

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

As Engrossed: S3/14/11

A Bill

SENATE BILL 566

5 By: Senator J. Jeffress
6

For An Act To Be Entitled

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

Subtitle

11 TO AMEND ARKANSAS LAW CONCERNING THE
12 LICENSURE OF ELECTRICAL INSPECTORS.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code § 17-28-202 is amended to read as follows:

20 17-28-202. Duties of ~~board~~ Board of Electrical Examiners of the State
21 of Arkansas and Department of Labor.

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

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

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

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

31 ~~(3)(4)~~ (4) Revoke or suspend the license of any licensee or the
32 certification of any electrical apprentice for cause.

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

35 (2) For the enforcement of this chapter, the Director of the
36 Department of Labor or his or her designated employees shall have the



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

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

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

15 (1) Renewal fee under this section; and

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

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19
20 SECTION 3. Arkansas Code § 17-28-305 is amended to read as follows:

21 17-28-305. Local regulatory authority – Exceptions — ~~Electrical~~
22 ~~inspectors.~~

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

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

1 authorize such, a city may exercise jurisdiction over the construction,
2 installation, and inspection of electrical work within the city's territorial
3 jurisdiction for planning authorized under § 14-56-413.

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

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

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

12 Chapter 55

13 Electrical Inspectors

14
15 17-55-101. Licensure of electrical inspectors.

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

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

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

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

25 (B)(i) Verification of work experience as required by rule
26 of the board.

27 (ii) Work experience shall include without
28 limitation demonstrated knowledge of:

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

31 (b) Approved methods of construction to ensure
32 the safety of persons and property; and

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

36 (C) Payment of a license fee as established by rule of the

1 board that shall not exceed twenty-five dollars (\$25.00).

2 (c) An electrical inspector license:

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

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

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

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

10 (C)(i) Proof of completion of at least sixteen (16) hours
11 of continuing education.

12 (ii) The board shall promulgate rules to set
13 standards for continuing education for licensees under subdivision
14 (c)(1)(C)(i) of this section. The rules shall include without limitation
15 continuing education on the statewide standards for the construction,
16 installation, and maintenance of electrical facilities and the performance of
17 electrical work under § 20-31-104.

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

20 (e) If a person simultaneously holds an electrical inspector license
21 and a license as a master electrician or a journeyman electrician, the
22 person, when renewing his or her master electrician or journeyman electrician
23 license, shall be exempt from the:

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

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

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28 17-55-102. Provisions applicable to electrical inspectors.

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

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

34 (B) The exemption from compliance with the licensing
35 standards shall not be referred to in any way and shall not be evidence of
36 the lack of negligence or the exercise of due care by a party at a trial of

1 any civil action to recover damages by any party.

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

4 (1) Installed; or

5 (2) Supervised.

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

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

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

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

19
20 17-55-103. Persons employed as electrical inspectors as of the
21 effective date of this act.

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

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

28 (2) Verification of work experience as required by rule of the
29 board; and

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

31 (b)(1) A temporary license issued under this section shall expire on
32 January 1, 2012.

33 (2) A recipient of a temporary license shall be eligible to
34 apply for an electrical inspector license under this section.

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36 17-55-104. Rules.

1 The Board of Electrical Examiners of the State of Arkansas may
2 promulgate rules necessary to implement this section.

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/s/J. Jeffress