued
25 *[thereunder]* **under ORS 479.510 to 479.945.**

26 (2) A general supervising electrician's license to a person who:

27 (a) Has complied with ORS 479.510 to 479.945 and the rules issued *[thereunder]* **under ORS**
28 **479.510 to 479.945;**

29 (b) Passes a written examination prepared by the Electrical and Elevator Board and adminis-
30 tered by the department; and

31 (c) Submits proof satisfactory to the Electrical and Elevator Board that the person has had at
32 least four years of experience as a general journeyman electrician *[or its equivalent]*, **or equivalent**
33 **experience** as determined by the board by rule, in installing, maintaining and repairing electrical
34 wires and equipment.

35 (3) A limited supervising electrician's license to a person who qualifies under this subsection.
36 A person licensed under this subsection is authorized to supervise the class of electrical work in-
37 cluded in the branch of the electrical trade and for which the person has passed the examination
38 administered by the department. A person qualifies under this subsection if the person:

39 (a) Has complied with ORS 479.510 to 479.945 and the rules issued *[thereunder]* **under ORS**
40 **479.510 to 479.945;**

41 (b) Passes a written examination prepared by the Electrical and Elevator Board and adminis-
42 tered by the department; and

43 (c) Submits proof satisfactory to the board that the person has had at least four years of spe-
44 cialized experience in a recognized branch of the electrical trade on the journeyman level.

45 (4) A general journeyman electrician's license to a person who:

1 (a) Has complied with ORS 479.510 to 479.945 and the rules issued *[thereunder]* **under ORS**
2 **479.510 to 479.945;**

3 (b) Passes a written examination prepared by the Electrical and Elevator Board and adminis-
4 tered by the department; and

5 (c) Submits proof satisfactory to the board that:

6 (A) The person has had at least four years of general experience as an apprentice *[or its equiv-*
7 *alent]*, **or equivalent experience** as determined by the board by rule, in installing, maintaining and
8 repairing electrical wires and equipment, including not fewer than 1,000 hours in wiring on single
9 or multifamily dwelling units; or

10 (B) If the person is licensed as a limited residential electrician under subsection (14) of this
11 section, subsequent to receiving that license, the person has worked for at least two years as a
12 limited residential electrician and subsequent to those two years has *[completed]* **obtained** an addi-
13 tional two years' experience as an apprentice *[or its equivalent]*, **or equivalent experience** as de-
14 termined by the board by rule, *[for that period of apprenticeship time worked]* exclusively **engaged**
15 in installing, maintaining and repairing electrical wires and equipment in the commercial and in-
16 dustrial branches of the electrical trade under the supervision of a licensed electrical contractor.

17 (5) A limited journeyman electrician's license to a person who qualifies under this subsection.
18 A person licensed under this subsection is authorized to perform the class of electrical work in-
19 cluded in the branch of the electrical trade for which the person has passed the examination ad-
20 ministered by the department. A person qualifies under this subsection if the person:

21 (a) Has complied with ORS 479.510 to 479.945 and the rules issued *[thereunder]* **under ORS**
22 **479.510 to 479.945;**

23 (b) Passes a written examination prepared by the Electrical and Elevator Board and adminis-
24 tered by the department; and

25 (c) Submits proof satisfactory to the board that the person has had at least four years of spe-
26 cialized experience as an apprentice *[or its equivalent]*, **or equivalent experience** as determined by
27 the board by rule, in a recognized branch of the electrical trade.

28 (6) A limited elevator journeyman license to a person who qualifies under this subsection. A
29 person licensed under this subsection is authorized to install, maintain and repair elevators, in-
30 cluding all electrical and mechanical systems. A person qualifies under this subsection if the person
31 has completed an elevator apprenticeship program, including both electrical and mechanical training
32 components, approved by the Electrical and Elevator Board by rule and the person submits an ap-
33 plication for licensure to the board in writing. A person issued a license under this subsection is
34 exempt from continuing education requirements established under ORS 479.650 and 479.680.

