

House File 897 - Enrolled

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1 1 HOUSE FILE 897
1 2
1 3 AN ACT
1 4 ESTABLISHING STATEWIDE LICENSURE AND CERTIFICATION OF
1 5 ELECTRICIANS AND INSTALLERS, PROVIDING FOR INSPECTIONS,
1 6 ESTABLISHING FEES, AND PROVIDING PENALTIES.
1 7
1 8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
1 9
1 10 Section 1. Section 100.1, subsection 7, Code 2007, is
1 11 amended to read as follows:
1 12 7. To administer the fire extinguishing system contractor,
1 13 alarm system contractor, and alarm system installer
1 14 certification program established in chapter 100C.
1 15 Sec. 2. Section 100C.1, Code 2007, is amended by adding
1 16 the following new subsections:
1 17 NEW SUBSECTION. 0A. "Alarm system" means a system or
1 18 portion of a combination system that consists of components
1 19 and circuits arranged to monitor and annunciate the status of
1 20 a fire alarm, security alarm, or medical alarm or supervisory
1 21 signal=initiating devices and to initiate the appropriate
1 22 response to those signals.
1 23 NEW SUBSECTION. 0B. "Alarm system contractor" means a
1 24 person engaging in or representing oneself as engaging in the
1 25 activity or business of layout, installation, repair,
1 26 alteration, addition, maintenance, or maintenance inspection
1 27 of alarm systems in this state.
1 28 NEW SUBSECTION. 0C. "Alarm system installer" means an
1 29 employee of an alarm system contractor who is engaged in the
1 30 layout, installation, repair, alteration, addition,
1 31 maintenance, or maintenance inspection of alarm systems.
1 32 Sec. 3. Section 100C.1, subsection 10, Code 2007, is
1 33 amended by striking the subsection and inserting in lieu
1 34 thereof the following:
1 35 10. "Responsible managing employee" means one of the
2 1 following:
2 2 a. An owner, partner, officer, or manager employed
2 3 full-time by a fire extinguishing system contractor who is
2 4 certified by the national institute for certification in
2 5 engineering technologies at a level three in fire protection
2 6 technology, automatic sprinkler system layout, or another
2 7 certification in automatic sprinkler system layout recognized
2 8 by rules adopted by the fire marshal pursuant to section
2 9 100C.7 or who meets any other criteria established by rule.
2 10 b. An owner, partner, officer, or manager employed
2 11 full-time by an alarm system contractor who is certified by
2 12 the national institute for certification in engineering
2 13 technologies in fire alarm systems or security systems at a
2 14 level established by the fire marshal by rule or who meets any
2 15 other criteria established by rule under this chapter. The

2 16 rules may provide for separate endorsements for fire,
2 17 security, and medical alarm systems and may require separate
2 18 qualifications for each.

2 19 Sec. 4. Section 100C.2, Code 2007, is amended to read as
2 20 follows:

2 21 100C.2 CERTIFICATION == EMPLOYEES.

2 22 1. A person shall not act as a fire extinguishing system
2 23 contractor without first obtaining a fire extinguishing system
2 24 contractor's certificate pursuant to this chapter.

2 25 2. A person shall not act as an alarm system contractor
2 26 without first obtaining an alarm system contractor's

2 27 certificate pursuant to this chapter. A person shall not act

2 28 as an alarm system installer without first obtaining an alarm

2 29 system contractor's or alarm system installer's certificate

2 30 pursuant to this chapter.

2 31 ~~2.~~ 3. a. A responsible managing employee may act as a
2 32 responsible managing employee for only one fire extinguishing

2 33 system contractor at a time. The responsible managing

2 34 employee shall not be designated as the responsible managing

2 35 employee for more than two fire extinguishing system

3 1 contractors in any twelve-month period.

3 2 b. A responsible managing employee may act as a

3 3 responsible managing employee for only one alarm system

3 4 contractor at a time. The responsible managing employee shall

3 5 not be designated as the responsible managing employee for

3 6 more than two alarm system contractors in any twelve-month

3 7 period.

3 8 c. A responsible managing employee may serve as the

3 9 responsible managing employee for a fire extinguishing system

3 10 contractor and an alarm system contractor at the same time,

3 11 provided that the fire extinguishing system contractor and the

3 12 alarm system contractor are the same business, and that the

3 13 person designated as the responsible managing employee meets

3 14 the responsible managing employee criteria established for

3 15 each certification.

3 16 ~~3.~~ 4. a. An employee of a certified fire extinguishing
3 17 system contractor working under the direction of a responsible

3 18 managing employee is not required to obtain and maintain an

3 19 individual fire extinguishing system contractor's certificate.

3 20 b. An employee of a certified alarm system contractor who

3 21 is an alarm system installer, and who is not licensed pursuant

3 22 to chapter 103 shall obtain and maintain certification as an

3 23 alarm system installer and shall meet and maintain

3 24 qualifications established by the state fire marshal by rule.

3 25 Sec. 5. Section 100C.3, Code 2007, is amended to read as

3 26 follows:

3 27 100C.3 APPLICATION == INFORMATION TO BE PROVIDED.

3 28 1. A fire extinguishing system contractor, an alarm system

3 29 contractor, or an alarm system installer shall apply for a

3 30 certificate on a form prescribed by the state fire marshal.

3 31 The application shall be accompanied by a fee in an amount

3 32 prescribed by rule pursuant to section 100C.7 and shall

3 33 include all of the following information, as applicable:

3 34 a. The name, address, and telephone number of the

3 35 contractor or installer and, in the case of an installer, the

4 1 name and certification number of the contractor by whom the

4 2 installer is employed, including all legal and fictitious

4 3 names.

4 4 b. Proof of insurance coverage required by section 100C.4.

4 5 c. The name and qualifications of the person designated as

4 6 the contractor's responsible managing employee and of persons

4 7 designated as alternate responsible managing employees.

4 8 d. Any other information deemed necessary by the state

4 9 fire marshal.

4 10 2. Upon receipt of a completed application and prescribed

4 11 fees, if the contractor or installer meets all requirements

4 12 established by this chapter, the state fire marshal shall

4 13 issue a certificate to the ~~fire extinguishing system~~

4 14 contractor or installer within thirty days.

4 15 3. Certificates shall expire and be renewed as established

4 16 by rule pursuant to section 100C.7.

4 17 4. Any change in the information provided in the

4 18 application shall be promptly reported to the state fire

4 19 marshal. When the employment of a responsible managing

4 20 employee is terminated, the ~~fire extinguishing system~~

4 21 contractor shall notify the state fire marshal within thirty

4 22 days after termination.

4 23 Sec. 6. Section 100C.4, Code 2007, is amended to read as

4 24 follows:

4 25 100C.4 INSURANCE.

4 26 1. A fire extinguishing system contractor shall maintain

4 27 general and complete operations liability insurance for the

4 28 layout, installation, repair, alteration, addition,

4 29 maintenance, and inspection of automatic fire extinguishing

4 30 systems in an amount determined by the state fire marshal by

4 31 rule.

4 32 2. An alarm system contractor shall maintain general and

4 33 complete operations liability insurance for the layout,

4 34 installation, repair, alteration, addition, maintenance, and

4 35 inspection of alarm systems in an amount determined by the

5 1 state fire marshal by rule.

5 2 Sec. 7. Section 100C.5, subsection 1, Code 2007, is

5 3 amended to read as follows:

5 4 1. The state fire marshal shall suspend or revoke the

5 5 certificate of any ~~fire extinguishing system~~ contractor or

5 6 installer who fails to maintain compliance with the conditions

5 7 necessary to obtain a certificate. A certificate may also be

5 8 suspended or revoked if any of the following occur:

5 9 a. The employment or relationship of a responsible

5 10 managing employee with a ~~fire extinguishing system~~ contractor

5 11 is terminated, unless the ~~fire extinguishing system~~ contractor

5 12 has included a qualified alternate on the application or an

5 13 application designating a new responsible managing employee is

5 14 filed with the state fire marshal within six months after the

5 15 termination.

5 16 b. The contractor or installer fails to comply with any

5 17 provision of this chapter.

5 18 c. The contractor or installer fails to comply with any

5 19 other applicable codes and ordinances.

5 20 Sec. 8. Section 100C.6, subsection 2, Code 2007, is

5 21 amended to read as follows:

5 22 2. Limit the power of the state or a political subdivision

5 23 of the state to regulate the quality and character of work

5 24 performed by ~~fire extinguishing system~~ contractors or

5 25 installers through a system of fees, permits, and inspections
5 26 designed to ensure compliance with, and aid in the
5 27 administration of, state and local building codes or to
5 28 enforce other local laws for the protection of the public
5 29 health and safety.

