

1 INTERIM STUDY PROPOSAL 2011-019

2 State of Arkansas
3 88th General Assembly
4 Regular Session, 2011

As Engrossed: S3/14/11
A Bill

SENATE BILL 566

5
6 By: Senator J. Jeffress

7 Filed with: Interim Senate Committee on Public Health, Welfare and Labor
8 pursuant to A.C.A. §10-3-217.

9 **For An Act To Be Entitled**

10 AN ACT TO AMEND ARKANSAS LAW CONCERNING THE LICENSURE
11 OF ELECTRICAL INSPECTORS; AND FOR OTHER PURPOSES.

12
13
14 **Subtitle**

15 TO AMEND ARKANSAS LAW CONCERNING THE
16 LICENSURE OF ELECTRICAL INSPECTORS.

17
18
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

20
21 SECTION 1. Arkansas Code § 17-28-202 is amended to read as follows:

22 17-28-202. Duties of ~~board~~ Board of Electrical Examiners of the State
23 of Arkansas and Department of Labor.

24 (a) It shall be the duty of the Board of Electrical Examiners of the
25 State of Arkansas to:

26 (1) Adopt rules ~~and regulations~~ necessary for the implementation
27 of this chapter and § 17-55-101 et seq.;

28 (2) At least every six (6) months, conduct examinations of
29 persons who apply for an electrician's license and grant licenses to
30 qualifying applicants who have paid the prescribed fee; ~~and~~

31 (3) Grant licenses to qualifying applicants for an electrical
32 inspector's license under § 17-55-101 et seq.; and

33 ~~(3)(4)~~ (4) Revoke or suspend the license of any licensee or the
34 certification of any electrical apprentice for cause.

35 (b)(1) It shall be the duty of the Department of Labor to administer
36 and enforce the provisions of this chapter.

1 (2) For the enforcement of this chapter, the Director of the
 2 Department of Labor or his or her designated employees shall have the
 3 authority to enter, during normal business hours, upon any private or public
 4 premises with right of access, ingress, and egress for the purpose of
 5 ascertaining whether a person has performed electrical work or installed or
 6 repaired electrical facilities ~~thereon~~ in accordance with ~~the provisions of~~
 7 this chapter, § 20-31-101 et seq., and the regulations and standards adopted
 8 pursuant thereto.

9
 10 SECTION 2. Arkansas Code § 17-28-301(b), concerning the expiration and
 11 renewal of electrician's licenses, is amended to add an additional
 12 subdivision to read as follows:

13 (6) If a person simultaneously holds an electrical inspector
 14 license and a license as a master electrician or a journeyman electrician,
 15 the person, when renewing his or her master electrician or journeyman
 16 electrician license, shall be exempt from the:

17 (1) Renewal fee under this section; and

18 (2) Continuing education requirements for master
 19 electricians and journeyman electricians under § 17-28-311.

20
 21
 22 SECTION 3. Arkansas Code § 17-28-305 is amended to read as follows:

23 17-28-305. Local regulatory authority – Exceptions —~~Electrical~~
 24 ~~inspectors.~~

25 (a) Any individual licensed or registered under ~~the provisions of~~ this
 26 chapter shall not be subject to examination or licensing by any city or
 27 county in order to perform electrical work.

28 (b) Any city or town may by ordinance, rules, regulations, or contract
 29 prescribe rules, regulations, and standards for the materials used in the
 30 construction, installation, and inspection of all electrical work in the city
 31 or county, provided the rules, regulations, or standards are not in conflict
 32 with the standards prescribed by the Board of Electrical Examiners of the
 33 State of Arkansas ~~pursuant to~~ under the authority of ~~§§~~ § 17-28-202, § 17-55-
 34 101 et seq., and § 20-31-104. Provided, that a city or county may by
 35 ordinance require a person, before doing electrical work on his or her
 36 primary residence, to demonstrate a technical competency to comply with the

1 city or county standards. If the city has adopted an ordinance to exercise
2 its territorial planning jurisdiction and if the city and county agree to
3 authorize such, a city may exercise jurisdiction over the construction,
4 installation, and inspection of electrical work within the city's territorial
5 jurisdiction for planning authorized under § 14-56-413.

6 (c) Any city or county may establish by ordinance, rules, and
7 regulations a system of permits and inspections for the installation, repair,
8 and maintenance of electrical facilities and electrical work.

9 (d) An electrical inspector shall be licensed by the Board of
10 Electrical Examiners of the State of Arkansas under § 17-55-101 et seq.