35 (7) An electrical apprentice's license to a person who:

36 (a) Has complied with ORS chapter 660 as an electrical apprentice **or enrolled in an appren-**
37 **ticeship program registered under section 2 of this 2005 Act;** and

38 (b) Has complied with ORS 479.510 to 479.945 and the rules issued *[thereunder]* **under ORS**
39 **479.510 to 479.945.**

40 (8) An electrical apprentice's license to a trainee toward a limited residential electrician's li-
41 cense who:

42 (a) Has complied with ORS chapter 660 as an electrical apprentice **or enrolled in an appren-**
43 **ticeship program registered under section 2 of this 2005 Act;** and

44 (b) Has complied with ORS 479.510 to 479.945 and the rules issued *[thereunder]* **under ORS**
45 **479.510 to 479.945.**

1 (9) An electrical apprentice's license to a trainee toward a limited journeyman's license in a
2 recognized branch of the electrical trade who is employed by an employer who also:

3 (a) Employs a holder of either a general journeyman electrician's license or a limited
4 journeyman electrician's license; and

5 (b) Conducts an electrical training program in a recognized branch of the electrical trade [*ap-*
6 *proved by the Electrical and Elevator Board as being a training program that will adequately*] **to**
7 prepare the trainee for the limited journeyman's license, providing that the trainee has complied
8 with ORS 479.510 to 479.860 and the rules issued [*thereunder*] **under ORS 479.510 to 479.860.**

9 (10) A limited maintenance electrician's license to a person who qualifies under this subsection.
10 A person licensed under this subsection is authorized to maintain, repair and replace electrical in-
11 stallations, including electrical components, required on the premises of industrial plants, commer-
12 cial office buildings, buildings occupied by the state or a local government entity or facilities
13 designated by the Electrical and Elevator Board. The following apply to this subsection:

14 (a) A person qualifies under this subsection if the person:

15 (A) Has complied with ORS 479.510 to 479.945 and the rules issued [*thereunder*] **under ORS**
16 **479.510 to 479.945;**

17 (B) Passes a written examination prepared by the Electrical and Elevator Board and adminis-
18 tered by the department on repair, replacement and maintenance of equipment of the type and na-
19 ture normally used in an industrial plant, commercial office building or government building and on
20 the use of testing equipment; and

21 (C)(i) Completes a two-year training program [*approved by the board*] that provides for training
22 and supervision of the trainee or apprentice; or

23 (ii) Submits proof satisfactory to the board that the person has had sufficient experience and
24 related [*educational*] training in the repair, replacement and maintenance of electrical wiring and
25 equipment of the type and nature used in an industrial plant, commercial office building or govern-
26 ment building[, *as determined by the board or by an appropriate local apprenticeship committee re-*
27 *cognized by the State Apprenticeship and Training Council*].

28 (b) **The electrical inspector shall make** an annual inspection of the premises upon which
29 electrical work is performed by persons licensed under this subsection [*shall be made by the elec-*
30 *trical inspector for*]. **The inspector may charge** an annual fee determined by the board by rule,
31 based upon the time required for the inspection, payable to the department.

32 (c) [*A person licensed under this subsection may be employed directly by*] The owner, or owner's
33 agent, of any government building or commercial office building **may directly employ a person**
34 **licensed under this subsection.** A building owner or owner's agent need not be licensed under this
35 section to supervise a limited maintenance electrician.

36 (d) The Department of Consumer and Business Services, in consultation with the [*appropriate*]
37 board, shall adopt rules defining government buildings and commercial office buildings subject to
38 this subsection.

39 (11) A limited building maintenance electrician's license to a person who qualifies under this
40 subsection. The following apply to this subsection:

41 (a) A person licensed under this subsection is authorized to maintain, repair and replace the
42 following electrical installations required on the premises of commercial office buildings, buildings
43 occupied by the state or a local government entity or facilities designated by the board in electrical
44 systems not exceeding 300 volts to ground:

45 (A) Electrical appliances;

- 1 (B) Light switches;
- 2 (C) Light fixtures;
- 3 (D) Fans;
- 4 (E) Receptacles; and
- 5 (F) Fluorescent ballasts.

6 (b) A person qualifies under this subsection if the person:

7 (A) Has complied with ORS 479.510 to 479.945 and the rules issued *[thereunder]* **under ORS**
 8 **479.510 to 479.945;**

9 (B) Passes a written examination prepared by the Electrical and Elevator Board and adminis-
 10 tered by the department on maintenance, repair and replacement of equipment of the type and na-
 11 ture normally used in a commercial office building or government building and on the use of testing
 12 equipment; and

13 (C) Submits proof satisfactory to the board that the person has:

14 (i) *[Had]* Sufficient experience in the maintenance, repair and replacement of electrical wiring
 15 and equipment of the type and nature normally used in a commercial office building or government
 16 building; or

17 (ii) Completed *[a one-year training course, with classroom and on-the-job training components ap-*
 18 *proved by the board,]* **one year of training** on the maintenance, repair and replacement of electrical
 19 wiring and equipment of the type and nature normally used in a commercial office building or gov-
 20 ernment building.