5 30 Sec. 9. Section 100C.7, Code 2007, is amended to read as
5 31 follows:

5 32 100C.7 ADMINISTRATION == RULES.

5 33 The state fire marshal shall administer this chapter and,
5 34 after consultation with the fire extinguishing system
5 35 contractors and alarm systems advisory board, shall adopt
6 1 rules pursuant to chapter 17A necessary for the administration
6 2 and enforcement of this chapter.

6 3 Sec. 10. Section 100C.10, Code 2007, is amended to read as
6 4 follows:

6 5 100C.10 FIRE EXTINGUISHING SYSTEM CONTRACTORS AND ALARM
6 6 SYSTEMS ADVISORY BOARD.

6 7 1. A fire extinguishing system contractors and alarm
6 8 systems advisory board is established in the division of state
6 9 fire marshal of the department of public safety and shall
6 10 advise the division on matters pertaining to the application
6 11 and certification of ~~fire extinguishing system~~ contractors and
6 12 installers pursuant to this chapter.

6 13 2. The board shall consist of ~~seven~~ eleven voting members
6 14 appointed by the commissioner of public safety as follows:

6 15 a. Two full-time fire officials of incorporated
6 16 municipalities or counties.

6 17 b. One full-time building official of an incorporated
6 18 municipality or county.

6 19 c. ~~Two~~ Three fire extinguishing system contractors,
6 20 certified pursuant to this chapter, of which at least one
6 21 shall be a water-based fire sprinkler contractor.

6 22 d. Three alarm system contractors, certified pursuant to
6 23 this chapter, at least one of whom shall have experience with
6 24 fire alarm systems, at least one of whom shall have experience
6 25 with security alarm systems, and at least one of whom shall
6 26 have experience with medical alarm systems.

6 27 ~~d.~~ e. One professional engineer or architect licensed in
6 28 the state.

6 29 ~~e.~~ f. One representative of the general public.

6 30 3. The state fire marshal, or the state fire marshal's
6 31 designee, and the chairperson of the electrical examining
6 32 board created in section 103.2 shall be a nonvoting ex officio
6 33 ~~member~~ members of the board.

6 34 4. The commissioner shall initially appoint two members
6 35 for two-year terms, two members for four-year terms, and three
7 1 members for six-year terms. Following the expiration of the
7 2 terms of initially appointed members, each term thereafter
7 3 shall be for a period of six years. No member shall serve
7 4 more than two consecutive terms. Of the appointments to new
7 5 positions on the board which take effect July 1, 2007, the
7 6 commissioner shall make the initial appointments for two,
7 7 four, or six years, at the commissioner's discretion, so that
7 8 the terms of no more than four board members shall expire at
7 9 the same time. If a position on the board becomes vacant
7 10 prior to the expiration of a member's term, the member
7 11 appointed to the vacancy shall serve the balance of the

7 12 unexpired term.

7 13 5. ~~Four~~ Six voting members of the advisory board shall
7 14 constitute a quorum. A majority vote of the board shall be
7 15 required to conduct business.

7 16 Sec. 11. NEW SECTION. 103.1 DEFINITIONS.

7 17 As used in this chapter, unless the context otherwise
7 18 requires:

7 19 1. "Apprentice electrician" means any person who as such
7 20 person's principal occupation is engaged in learning and
7 21 assisting in the installation, alteration, and repair of
7 22 electrical wiring, apparatus, and equipment as an employee of
7 23 a person licensed under this chapter, and who is licensed by
7 24 the board and is progressing toward completion of an
7 25 apprenticeship training program registered by the bureau of
7 26 apprenticeship and training of the United States department of
7 27 labor. For purposes of this chapter, persons who are not
7 28 engaged in the installation, alteration, or repair of
7 29 electrical wiring, apparatus, and equipment, either inside or
7 30 outside buildings, shall not be considered apprentice
7 31 electricians.

7 32 2. "Board" means the electrical examining board created
7 33 under section 103.2.

7 34 3. "Class A journeyman electrician" means a person having
7 35 the necessary qualifications, training, experience, and
8 1 technical knowledge to wire for or install electrical wiring,
8 2 apparatus, and equipment and to supervise apprentice
8 3 electricians and who is licensed by the board.

8 4 4. "Class A master electrician" means a person having the
8 5 necessary qualifications, training, experience, and technical
8 6 knowledge to properly plan, lay out, and supervise the
8 7 installation of electrical wiring, apparatus, and equipment
8 8 for light, heat, power, and other purposes and who is licensed
8 9 by the board.

8 10 5. "Class B journeyman electrician" means a person having
8 11 the necessary qualifications, training, experience, and
8 12 technical knowledge to wire for or install electrical wiring,
8 13 apparatus, and equipment who meets and is subject to the
8 14 restrictions of section 103.12.

8 15 6. "Class B master electrician" means a person having the
8 16 necessary qualifications, training, experience, and technical
8 17 knowledge to properly plan, lay out, and supervise the
8 18 installation of electrical wiring, apparatus, and equipment
8 19 who meets and is subject to the restrictions of section
8 20 103.10.

8 21 7. "Commercial installation" means an installation
8 22 intended for commerce, but does not include a residential
8 23 installation.

8 24 8. "Electrical contractor" means a person affiliated with
8 25 an electrical contracting firm or business who is licensed by
8 26 the board as either a class A or class B master electrician
8 27 and who is also registered with the state of Iowa as a
8 28 contractor.

8 29 9. "Industrial installation" means an installation
8 30 intended for use in the manufacture or processing of products
8 31 involving systematic labor or habitual employment and includes
8 32 installations in which agricultural or other products are
8 33 habitually or customarily processed or stored for others,

8 34 either by buying or reselling on a fee basis.

8 35 10. "Inspector" means a person certified as an electrical
9 1 inspector upon such reasonable conditions as may be adopted by
9 2 the board. The board may permit more than one class of
9 3 electrical inspector.

9 4 11. "New electrical installation" means the installation
9 5 of electrical wiring, apparatus, and equipment for light,
9 6 heat, power, and other purposes.

9 7 12. "Public use building or facility" means any building
9 8 or facility designated for public use, including all property
9 9 owned and occupied or designated for use by the state of Iowa.

9 10 13. "Residential installation" means an installation
9 11 intended for a single-family or two-family residential
9 12 dwelling or a multifamily residential dwelling not larger than
9 13 a four-family dwelling.

9 14 14. "Routine maintenance" means the repair or replacement
9 15 of existing electrical apparatus or equipment of the same size
9 16 and type for which no changes in wiring are made.

9 17 15. "Special electrician" means a person having the
9 18 necessary qualifications, training, and experience in wiring
9 19 or installing special classes of electrical wiring, apparatus,
9 20 equipment, or installations which shall include irrigation
9 21 system wiring, disconnecting and reconnecting of existing air
9 22 conditioning and refrigeration, and sign installation and who
9 23 is licensed by the board.

9 24 16. "Unclassified person" means any person, other than an
9 25 apprentice electrician or other person licensed under this
9 26 chapter, who, as such person's principal occupation, is
9 27 engaged in learning and assisting in the installation,
9 28 alteration, and repair of electrical wiring, apparatus, and
9 29 equipment as an employee of a person licensed under this
9 30 chapter, and who is licensed by the board as an unclassified
9 31 person. For purposes of this chapter, persons who are not
9 32 engaged in the installation, alteration, or repair of
9 33 electrical wiring, apparatus, and equipment, either inside or
9 34 outside buildings, shall not be considered unclassified
9 35 persons.

10 1 Sec. 12. NEW SECTION. 103.2 ELECTRICAL EXAMINING BOARD
10 2 CREATED.

10 3 1. An electrical examining board is created within the
10 4 division of state fire marshal of the department of public
10 5 safety. The board shall consist of eleven voting members
10 6 appointed by the governor and subject to senate confirmation,
10 7 all of whom shall be residents of this state.

10 8 2. The members shall be as follows:

10 9 a. Two members shall be journeyman electricians, one a
10 10 member of an electrical workers union covered under a
10 11 collective bargaining agreement and one not a member of a
10 12 union.

10 13 b. Two members shall be master electricians or electrical
10 14 contractors, one of whom is a contractor signed to a
10 15 collective bargaining agreement or a master electrician
10 16 covered under a collective bargaining agreement and one of
10 17 whom is a nonunion contractor or a master electrician who is
10 18 not a member of a union.

10 19 c. One member shall be an electrical inspector.