11
12 SECTION 4. Arkansas Code Title 17 is amended to add an additional
13 chapter to read as follows:

14 Chapter 55

15 Electrical Inspectors

16
17 17-55-101. Licensure of electrical inspectors.

18 (a) A person employed as an electrical inspector in the State of
19 Arkansas shall hold an electrical inspector license issued by the Board of
20 Electrical Examiners of the State of Arkansas.

21 (b)(1) A person shall apply for licensure as an electrical inspector
22 on a form approved by the Board of Electrical Examiners of the State of
23 Arkansas within thirty (30) days of employment as an electrical inspector.

24 (2) Applications shall be made to the board and shall contain:

25 (A) Proof of employment with the state or a political
26 subdivision of the state as an electrical inspector in the State of Arkansas;

27 (B)(i) Verification of work experience as required by rule
28 of the board.

29 (ii) Work experience shall include without
30 limitation demonstrated knowledge of:

31 (a) The standard materials and methods used in
32 the installation of electric equipment;

33 (b) Approved methods of construction to ensure
34 the safety of persons and property; and

1 (c) The requirements of the statewide
2 standards for the construction, installation, and maintenance of electrical
3 facilities and the performance of electrical work under § 20-31-104; and

4 (C) Payment of a license fee as established by rule of the
5 board that shall not exceed twenty-five dollars (\$25.00).

6 (c) An electrical inspector license:

7 (1) Shall expire on January 1 of each year; and

8 (2) May be renewed upon application to the board and submission
9 of the following information:

10 (A) Proof of continued employment as an electrical
11 inspector in the State of Arkansas;

12 (B) Payment of a license fee as established by rule of the
13 board that shall not exceed twenty-five dollars (\$25.00); and

14 (C)(i) Proof of completion of at least sixteen (16) hours
15 of continuing education.

16 (ii) The board shall promulgate rules to set
17 standards for continuing education for licensees under subdivision

18 (c)(1)(C)(i) of this section. The rules shall include without limitation
19 continuing education on the statewide standards for the construction,
20 installation, and maintenance of electrical facilities and the performance of
21 electrical work under § 20-31-104.

22 (d) The board may revoke or suspend an electrical inspector's license
23 for just cause.

24 (e) If a person simultaneously holds an electrical inspector license
25 and a license as a master electrician or a journeyman electrician, the
26 person, when renewing his or her master electrician or journeyman electrician
27 license, shall be exempt from the:

28 (1) Renewal fee under § 17-28-301; and

29 (2) Continuing education requirements for master electricians
30 and journeyman electricians under § 17-28-311.

31
32 17-55-102. Provisions applicable to electrical inspectors.

33 (a)(1) Licensure as an electrical inspector does not qualify a person
34 to act as an electrician under § 17-28-101 et seq.

1 (2)(A) This chapter shall not require an individual to hold a
2 license before doing electrical work on his or her primary residence except
3 as otherwise required by state law, regulations, or local ordinances.

4 (B) The exemption from compliance with the licensing
5 standards shall not be referred to in any way and shall not be evidence of
6 the lack of negligence or the exercise of due care by a party at a trial of
7 any civil action to recover damages by any party.

8 (b) A person licensed as an electrical inspector under this chapter
9 shall not inspect electrical work that he or she:

10 (1) Installed; or

11 (2) Supervised.

12 (c)(1) Except as provided in subdivisions (c)(2) and (c)(3) of this
13 section, a person licensed as an electrical inspector shall conduct
14 inspections only within the *political subdivision* employing the inspector.

15 (2) If a person licensed as an electrical inspector is employed
16 by more than one (1) *political subdivision*, he or she may conduct inspections
17 within any of the *political subdivisions* employing the person as an
18 electrical inspector.

19 (3) A person employed by the state as an electrical inspector
20 may conduct inspections anywhere within the State of Arkansas.

21 (d) This act shall not prohibit a person licensed as an electrical
22 inspector or an electrician from performing work free of charge on his or her
23 own properties, properties of family members, or for a non-profit charity if
24 the person holds the requisite license for the work performed free of charge.

25
26 17-55-103. Persons employed as electrical inspectors as of the
27 effective date of this act.

28 (a) A person employed as an electrical inspector as of the effective
29 date of this act shall be issued a temporary electrical inspector license
30 upon submission of the following information to the Board of Electrical
31 Examiners of the State of Arkansas:

32 (1) Proof of employment with the state or a *political*
33 *subdivision of the state as an electrical inspector in the State of Arkansas.*

34 (2) Verification of work experience as required by rule of the
35 board; and

36 (3) Payment of a license fee as required by rule of the board.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

Referred by the Arkansas Senate

Prepared by: MBM/VJF