21 (c) **The electrical inspector shall make** an annual inspection of the premises upon which
 22 electrical work is performed by persons licensed under this subsection *[shall be made by the elec-*
 23 *trical inspector for]*. **The inspector may charge** an annual fee determined by the board by rule,
 24 based upon the time required for the inspection, payable to the department.*[, or]* **However,** the in-
 25 spection *[shall]* **may** be performed under an electrical master permit program.

26 (d) Building owners may perform work regulated by this subsection and for which a license is
 27 required under this subsection without obtaining a license.

28 (e) A person who owns more than 50 percent of a corporation that controls a building is a
 29 building owner.

30 (f) *[A person licensed under this subsection may be employed by]* The owner of a commercial office
 31 building or the owner's agent **may employ a person licensed under this subsection**. A building
 32 owner or owner's agent need not be licensed under this section to supervise a limited building
 33 maintenance electrician.

34 (12) A limited maintenance specialty contractor license to a person who qualifies under this
 35 subsection. A person licensed under this subsection is authorized to engage in the electrical work
 36 related to the repair, service, maintenance, installation or replacement of existing, built-in or per-
 37 manently connected appliances, fluorescent ballasts or similar equipment and to employ individuals
 38 to engage in that work. *[Nothing in]* This subsection *[allows]* **does not authorize** the installation
 39 of appliances, ballasts or other equipment if there is no existing installation of similar equipment.
 40 A person qualifies under this subsection if the person submits:

41 (a) Proof satisfactory to the board that the person has *[had]* sufficient experience in the type
 42 of work permitted under the license issued under this subsection; and

43 (b) Maintains with the board a current list of all individuals employed by the person to engage
 44 in work permitted under this subsection.

45 (13) A limited pump installation specialty contractor license to a person who qualifies under this

1 subsection. A person licensed under this subsection is authorized to engage in electrical work re-
 2 lated to the testing, repair, service, maintenance, installation or replacement of new or existing
 3 pump equipment for potable or irrigation water systems, sump pumps, effluent pumps and ground
 4 water pumps on residential and agricultural property, to employ individuals to engage in such work.
 5 A person qualifies under this subsection if the person submits:

6 (a) Proof satisfactory to the board that the person has [*had*] sufficient experience in the type
 7 of work permitted under the license issued under this subsection; and

8 (b) Maintains with the board a current list of all individuals employed by the person to engage
 9 in work permitted under this subsection.

10 (14) A limited residential electrician's license to a person who qualifies under this subsection.
 11 A person licensed under this subsection is authorized to perform the class of electrical work in-
 12 cluded in the branch of the electrical trade for which the person has passed the examination ad-
 13 ministered by the department and approved by the board. However, a person licensed under this
 14 subsection shall perform the electrical work allowed by the license only on single and multifamily
 15 dwelling units not exceeding three floors above grade. For purposes of this subsection, the first floor
 16 of a building is the floor that is designed for human habitation and that has 50 percent or more of
 17 its perimeter level with or above finished grade of the exterior wall line. A person qualifies under
 18 this subsection if the person:

19 (a) Has complied with ORS 479.510 to 479.945 and rules issued under [*those sections*] **ORS**
 20 **479.510 to 479.945**;

21 (b) Has received the same number of hours of electrical safety training as required by rule for
 22 an electrical apprentice, **or equivalent training as determined by the board by rule**, [*or its*
 23 *equivalent*] and [*who*] has received training in electrical theory;

24 (c) Submits documented proof to the board of at least two years of apprenticeship or trainee
 25 experience in residential wiring of single and multifamily dwelling units [*or its equivalent*], **or**
 26 **equivalent experience** as determined by the board by rule; and

27 (d) Passes a written examination prepared by the Electrical and Elevator Board and adminis-
 28 tered by the department.

29 (15) A Class I or Class II oil module electrician's license to a person who:

30 (a) Has complied with ORS 479.510 to 479.945 and the rules adopted [*pursuant thereto*] **under**
 31 **ORS 479.510 to 479.945**; and

32 (b) Passes a written examination prepared by the Electrical and Elevator Board and adminis-
 33 tered by the department.

34 (16) A limited renewable energy contractor license to a person who:

35 (a) Employs at least one full-time renewable energy technician; and

36 (b) Does not engage in electrical work other than work that may be performed by a limited
 37 renewable energy technician. A limited renewable energy contractor may not make, direct, supervise
 38 or control the making of an electrical installation unless the contractor is licensed for that activity.