10 20 d. Two members, one a union member covered under a

10 21 collective bargaining agreement and one a nonunion member,
10 22 shall not be a member of any of the aforementioned groups and
10 23 shall represent the general public.

10 24 e. One member shall be the state fire marshal or a
10 25 representative of the state fire marshal's office.

10 26 f. One member shall be a local building official employed
10 27 by a political subdivision to perform electrical inspections
10 28 for that political subdivision.

10 29 g. One member shall represent a public utility.

10 30 h. One member shall be an engineer licensed pursuant to
10 31 chapter 542B with a background in electrical engineering.

10 32 3. The public members of the board shall be allowed to
10 33 participate in administrative, clerical, or ministerial
10 34 functions incident to giving a licensure examination, but
10 35 shall not determine the content of the examination or
11 1 determine the correctness of the answers. Professional
11 2 associations or societies composed of licensed electricians
11 3 may recommend to the governor the names of potential board
11 4 members whose profession is representative of that association
11 5 or society. However, the governor is not bound by the
11 6 recommendations. A board member shall not be required to be a
11 7 member of any professional electrician association or society.

11 8 Sec. 13. NEW SECTION. 103.3 TERMS OF OFFICE == EXPENSES
11 9 == COUNSEL.

11 10 1. Appointments to the board, other than the state fire
11 11 marshal or a representative of the state fire marshal's
11 12 office, shall be for three-year staggered terms and shall
11 13 commence and end as provided by section 69.19. The most
11 14 recently appointed state fire marshal, or a representative of
11 15 the state fire marshal's office, shall be appointed to the
11 16 board on an ongoing basis. Vacancies shall be filled for the
11 17 unexpired term by appointment of the governor and shall be
11 18 subject to senate confirmation. Members shall serve no more
11 19 than three terms or nine years, whichever is least.

11 20 2. Members of the board are entitled to receive all actual
11 21 expenses incurred in the discharge of their duties within the
11 22 limits of funds appropriated to the board. Each member of the
11 23 board may also be eligible to receive compensation as provided
11 24 in section 7E.6.

11 25 3. The board shall be entitled to the counsel and services
11 26 of the attorney general. The board may compel the attendance
11 27 of witnesses, pay witness fees and mileage, take testimony and
11 28 proofs, and administer oaths concerning any matter within its
11 29 jurisdiction.

11 30 Sec. 14. NEW SECTION. 103.4 ORGANIZATION OF THE BOARD.

11 31 The board shall elect annually from its members a
11 32 chairperson and a vice chairperson, and shall hire and provide
11 33 staff to assist the board in administering this chapter. An
11 34 executive secretary designated by the board shall report to
11 35 the state fire marshal for purposes of routine board
12 1 administrative functions, and shall report directly to the
12 2 board for purposes of execution of board policy such as
12 3 application of licensing criteria and processing of
12 4 applications. The board shall hold at least one meeting
12 5 quarterly at the location of the board's principal office, and
12 6 meetings shall be called at other times by the chairperson or
12 7 four members of the board. At any meeting of the board, a

12 8 majority of members constitutes a quorum.
12 9 Sec. 15. NEW SECTION. 103.5 OFFICIAL SEAL == BYLAWS.
12 10 The board shall adopt and have an official seal which shall
12 11 be affixed to all certificates of licensure granted.
12 12 Sec. 16. NEW SECTION. 103.6 POWERS AND DUTIES.
12 13 The board shall:
12 14 1. Adopt rules pursuant to chapter 17A and in doing so
12 15 shall be governed by the minimum standards set forth in the
12 16 most current publication of the national electrical code
12 17 issued and adopted by the national fire protection
12 18 association, and amendments to the code, which code and
12 19 amendments shall be filed in the offices of the secretary of
12 20 state and the board and shall be a public record. The board
12 21 shall adopt rules reflecting updates to the code and
12 22 amendments to the code. The board shall promulgate and adopt
12 23 rules establishing wiring standards that protect public safety
12 24 and health and property and that apply to all electrical
12 25 wiring which is installed subject to this chapter.
12 26 2. Revoke, suspend, or refuse to renew any license granted
12 27 pursuant to this chapter when the licensee:
12 28 a. Fails or refuses to pay any examination, license, or
12 29 renewal fee required by law.
12 30 b. Is an electrical contractor and fails or refuses to
12 31 provide and keep in force a public liability insurance policy
12 32 and surety bond as required by the board.
12 33 c. Violates any political subdivision's inspection
12 34 ordinances.
12 35 The board may, in its discretion, revoke, suspend, or
13 1 refuse to renew any license granted pursuant to this chapter
13 2 when the licensee violates any provision of the national
13 3 electrical code as adopted pursuant to subsection 1, this
13 4 chapter, or any rule adopted pursuant to this chapter.
13 5 3. Adopt rules for continuing education requirements for
13 6 each classification of licensure established pursuant to this
13 7 chapter, and adopt all rules, not inconsistent with the law,
13 8 necessary for the proper performance of the duties of the
13 9 board.
13 10 4. Provide for the amount and collection of fees for
13 11 inspection and other services.
13 12 Sec. 17. NEW SECTION. 103.7 ELECTRICIAN AND INSTALLER
13 13 LICENSING AND INSPECTION FUND.
13 14 An electrician and installer licensing and inspection fund
13 15 is created in the state treasury as a separate fund under the
13 16 control of the board. All licensing, examination, renewal,
13 17 and inspection fees shall be deposited into the fund and
13 18 retained by and for the use of the board. Expenditures from
13 19 the fund shall be approved by the sole authority of the board
13 20 in consultation with the state fire marshal. Amounts
13 21 deposited into the fund shall be considered repayment receipts
13 22 as defined in section 8.2. Notwithstanding section 8.33, any
13 23 balance in the fund on June 30 of each fiscal year shall not
13 24 revert to the general fund of the state, but shall remain
13 25 available for the purposes of this chapter in subsequent
13 26 fiscal years. Notwithstanding section 12C.7, subsection 2,
13 27 interest or earnings on moneys deposited in the fund shall be
13 28 credited to the fund.
13 29 Sec. 18. NEW SECTION. 103.8 PLAN, LAY OUT, OR SUPERVISE

13 30 CERTAIN ACTIVITIES == LICENSE REQUIRED == EXCEPTIONS.
13 31 Except as provided in sections 103.13 and 103.14, no person
13 32 shall, for another, plan, lay out, or supervise the
13 33 installation of wiring, apparatus, or equipment for electrical
13 34 light, heat, power, and other purposes unless the person is
13 35 licensed by the board as an electrical contractor, a class A
14 1 master electrician, or a class B master electrician.
14 2 Sec. 19. NEW SECTION. 103.9 ELECTRICAL CONTRACTOR
14 3 LICENSE.
14 4 1. An applicant for an electrical contractor license shall
14 5 either be or employ a licensed class A or class B master
14 6 electrician, and be registered with the state of Iowa as a
14 7 contractor.
14 8 2. A contractor who holds a class B master electrician
14 9 license shall be licensed subject to the restrictions of
14 10 section 103.10.
14 11 Sec. 20. NEW SECTION. 103.10 CLASS A MASTER ELECTRICIAN
14 12 LICENSE == QUALIFICATIONS == CLASS B MASTER ELECTRICIAN
14 13 LICENSE.
14 14 1. An applicant for a class A master electrician license
14 15 shall have at least one year's experience, acceptable to the
14 16 board, as a licensed class A or class B journeyman
14 17 electrician.
14 18 2. In addition, an applicant shall meet examination
14 19 criteria based upon the most recent national electrical code
14 20 adopted pursuant to section 103.6 and upon electrical theory,
14 21 as determined by the board.
14 22 3. a. An applicant who can provide proof acceptable to
14 23 the board that the applicant has been working in the
14 24 electrical business and involved in planning for, laying out,
14 25 supervising, and installing electrical wiring, apparatus, or
14 26 equipment for light, heat, and power prior to 1990 may be
14 27 granted a class B master electrician license without taking an
14 28 examination. An applicant who is issued a class B master
14 29 electrician license pursuant to this section shall not be
14 30 authorized to plan, lay out, or supervise the installation of
14 31 electrical wiring, apparatus, and equipment in a political
14 32 subdivision which, prior to or after the effective date of
14 33 this section of this Act, establishes licensing standards
14 34 which preclude such work by class B master electricians in the
14 35 political subdivision. The board shall adopt rules
15 1 establishing procedures relating to the restriction of a class
15 2 B master electrician license pursuant to this subsection.
15 3 b. A class B master electrician may become licensed as a
15 4 class A master electrician upon successful passage of the
15 5 examination prescribed in subsection 2.
15 6 4. A person licensed to plan, lay out, or supervise the
15 7 installation of electrical wiring, apparatus, or equipment for
15 8 light, heat, power, and other purposes and supervise
15 9 apprentice electricians by a political subdivision preceding
15 10 the effective date of this section of this Act pursuant to a
15 11 supervised written examination, and who is currently engaged
15 12 in the electrical contracting industry, shall be issued an
15 13 applicable statewide license corresponding to that licensure
15 14 as a class A master electrician or electrical contractor. The
15 15 board shall adopt by rule certain criteria for city
15 16 examination standards satisfactory to fulfill this

15 17 requirement.

15 18 Sec. 21. NEW SECTION. 103.11 WIRING OR INSTALLING ==
15 19 SUPERVISING APPRENTICES == LICENSE REQUIRED == QUALIFICATIONS.

15 20 Except as provided in section 103.13, no person shall, for
15 21 another, wire for or install electrical wiring, apparatus, or
15 22 equipment, or supervise an apprentice electrician or
15 23 unclassified person, unless the person is licensed by the
15 24 board as an electrical contractor, a class A master
15 25 electrician, a class B master electrician, or is licensed as a
15 26 class A journeyman electrician, or a class B journeyman
15 27 electrician, and is employed by an electrical contractor, a
15 28 class A master electrician, a class B master electrician.

15 29 Sec. 22. NEW SECTION. 103.12 CLASS A JOURNEYMAN
15 30 ELECTRICIAN LICENSE QUALIFICATIONS == CLASS B JOURNEYMAN
15 31 ELECTRICIAN LICENSE.

15 32 1. An applicant for a class A journeyman electrician
15 33 license shall have successfully completed an apprenticeship
15 34 training program registered by the bureau of apprenticeship
15 35 and training of the United States department of labor in
16 1 accordance with the standards established by that department.
16 2 An applicant may petition the board to receive a waiver of
16 3 this requirement. The board shall determine a level of on=
16 4 the=job experience as an unclassified person sufficient to
16 5 qualify for a waiver.

16 6 2. In addition, an applicant shall obtain a score of at
16 7 least seventy=five percent on an examination prescribed and
16 8 administered by the board based upon the most recent national
16 9 electrical code adopted pursuant to section 103.6 and upon
16 10 electrical theory.

16 11 3. a. An applicant who can provide proof acceptable to
16 12 the board that the applicant has been employed as a journeyman
16 13 electrician since 1990 may be granted a class B journeyman
16 14 electrician license without taking an examination. An
16 15 applicant who is issued a class B journeyman electrician
16 16 license pursuant to this section shall not be authorized to
16 17 wire for or install electrical wiring, apparatus, and
16 18 equipment in a political subdivision which, prior to or after
16 19 the effective date of this section of this Act, establishes
16 20 licensing standards which preclude such work by class B
16 21 journeyman electricians in the political subdivision. The
16 22 board shall adopt rules establishing procedures relating to
16 23 the restriction of a class B journeyman electrician license
16 24 pursuant to this subsection.

16 25 b. A class B journeyman electrician may become licensed as
16 26 a class A journeyman electrician upon successful passage of
16 27 the examination prescribed in subsection 2.

16 28 4. A person licensed to wire for or install electrical
16 29 wiring, apparatus, or equipment or supervise an apprentice
16 30 electrician by a political subdivision preceding the effective
16 31 date of this section of this Act pursuant to a supervised
16 32 written examination, and who is currently engaged in the
16 33 electrical contracting industry with at least four years'
16 34 experience, shall be issued an applicable statewide license
16 35 corresponding to that licensure as a class A journeyman
17 1 electrician or a class B journeyman electrician. The board
17 2 shall adopt by rule certain criteria for city examination
17 3 standards satisfactory to fulfill this requirement.

17 4 Sec. 23. NEW SECTION. 103.13 SPECIAL ELECTRICIAN LICENSE
17 5 == QUALIFICATIONS.

17 6 The board shall by rule provide for the issuance of special
17 7 electrician licenses authorizing the licensee to engage in a
17 8 limited class or classes of electrical work, which class or
17 9 classes shall be specified on the license. Each licensee
17 10 shall have experience, acceptable to the board, in each such
17 11 limited class of work for which the person is licensed.

17 12 Sec. 24. NEW SECTION. 103.14 ALARM INSTALLATIONS.

17 13 A person who is not licensed pursuant to this chapter may
17 14 plan, lay out, or install electrical wiring, apparatus, and
17 15 equipment for components of alarm systems that operate at
17 16 seventy volt/amps (VA) or less, only if the person is
17 17 certified to conduct such work pursuant to chapter 100C.
17 18 Installations of alarm systems that operate at seventy
17 19 volt/amps (VA) or less are subject to inspection by state
17 20 inspectors as provided in section 103.32, except that reports
17 21 of such inspections, if the installation being inspected was
17 22 performed by a person certified pursuant to chapter 100C,
17 23 shall be submitted to the state fire marshal and any action
17 24 taken on a report of an inspection of an installation
17 25 performed by a person certified pursuant to chapter 100C shall
17 26 be taken by or at the direction of the state fire marshal,
17 27 unless the installation has been found to exceed the authority
17 28 granted to the certificate holder pursuant to chapter 100C and
17 29 therefore to be in violation of this chapter.

17 30 Sec. 25. NEW SECTION. 103.15 APPRENTICE ELECTRICIAN ==
17 31 UNCLASSIFIED PERSON.

17 32 1. A person shall be licensed by the board and pay a
17 33 licensing fee to work as an apprentice electrician while
17 34 participating in an apprenticeship training program registered
17 35 by the bureau of apprenticeship and training of the United
18 1 States department of labor in accordance with the standards
18 2 established by that department. An apprenticeship shall be
18 3 limited to six years from the date of licensure, unless
18 4 extended by the board upon a finding that a hardship existed
18 5 which prevented completion of the apprenticeship program.
18 6 Such licensure shall entitle the licensee to act as an
18 7 apprentice to an electrical contractor, a class A master
18 8 electrician, a class B master electrician, a class A
18 9 journeyman electrician, or a class B journeyman electrician as
18 10 provided in subsection 3.

18 11 2. A person shall be licensed as an unclassified person by
18 12 the board to perform electrical work if the work is performed
18 13 under the personal supervision of a person actually licensed
18 14 to perform such work and the licensed and unclassified persons
18 15 are employed by the same employer. After one hundred
18 16 continuous days of employment as a nonlicensed unclassified
18 17 person, the unclassified person must receive a license from
18 18 the board. Licensed persons shall not permit unclassified
18 19 persons to perform electrical work except under the personal
18 20 supervision of a person actually licensed to perform such
18 21 work. Unclassified persons shall not supervise the
18 22 performance of electrical work or make assignments of
18 23 electrical work to unclassified persons. Electrical
18 24 contractors employing unclassified persons performing
18 25 electrical work shall maintain records establishing compliance

18 26 with this section, which shall designate all unclassified
18 27 persons performing electrical work.

18 28 3. Apprentice electricians and unclassified persons shall
18 29 do no electrical wiring except under the direct personal on=
18 30 the=job supervision and control and in the immediate presence
18 31 of a licensee pursuant to this chapter. Such supervision
18 32 shall include both on=the=job training and related classroom
18 33 training as approved by the board. The licensee may employ or
18 34 supervise apprentice electricians and unclassified persons at
18 35 a ratio not to exceed three apprentice electricians and
19 1 unclassified persons to one licensee, except that such ratio
19 2 and the other requirements of this section shall not apply to
19 3 apprenticeship classroom training.

19 4 4. For purposes of this section, "the direct personal on=
19 5 the=job supervision and control and in the immediate presence
19 6 of a licensee" shall mean the licensee and the apprentice
19 7 electrician or unclassified person shall be working at the
19 8 same project location but shall not require that the licensee
19 9 and apprentice electrician or unclassified person be within
19 10 sight of one another at all times.

19 11 5. An apprentice electrician shall not install, alter, or
19 12 repair electrical equipment except as provided in this
19 13 section, and the licensee employing or supervising an
19 14 apprentice electrician shall not authorize or permit such
19 15 actions by the apprentice electrician.

19 16 Sec. 26. NEW SECTION. 103.16 LICENSE EXAMINATIONS.