39 (17) A limited renewable energy technician license to a person who qualifies under this sub-
 40 section. A person qualifies for licensing as a limited renewable energy technician if the person
 41 completes a two-year apprenticeship program and passes [*an*] **a board-approved** examination [*ap-*
 42 *proved by the board*]. A person licensed under this subsection may, while in the employ of a licensed
 43 electrical contractor or a limited renewable energy contractor:

44 (a) Install, maintain, replace or repair electrical wiring and electrical products that convey or
 45 operate on renewable electrical energy not exceeding 25 kilowatts AC; and

1 (b) Make electrical installations not exceeding 25 kilowatts AC:

2 (A) On devices using renewable energy involving wind, solar energy systems, micro-
3 hydroelectricity, photovoltaic systems or fuel cells.

4 (B) Up to the load side of an inverter.

5 (C) To connect generators that are sized to facilitate the inverter in an off-grid system.

6 *[(18) Notwithstanding any other provision of this chapter, the board may not administer an exam-
7 ination nor shall the department issue any license to a person whose practical experience qualification
8 for the license is based upon training or experience in another state if the board determines that the
9 training or experience is not equivalent to the standards for electrical training programs prescribed in
10 this state.]*

11 **SECTION 5.** ORS 479.730 is amended to read:

12 479.730. In compliance with ORS chapter 183 the Director of the Department of Consumer and
13 Business Services, with the approval of the Electrical and Elevator Board, shall adopt reasonable
14 rules:

15 (1) Establishing, altering or revoking minimum safety standards for workmanship and materials
16 in various classifications of electrical installations.

17 (2) Establishing, altering or revoking electrical product safety standards for design and con-
18 struction of electrical products to be sold or disposed of in this state. The standards may allow the
19 certification of electrical products that a testing laboratory approved by the director and the board
20 under ORS 479.760 has tested and found to be safe within the electrical product safety standards
21 established under this subsection.

22 (3) Relating to the procedure for certifying and decertifying electrical products to be sold or
23 disposed of in this state. The Department of Consumer and Business Services, with the approval of
24 the board, may limit the type of electrical products it accepts for certification under ORS 479.760
25 (3).

26 (4) Prescribing times, places and circumstances that permits shall be exhibited for inspection.

27 (5) Governing the internal organization and procedure for administering and enforcing ORS
28 479.510 to 479.945 and 479.995.

29 (6) Establishing, altering, approving or revoking minimum standards for electrical training pro-
30 grams **other than apprenticeship programs registered under section 2 of this 2005 Act.**

31 (7)(a) Establishing which electrical products may be field evaluated by a field evaluation firm
32 rather than certified;

33 (b) Establishing cost-based fees, requirements and procedures for approving, maintaining and
34 suspending or revoking approvals of field evaluation firms;

35 (c) Establishing:

36 (A) Requirements and procedures for the field evaluation of electrical products;

37 (B) Requirements and procedures for issuing field evaluation labels for the electrical products
38 evaluated by field evaluation firms, testing laboratories and special deputies; and

39 (C) Cost-based fees for special deputy evaluations;

40 (d) Establishing requirements and procedures for preparation of reports regarding installation
41 safety issued by field evaluation firms;

42 (e) Establishing when an inspecting jurisdiction may require a report from a field evaluation
43 firm; and

44 (f) Establishing other requirements necessary to carry out this subsection and subsection (8) of
45 this section.

1 (8) Establishing a program to authorize special deputies to conduct field inspections provided for
2 under subsection (7) of this section.

3 **SECTION 6.** ORS 479.915 is amended to read:

4 479.915. (1) An applicant for a Class B limited energy technician license must:

5 (a) Submit proof satisfactory to the Electrical and Elevator Board that the person has:

6 (A) At least two years of experience as an apprentice in limited energy electrical activity; or

7 (B) At least two years of experience equivalent to an apprenticeship in limited energy electrical
8 activity [*and completed a board-approved 32-hour training program*]; and

9 (b) Pass a written examination approved by the board and administered by the Department of
10 Consumer and Business Services.

11 (2) An applicant for a Class A limited energy technician license must:

12 (a) Submit proof satisfactory to the board that the person has completed at least four years of
13 experience as an apprentice, or [*the*] equivalent **experience** as determined by the board by rule, in
14 a recognized branch of the electrical trade; and

15 (b) Pass a written examination prepared by the board and administered by the department.

16 [*(3) The board shall determine the adequacy of any training program for qualification under the*
17 *requirements of this section and ORS 479.910 and section 1, chapter 728, Oregon Laws 2001.*]

18 [*(4)*] (3) The department shall issue a Class A limited energy technician license to a person who
19 qualifies under subsection (2) of this section and pays the required fees.

20 **SECTION 7. ORS 479.633 is repealed.**

21