19 17 1. Examinations for licensure shall be given as often as
19 18 deemed necessary by the board, but no less than one time per
19 19 month. The scope of the examinations and the methods of
19 20 procedure shall be prescribed by the board. The examinations
19 21 given by the board shall be the experior assessment
19 22 examination, or a successor examination approved by the board,
19 23 or an examination prepared by a third=party testing service
19 24 which is substantially equivalent to the experior assessment
19 25 examination, or a successor examination approved by the board.

19 26 2. An examination may be given by representatives of the
19 27 board. As soon as practicable after the close of each
19 28 examination, a report shall be filed in the office of the
19 29 secretary of the board by the board. The report shall show
19 30 the action of the board upon each application and the
19 31 secretary of the board shall notify each applicant of the
19 32 result of the applicant's examination. Applicants who fail
19 33 the examination once shall be allowed to take the examination
19 34 at the next scheduled time. Thereafter, the applicant shall
19 35 be allowed to take the examination at the discretion of the
20 1 board. An applicant who has failed the examination may
20 2 request, in writing, information from the board concerning the
20 3 applicant's examination grade and subject areas or questions
20 4 which the applicant failed to answer correctly, except that if
20 5 the board administers a uniform, standardized examination, the
20 6 board shall only be required to provide the examination grade
20 7 and such other information concerning the applicant's
20 8 examination results which are available to the board.

20 9 Sec. 27. NEW SECTION. 103.17 DISCLOSURE OF CONFIDENTIAL
20 10 INFORMATION == CRIMINAL PENALTY.

20 11 A member of the board shall not disclose information
20 12 relating to the following:

20 13 1. Criminal history or prior misconduct of an applicant.
20 14 2. Information relating to the contents of an examination.
20 15 3. Information relating to examination results other than
20 16 a final score except for information about the results of an
20 17 examination given to the person who took the examination.
20 18 A member of the board who willfully communicates or seeks
20 19 to communicate such information, and any person who willfully
20 20 requests, obtains, or seeks to obtain such information, is
20 21 guilty of a simple misdemeanor.

20 22 Sec. 28. NEW SECTION. 103.18 LICENSE RENEWAL ==
20 23 CONTINUING EDUCATION.

20 24 In order to renew a class A master electrician, class B
20 25 master electrician, class A journeyman electrician, or class B
20 26 journeyman electrician license issued pursuant to this
20 27 chapter, the licensee shall be required to complete eighteen
20 28 contact hours of continuing education courses approved by the
20 29 board during the three-year period for which a license is
20 30 granted. The contact hours shall include a minimum of six
20 31 contact hours studying the national electrical code described
20 32 in section 103.6, and the remaining contact hours may include
20 33 study of electrical circuit theory, blueprint reading,
20 34 transformer and motor theory, electrical circuits and devices,
20 35 control systems, programmable controllers, and microcomputers
21 1 or any other study of electrical-related material that is
21 2 approved by the board. Any additional hours studying the
21 3 national electrical code shall be acceptable. For purposes of
21 4 this section, "contact hour" means fifty minutes of classroom
21 5 attendance at an approved course under a qualified instructor
21 6 approved by the board.

21 7 Sec. 29. NEW SECTION. 103.19 LICENSES == EXPIRATION ==
21 8 APPLICATION == FEES.

21 9 1. Licenses issued pursuant to this chapter shall expire
21 10 every three years, with the exception of licenses for
21 11 apprentice electricians and unclassified persons, which shall
21 12 expire on an annual basis. All license applications shall
21 13 include the applicant's social security number. The board
21 14 shall establish the fees to be payable for examination and
21 15 license issuance and renewal in amounts not to exceed the
21 16 following:

21 17 a. For examinations:

21 18 (1) Class A master electrician, one hundred twenty-five
21 19 dollars.

21 20 (2) Class A journeyman electrician, sixty dollars.

21 21 b. For each year of the three-year license period for
21 22 issuance and renewal:

21 23 (1) Electrical contractor, one hundred twenty-five
21 24 dollars.

21 25 (2) Class A master electrician, class B master
21 26 electrician, one hundred twenty-five dollars.

21 27 (3) Class A journeyman electrician, class B journeyman
21 28 electrician, or special electrician, twenty-five dollars.

21 29 c. For apprentice electricians, twenty dollars.

21 30 2. The holder of an expired license may renew the license
21 31 for a period of three months from the date of expiration upon
21 32 payment of the license fee plus ten percent of the renewal fee
21 33 for each month or portion thereof past the expiration date.

21 34 All holders of licenses expired for more than three months

21 35 shall apply for a new license.

22 1 Sec. 30. NEW SECTION. 103.20 LICENSEE STATUS ==
22 2 EMPLOYMENT == DEATH.

22 3 1. Individuals performing electrical work in a capacity
22 4 for which licensure is required pursuant to this chapter shall
22 5 be employed by the authority or company obtaining a permit for
22 6 the performance of such work, and shall possess a valid
22 7 license issued by the board.

22 8 2. Upon the death of an electrical contractor, a class A
22 9 master electrician, or a class B master electrician, the board
22 10 may permit a representative to carry on the business of the
22 11 decedent for a period not to exceed six months for the purpose
22 12 of completing work under contract to comply with this chapter.
22 13 Such representative shall furnish all public liability and
22 14 property damage insurance required by the board.

22 15 Sec. 31. NEW SECTION. 103.21 LICENSES WITHOUT
22 16 EXAMINATION == RECIPROCITY WITH OTHER STATES.

22 17 To the extent that any other state which provides for the
22 18 licensing of electricians provides for similar action, the
22 19 board may grant licenses, without examination, of the same
22 20 grade and class to an electrician who has been licensed by
22 21 such other state for at least one year, upon payment by the
22 22 applicant of the required fee, and upon the board being
22 23 furnished with proof that the qualifications of the applicant
22 24 are equal to the qualifications of holders of similar licenses
22 25 in this state.

22 26 Sec. 32. NEW SECTION. 103.22 CHAPTER INAPPLICABILITY.
22 27 The provisions of this chapter shall not:

22 28 1. Apply to a person licensed as an engineer pursuant to
22 29 chapter 542B, registered as an architect pursuant to chapter
22 30 544A, licensed as a landscape architect pursuant to chapter
22 31 544B, or designated as lighting certified by the national
22 32 council on qualifications for the lighting professions
22 33 providing consultations and developing plans concerning
22 34 electrical installations who is exclusively engaged in the
22 35 practice of the person's profession.

23 1 2. Require employees of municipal corporations, electric
23 2 membership or cooperative associations, public utility
23 3 corporations, rural water associations or districts,
23 4 railroads, telecommunications companies, franchised cable
23 5 television operators, or commercial or industrial companies
23 6 performing manufacturing, installation, and repair work for
23 7 such employer to hold licenses while acting within the scope
23 8 of their employment.

23 9 3. Require any person doing work for which a license would
23 10 otherwise be required under this chapter to hold a license
23 11 issued under this chapter if the person is the holder of a
23 12 valid license issued by any political subdivision, so long as
23 13 the person makes electrical installations only in the
23 14 jurisdictional limits of such political subdivision and such
23 15 license issued by the political subdivision meets the
23 16 requirements of this chapter.

23 17 4. Apply to the installation, maintenance, repair, or
23 18 alteration of vertical transportation or passenger conveyors,
23 19 elevators, moving walks, dumbwaiters, stagelifts, manlifts, or
23 20 appurtenances thereto beyond the terminals of the controllers.
23 21 The licensing of elevator contractors or constructors shall

23 22 not be considered a part of the licensing requirements of this
23 23 chapter.

23 24 5. Require a license of any person who engages any
23 25 electrical appliance where approved electrical supply is
23 26 already installed.

23 27 6. Prohibit an owner of property from performing work on
23 28 the owner's principal residence, if such residence is an
23 29 existing dwelling rather than new construction and is not
23 30 larger than a single-family dwelling, or farm property,
23 31 excluding commercial or industrial installations or
23 32 installations in public use buildings or facilities, or
23 33 require such owner to be licensed under this chapter. In
23 34 order to qualify for inapplicability pursuant to this
23 35 subsection, a residence shall qualify for the homestead tax
24 1 exemption.

24 2 7. Require that any person be a member of a labor union in
24 3 order to be licensed.

24 4 8. Apply to a person who is qualified pursuant to
24 5 administrative rules relating to the storage and handling of
24 6 liquefied petroleum gases while engaged in installing,
24 7 servicing, testing, replacing, or maintaining propane gas
24 8 utilization equipment, or gas piping systems of which the
24 9 equipment is a part, and related or connected accessory
24 10 systems or equipment necessary to the operation of the
24 11 equipment.

24 12 9. Apply to a person who meets the requirements for a well
24 13 contractor pursuant to administrative rules while engaged in
24 14 installing, servicing, testing, replacing, or maintaining a
24 15 well or well equipment, or piping systems of which the
24 16 equipment is a part, and related or connected accessory
24 17 systems or equipment necessary to the operation of the
24 18 equipment.

24 19 10. Apply to a person performing alarm system
24 20 installations engaged in the design, installation, erection,
24 21 repair, maintenance, or alteration of class two or class three
24 22 remote control, signaling, or power-limited circuits, optical
24 23 fiber cables or other cabling, or communications circuits,
24 24 including raceways, as defined in the national electrical code
24 25 for voice, video, audio, and data signals in commercial or
24 26 residential premises.

24 27 Sec. 33. NEW SECTION. 103.23 ELECTRICAL INSTALLATIONS ==
24 28 SUBJECT TO INSPECTION.

24 29 The inspection and enforcement provisions of this chapter
24 30 shall apply to the following:

24 31 1. All new electrical installations for commercial or
24 32 industrial applications, including installations both inside
24 33 and outside of buildings, and for public use buildings and
24 34 facilities and any installation at the request of the owner.

24 35 2. All new electrical installations for residential
25 1 applications in excess of single-family residential
25 2 applications.

25 3 3. All new electrical installations for single-family
25 4 residential applications requiring new electrical service
25 5 equipment.

25 6 4. Existing electrical installations observed during
25 7 inspection which constitute an electrical hazard. Existing
25 8 installations shall not be deemed to constitute an electrical

25 9 hazard if the wiring when originally installed was installed
25 10 in accordance with the electrical code in force at the time of
25 11 installation and has been maintained in that condition.

25 12 Sec. 34. NEW SECTION. 103.24 STATE INSPECTION ==
25 13 INAPPLICABILITY IN CERTAIN POLITICAL SUBDIVISIONS ==
25 14 ELECTRICAL INSPECTORS == CERTIFICATE OF QUALIFICATION.

25 15 1. No person other than the holder of an electrical
25 16 inspector's certificate of qualification shall be appointed to
25 17 act as an electrical inspector and to enforce this chapter as
25 18 an electrical inspector and to enforce this chapter or any
25 19 applicable resolution or ordinance within the inspector's
25 20 jurisdiction. The board shall establish by rule standards for
25 21 the certification and decertification of state electrical
25 22 inspectors, and certified electrical inspector continuing
25 23 education requirements.

25 24 2. State inspection shall not apply within the
25 25 jurisdiction of any political subdivision which, pursuant to
25 26 section 103.29, provides by resolution or ordinance standards
25 27 of electrical wiring and its installation that are not less
25 28 than those prescribed by the board or by this chapter and
25 29 which further provides by resolution or ordinance for the
25 30 inspection of electrical installations within the limits of
25 31 such subdivision by a certified electrical inspector. A copy
25 32 of the certificate of each electrical inspector shall be
25 33 provided to the board by the political subdivision issuing the
25 34 certificate.

25 35 3. State inspection shall not apply to routine
26 1 maintenance.

26 2 Sec. 35. NEW SECTION. 103.25 REQUEST FOR INSPECTION ==
26 3 FEES.

26 4 At or before commencement of any installation required to
26 5 be inspected by the board, the licensee or owner making such
26 6 installation shall submit to the state fire marshal's office a
26 7 request for inspection. The board shall prescribe the methods
26 8 by which the request may be submitted, which may include
26 9 electronic submission or through a form prescribed by the
26 10 board that can be submitted either through the mail or by a
26 11 fax transmission. The board shall also prescribe methods by
26 12 which inspection fees can be paid, which may include
26 13 electronic methods of payment. If the board or the state fire
26 14 marshal's office becomes aware that a person has failed to
26 15 file a necessary request for inspection, the board or the
26 16 state fire marshal's office shall send a written notification
26 17 by certified mail that the request must be filed within
26 18 fourteen days. Any person filing a late request for
26 19 inspection shall pay a delinquency fee in an amount to be
26 20 determined by the board. Failure to file a late request
26 21 within fourteen days shall be subject to a civil penalty to be
26 22 determined by the board by rule.

26 23 Sec. 36. NEW SECTION. 103.26 CONDEMNATION ==
26 24 DISCONNECTION == OPPORTUNITY TO CORRECT NONCOMPLIANCE.

26 25 If the inspector finds that any installation or portion of
26 26 an installation is not in compliance with accepted standards
26 27 of construction for safety to health and property, based upon
26 28 minimum standards set forth in the local electrical code or
26 29 the national electrical code adopted by the board pursuant to
26 30 section 103.6, the inspector shall by written order condemn

26 31 the installation or noncomplying portion or order service to
26 32 such installation disconnected and shall send a copy of such
26 33 order to the board, the state fire marshal, and the electrical
26 34 utility supplying power involved. If the installation or the
26 35 noncomplying portion is such as to seriously and proximately
27 1 endanger human health or property, the order of the inspector
27 2 when approved by the inspector's superior shall require
27 3 immediate condemnation and disconnection by the applicant. In
27 4 all other cases, the order of the inspector shall establish a
27 5 reasonable period of time for the installation to be brought
27 6 into compliance with accepted standards of construction for
27 7 safety to health and property prior to the effective date
27 8 established in such order for condemnation or disconnection.

27 9 Sec. 37. NEW SECTION. 103.27 CONDEMNATION OR
27 10 DISCONNECTION ORDER == SERVICE.

27 11 1. A copy of each condemnation or disconnection order
27 12 shall be served personally or by regular mail upon the
27 13 property owner at the property owner's last known address, the
27 14 licensee making the installation, and such other persons as
27 15 the board by rule may direct.

27 16 2. The electrical utility supplying power shall be served
27 17 with a copy of any order which requires immediate
27 18 disconnection or prohibits energizing an installation.

27 19 Sec. 38. NEW SECTION. 103.28 CERTIFICATE OF SAFE
27 20 OPERATION == DISMISSAL OF CONDEMNATION OR DISCONNECTION ORDER.

27 21 1. No electrical installation subject to inspection under
27 22 this chapter shall be newly connected or reconnected for use
27 23 until the electrical inspector has filed with the electrical
27 24 utility supplying power a certificate stating that the
27 25 electrical inspector has approved such energization.

27 26 2. If the electrical inspector determines that an
27 27 electrical installation subject to inspection by the board is
27 28 not in compliance with accepted standards of construction for
27 29 safety to health and property, based upon minimum standards
27 30 adopted by the board pursuant to this chapter, the inspector
27 31 shall issue a correction order. A correction order made
27 32 pursuant to this section shall be served personally or by
27 33 United States mail only upon the licensee making the
27 34 installation. The correction order shall order the licensee
27 35 to make the installation comply with the standards, noting
28 1 specifically what changes are required. The order shall
28 2 specify a date, not more than seventeen calendar days from the
28 3 date of the order, when a new inspection shall be made. When
28 4 the installation is brought into compliance to the
28 5 satisfaction of the inspector, the inspector shall file with
28 6 the electrical utility supplying power a certificate stating
28 7 that the electrical inspector has approved energization.

28 8 3. An electrical utility supplier may refuse service
28 9 without liability for such refusal until the provisions of
28 10 this section have been met.

28 11 Sec. 39. NEW SECTION. 103.29 POLITICAL SUBDIVISIONS ==
28 12 INSPECTIONS == AUTHORITY OF POLITICAL SUBDIVISIONS.

28 13 1. A political subdivision performing electrical
28 14 inspections prior to December 31, 2007, shall continue to
28 15 perform such inspections. After December 31, 2012, a
28 16 political subdivision may choose to discontinue performing its
28 17 own inspections and permit the board to have jurisdiction over

28 18 inspections in the political subdivision. If a political
28 19 subdivision seeks to discontinue its own inspections prior to
28 20 December 31, 2012, the political subdivision shall petition
28 21 the board. If a unanimous vote of the board finds that a
28 22 political subdivision's inspections are inadequate by reason
28 23 of misfeasance, malfeasance, or nonfeasance, the board may
28 24 suspend or revoke the political subdivision's authority to
28 25 perform its own inspections, subject to appeal according to
28 26 the procedure set forth in section 103.35 and judicial review
28 27 pursuant to section 17A.19. A political subdivision not
28 28 performing electrical inspections prior to December 31, 2007,
28 29 may make provision for inspection of electrical installations
28 30 within its jurisdiction, in which case it shall keep on file
28 31 with the board copies of its current inspection ordinances or
28 32 resolutions and electrical codes.

28 33 2. A political subdivision performing electrical
28 34 inspections pursuant to subsection 1 prior to December 31,
28 35 2007, may maintain a different supervision ratio than the
29 1 ratio of three apprentice electricians and unclassified
29 2 persons to one licensee specified in section 103.15,
29 3 subsection 3, but may not exceed that ratio. A political
29 4 subdivision which begins performing electrical inspections
29 5 after December 31, 2007, shall maintain the specified
29 6 three-to-one ratio unless the board approves a petition by the
29 7 political subdivision for a lower ratio. A political
29 8 subdivision which discontinues performing electrical
29 9 inspections and permits the board to have jurisdiction over
29 10 inspections shall maintain the specified three-to-one
29 11 supervision ratio, and may not petition for a lower ratio
29 12 unless the political subdivision subsequently resumes
29 13 performing electrical inspections.

29 14 3. A political subdivision that performs electrical
29 15 inspections may set appropriate permit fees to pay for such
29 16 inspections. A political subdivision shall not require any
29 17 person holding a license from the board to pay any license fee
29 18 or take any examination if the person holds a current license
29 19 issued by the board which is of a classification equal to or
29 20 greater than the classification needed to do the work
29 21 proposed. Any such political subdivision may provide a
29 22 requirement that each person doing electrical work within the
29 23 jurisdiction of such political subdivision have on file with
29 24 the political subdivision a copy of the current license issued
29 25 by the board or such other evidence of such license as may be
29 26 provided by the board.

29 27 4. A political subdivision is authorized to determine what
29 28 work may be performed by a class B licensee within the
29 29 jurisdictional limits of the political subdivision.

29 30 5. A political subdivision that performs electrical
29 31 inspections shall act as the authority having jurisdiction for
29 32 electrical inspections and for amending the national
29 33 electrical code adopted by the board pursuant to section 103.6
29 34 for work performed within the jurisdictional limits of the
29 35 political subdivision, provided those inspections and
30 1 amendments conform to the requirements of this chapter. Any
30 2 action by a political subdivision with respect to amendments
30 3 to the national electrical code shall be filed with the board
30 4 prior to enforcement by the political subdivision, and shall

30 5 not be less stringent than the minimum standards established
30 6 by the board by rule.

30 7 6. A political subdivision may grant a variance or
30 8 interpret the national electrical code in a manner which
30 9 deviates from a standard interpretation on an exception basis
30 10 for a one-time installation or planned installation so long as
30 11 such a variance or interpretation does not present an
30 12 electrical hazard or danger to life or property.

30 13 Sec. 40. NEW SECTION. 103.30 INSPECTIONS NOT REQUIRED.

30 14 Nothing in this chapter shall be construed to require the
30 15 work of employees of municipal corporations, railroads,
30 16 electric membership or cooperative associations, public
30 17 utility corporations, rural water associations or districts,
30 18 or telecommunications systems to be inspected while acting
30 19 within the scope of their employment.

30 20 Sec. 41. NEW SECTION. 103.32 STATE INSPECTION
30 21 PROCEDURES.

30 22 1. An inspection shall be made within three business days
30 23 of the submission of a request for an inspection as provided
30 24 in section 103.25. When necessary, circuits may be energized
30 25 by the authorized installer prior to inspection but the
30 26 installation shall remain subject to condemnation and
30 27 disconnection and subject to any appropriate restrictions or
30 28 limitations as determined by the board.

30 29 2. Where wiring is to be concealed, the inspector must be
30 30 notified within a reasonable time to complete rough-in
30 31 inspections prior to concealment, exclusive of Saturdays,
30 32 Sundays, and holidays. If wiring is concealed before rough-in
30 33 inspections without adequate notice having been given to the
30 34 inspector, the person responsible for having enclosed the
30 35 wiring shall be responsible for all costs resulting from
31 1 uncovering and replacing the cover material.

31 2 3. State inspection procedures and policies shall be
31 3 established by the board. The state fire marshal, or the
31 4 state fire marshal's designee, shall enforce the procedures
31 5 and policies, and enforce the provisions of the national
31 6 electrical code adopted by the board.

31 7 4. Except when an inspection reveals that an installation
31 8 or portion of an installation is not in compliance with
31 9 accepted standards of construction for safety to health and
31 10 property, based upon minimum standards set forth in the local
31 11 electrical code or the national electrical code adopted by the
31 12 board pursuant to section 103.6, such that an order of
31 13 condemnation or disconnection is warranted pursuant to section
31 14 103.26, an inspector shall not add to, modify, or amend a
31 15 construction plan as originally approved by the state fire
31 16 marshal in the course of conducting an inspection.

31 17 5. Management and supervision of inspectors, including
31 18 hiring decisions, disciplinary action, promotions, and work
31 19 schedules are the responsibility of the state fire marshal
31 20 acting in accordance with applicable law and pursuant to any
31 21 applicable collective bargaining agreement. The state fire
31 22 marshal and the board shall jointly determine work
31 23 territories, regions, or districts for inspectors and
31 24 continuing education and ongoing training requirements
31 25 applicable to inspectors. An inspector subject to
31 26 disciplinary action pursuant to this subsection shall be

31 27 entitled to an appeal according to the procedure set forth in
31 28 section 103.35 and judicial review pursuant to section 17A.19.

31 29 6. The board shall establish a web-based licensure
31 30 verification database for access by a state or local inspector
31 31 for verification of licensee status. The database shall
31 32 include the name of every person licensed under this chapter
31 33 and a corresponding licensure number. Inspectors shall be
31 34 authorized to request the name and license number of any
31 35 person working at a jobsite subject to inspection for
32 1 verification of licensee status. Licensees under this chapter
32 2 shall be required to carry a copy of their current license and
32 3 photo identification at all times when employed on a jobsite
32 4 for compliance with this subsection.

32 5 Sec. 42. NEW SECTION. 103.33 STATE INSPECTION FEES.

32 6 1. All state electrical inspection fees shall be due and
32 7 payable to the board at or before commencement of the
32 8 installation and shall be forwarded with the request for
32 9 inspection. Inspection fees provided in this section shall
32 10 not apply within the jurisdiction of any political subdivision
32 11 if the political subdivision has adopted an ordinance or
32 12 resolution pursuant to this chapter.

32 13 2. The board shall establish the fees for inspections in
32 14 amounts not to exceed:

32 15 a. For each separate inspection of an installation,
32 16 replacement, alteration, or repair, twenty-five dollars.

32 17 b. For services, change of services, temporary services,
32 18 additions, alterations, or repairs on either primary or
32 19 secondary services as follows:

32 20 (1) Zero to one hundred ampere capacity, twenty-five
32 21 dollars plus five dollars per branch circuit or feeder.

32 22 (2) One hundred one to two hundred ampere capacity,
32 23 thirty-five dollars plus five dollars per branch circuit or
32 24 feeder.

32 25 (3) For each additional one hundred ampere capacity or
32 26 fraction thereof, twenty dollars plus five dollars per branch
32 27 circuit or feeder.

32 28 c. For field irrigation system inspections, sixty dollars
32 29 for each unit inspected.

32 30 d. For the first reinspection required as a result of a
32 31 correction order, fifty dollars; a second reinspection
32 32 required as a result of noncompliance with the same correction
32 33 order, seventy-five dollars; and subsequent reinspections
32 34 associated with the same correction order, one hundred dollars
32 35 for each reinspection.

33 1 3. When an inspection is requested by an owner, the
33 2 minimum fee shall be thirty dollars plus five dollars per
33 3 branch circuit or feeder. The fee for fire and accident
33 4 inspections shall be computed at the rate of forty-seven
33 5 dollars per hour, and mileage and other expenses shall be
33 6 reimbursed as provided by the office of the state fire
33 7 marshal.

33 8 4. For installations requiring more than six months in the
33 9 process of construction and in excess of three hundred dollars
33 10 total inspection fees, the persons responsible for the
33 11 installation may, after a minimum filing fee of one hundred
33 12 dollars, pay a prorated fee for each month and submit it with
33 13 an order for payment initiated by the electrical inspector.

33 14 Sec. 43. NEW SECTION. 103.34 CONDEMNATION OR
33 15 DISCONNECTION ORDERS == APPEALS == DISPOSITION OF ORDERS
33 16 PENDING APPEAL.

33 17 1. Any person aggrieved by a condemnation or disconnection
33 18 order issued by the state fire marshal's office may appeal
33 19 from the order by filing a written notice of appeal with the
33 20 board within ten days after the date the order was served upon
33 21 the owner or within ten days after the order was filed with
33 22 the board, whichever is later.

33 23 2. Upon receipt of the notice of appeal from a
33 24 condemnation or disconnection order because the electrical
33 25 installation is proximately dangerous to health or property,
33 26 the order appealed from shall not be stayed unless
33 27 countermanded by the board.

33 28 3. Upon receipt of notice of appeal from a condemnation or
33 29 disconnection order because the electrical installation is not
33 30 in compliance with accepted standards of construction for
33 31 safety to health and property, except as provided in
33 32 subsection 2, the order appealed from shall be stayed until
33 33 final decision of the board and the board shall notify the
33 34 property owner and the electrical contractor, class A master
33 35 electrician, class B master electrician, fire alarm installer,
34 1 or special electrician making the installation. The power
34 2 supplier shall also be notified in those instances in which
34 3 the order has been served on such supplier.

34 4 Sec. 44. NEW SECTION. 103.35 APPEAL PROCEDURES.

34 5 1. Upon receipt of a notice of appeal, the chairperson or
34 6 executive secretary of the board may designate a hearing
34 7 officer from among the board members to hear the appeal or may
34 8 set the matter for hearing before the full board at its next
34 9 regular meeting. A majority of the board shall make the
34 10 decision.

34 11 2. Upon receiving the notice of appeal, the board shall
34 12 notify all persons served with the order appealed from. Such
34 13 persons may join in the hearing and give testimony in their
34 14 own behalf. The board shall set the hearing date on a date
34 15 not more than fourteen days after receipt of the notice of
34 16 appeal unless otherwise agreed by the interested parties and
34 17 the board.

34 18 Sec. 45. NEW SECTION. 103.36 SUSPENSION, REVOCATION, OR
34 19 REPRIMAND.

34 20 The board, by a simple majority vote of the entire board,
34 21 may suspend for a period not exceeding two years, or revoke
34 22 the certificate of licensure of, or reprimand any licensee who
34 23 is found guilty of any of the following acts or offenses:

34 24 1. Fraud in procuring a certificate of licensure.

34 25 2. Professional incompetency.

34 26 3. Knowingly making misleading, deceptive, untrue, or
34 27 fraudulent representations in the practice of the licensee's
34 28 profession or engaging in unethical conduct or practice
34 29 harmful to the public. Proof of actual injury need not be
34 30 established.

34 31 4. Habitual intoxication or addiction to the use of drugs.

34 32 5. Conviction of a felony under the laws of the United
34 33 States, this state, any other state, territory, or possession
34 34 of the United States, the District of Columbia, or any foreign
34 35 country. A copy of the record of conviction or plea of guilty

35 1 is conclusive evidence of such conviction.

35 2 6. Revocation or suspension of licensure, or other
35 3 disciplinary action by the licensing authority of another
35 4 state, territory, or possession of the United States, the
35 5 District of Columbia, or any foreign country. A certified
35 6 copy of the record or order of suspension, revocation, or
35 7 other disciplinary action is prima facie evidence of such
35 8 fact.

35 9 7. Fraud in representations as to skill or ability.

35 10 8. Use of untruthful or improbable statements in
35 11 advertisements.

35 12 9. Willful or repeated violations of this chapter.

35 13 Sec. 46. NEW SECTION. 103.37 PROCEDURE.

35 14 Proceedings for any action under section 103.36 shall be
35 15 commenced by filing with the board written charges against the
35 16 accused. Upon the filing of charges, the board shall conduct
35 17 an investigation into the charges. The board shall designate
35 18 a time and place for a hearing, and shall notify the accused
35 19 of this action and furnish the accused a copy of all charges
35 20 at least thirty days prior to the date of the hearing. The
35 21 accused has the right to appear personally or by counsel, to
35 22 cross-examine witnesses, or to produce witnesses in defense.

35 23 Sec. 47. NEW SECTION. 103.38 INJUNCTION.

35 24 Any person who is not legally authorized to practice in
35 25 this state according to this chapter, who practices, or in
35 26 connection with the person's name, uses any designation
35 27 tending to imply or designate the person as authorized to
35 28 practice in this state according to this chapter, may be
35 29 restrained by permanent injunction.

35 30 Sec. 48. NEW SECTION. 103.39 CRIMINAL VIOLATIONS.

35 31 A person who violates a permanent injunction issued
35 32 pursuant to section 103.38 or presents or attempts to file as
35 33 the person's own the certificate of licensure of another, or
35 34 who gives false or forged evidence of any kind to the board in
35 35 obtaining a certificate of licensure, or who falsely
36 1 impersonates another practitioner of like or different name,
36 2 or who uses or attempts to use a revoked certificate of
36 3 licensure, is guilty of a fraudulent practice under chapter
36 4 714.

36 5 Sec. 49. NEW SECTION. 103.40 CIVIL PENALTY.

36 6 1. In addition to any other penalties provided for in this
36 7 chapter, the board may by order impose a civil penalty upon a
36 8 person who is not licensed under this chapter and who does any
36 9 of the following:

36 10 a. Is employed in a capacity in which the person engages
36 11 in or offers to engage in the activities authorized pursuant
36 12 to this chapter.

36 13 b. Uses or employs the words "electrical contractor",
36 14 "class A master electrician", "class B master electrician",
36 15 "class A journeyman electrician", or "class B journeyman
36 16 electrician", or implies authorization to provide or offer
36 17 those services, or otherwise uses or advertises any title,
36 18 word, figure, sign, card, advertisement, or other symbol or
36 19 description tending to convey the impression that the person
36 20 is an "electrical contractor", "class A master electrician",
36 21 "class B master electrician", "class A journeyman
36 22 electrician", or "class B journeyman electrician".

36 23 c. Gives false or forged evidence of any kind to the board
36 24 or any member of the board in obtaining or attempting to
36 25 obtain a certificate of licensure.

36 26 d. Falsely impersonates any individual licensed pursuant
36 27 to this chapter.

36 28 e. Uses or attempts to use an expired, suspended, revoked,
36 29 or nonexistent certificate of licensure.

36 30 f. Knowingly aids or abets an unlicensed person who
36 31 engages in any activity identified in this subsection.

36 32 2. A civil penalty imposed shall not exceed one thousand
36 33 dollars for each offense. Each day of a continued violation
36 34 constitutes a separate offense, except that offenses resulting
36 35 from the same or common facts or circumstances shall be
37 1 considered a single offense.

37 2 3. In determining the amount of a civil penalty to be
37 3 imposed, the board may consider any of the following:

37 4 a. Whether the amount imposed will be a substantial
37 5 economic deterrent to the violation.

37 6 b. The circumstances leading to the violation.

37 7 c. The severity of the violation and the risk of harm to
37 8 the public.

37 9 d. The economic benefits gained by the violator as a
37 10 result of noncompliance.

37 11 e. The interest of the public.

37 12 4. Before issuing an order under this section, the board
37 13 shall provide the person written notice and the opportunity to
37 14 request a hearing on the record. The hearing must be
37 15 requested within thirty days of the issuance of the notice and
37 16 shall be conducted in the same manner as provided in section
37 17 103.37.

37 18 5. The board, in connection with a proceeding under this
37 19 section, may issue subpoenas to compel the attendance and
37 20 testimony of witnesses and the disclosure of evidence, and may
37 21 request the attorney general to bring an action to enforce the
37 22 subpoena.

37 23 6. A person aggrieved by the imposition of a civil penalty
37 24 under this section may seek judicial review in accordance with
37 25 section 17A.19.

37 26 7. If a person fails to pay a civil penalty within thirty
37 27 days after entry of an order under subsection 1, or if the
37 28 order is stayed pending an appeal within ten days after the
37 29 court enters a final judgment in favor of the board, the board
37 30 shall notify the attorney general. The attorney general may
37 31 commence an action to recover the amount of the penalty,
37 32 including reasonable attorney fees and costs.

37 33 8. An action to enforce an order under this section may be
37 34 joined with an action for an injunction.

37 35 Sec. 50. EFFECTIVE DATES. Section 2, section 3, section
38 1 10, sections 11 through 15, section 16, subsections 1 and 3,
38 2 and section 27 of this Act, being deemed of immediate
38 3 importance, take effect upon enactment. Sections 33 through
38 4 44 of this Act take effect January 1, 2009. The remaining
38 5 sections and subsections of this Act take effect January 1,
38 6 2008.

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PATRICK J. MURPHY
Speaker of the House

JOHN P. KIBBIE
President of the Senate

I hereby certify that this bill originated in the House and
is known as House File 897, Eighty-second General Assembly.

MARK BRANDSGARD
Chief Clerk of the House

Approved _____, 2007

CHESTER J. CULVER
Governor