

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 337

BY WAYS AND MEANS COMMITTEE

AN ACT

1 RELATING TO ELECTRICAL CONTRACTORS AND JOURNEYMEN; REPEALING SECTION
2 54-1001, IDAHO CODE, RELATING TO A DECLARATION OF POLICY; AMENDING
3 CHAPTER 10, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION
4 54-1001, IDAHO CODE, TO PROVIDE A DECLARATION OF POLICY AND TO PROVIDE
5 FOR THE 2023 NATIONAL ELECTRICAL CODE; AMENDING SECTION 54-1001B, IDAHO
6 CODE, TO PROVIDE FOR THE IDAHO ELECTRICAL CODE AND TO MAKE A TECHNICAL
7 CORRECTION; AMENDING SECTION 54-1002, IDAHO CODE, TO PROVIDE FOR THE
8 ADMINISTRATOR OF THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LI-
9 CENSES AND TO PROVIDE FOR RESIDENTIAL ELECTRICIANS; AMENDING SECTION
10 54-1003, IDAHO CODE, TO PROVIDE FOR THE ADMINISTRATOR OF THE DIVISION
11 OF OCCUPATIONAL AND PROFESSIONAL LICENSES AND TO PROVIDE FOR RESIDEN-
12 TIAL ELECTRICIANS; AMENDING SECTION 54-1003A, IDAHO CODE, TO REVISE
13 DEFINITIONS AND TO DEFINE TERMS; AMENDING SECTION 54-1005, IDAHO CODE,
14 TO PROVIDE FOR THE ADMINISTRATOR OF THE DIVISION OF OCCUPATIONAL AND
15 PROFESSIONAL LICENSES AND TO PROVIDE FOR RESIDENTIAL ELECTRICIANS;
16 AMENDING SECTION 54-1006, IDAHO CODE, TO REVISE A PROVISION REGARD-
17 ING LICENSURE AND TO PROVIDE FOR RESIDENTIAL ELECTRICIANS; AMENDING
18 SECTION 54-1007, IDAHO CODE, TO ESTABLISH REQUIREMENTS REGARDING RESI-
19 DENTIAL ELECTRICIANS, TO PROVIDE FOR THE ADMINISTRATOR OF THE DIVISION
20 OF OCCUPATIONAL AND PROFESSIONAL LICENSES, TO REMOVE A CERTAIN FILING
21 REQUIREMENT, AND TO REMOVE CERTAIN CONTINUATION TRAINING REQUIREMENTS;
22 AMENDING SECTION 54-1008, IDAHO CODE, TO PROVIDE FOR RESIDENTIAL ELEC-
23 TRICIANS AND TO ESTABLISH A LIMITATION REGARDING APPRENTICE LICENSURE;
24 AMENDING SECTION 54-1010, IDAHO CODE, TO PROVIDE FOR RESIDENTIAL ELEC-
25 TRICIANS, TO PROVIDE A CERTAIN EMPLOYMENT REQUIREMENT, TO PROVIDE FOR
26 CERTAIN SUPERVISION RATIOS, TO PROVIDE FOR CERTAIN PREEMPTION, AND TO
27 PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES;
28 AMENDING SECTION 54-1013, IDAHO CODE, TO REVISE A CONTINUING EDUCATION
29 REQUIREMENT; AMENDING SECTION 54-1014, IDAHO CODE, TO PROVIDE FOR RES-
30 IDENTIAL ELECTRICIANS AND TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL
31 AND PROFESSIONAL LICENSES; AMENDING SECTION 54-1016, IDAHO CODE,
32 TO PROVIDE FOR LICENSED RESIDENTIAL ELECTRICIANS; AMENDING SECTION
33 54-1017, IDAHO CODE, TO PROVIDE FOR THE ADMINISTRATOR OF THE DIVISION
34 OF OCCUPATIONAL AND PROFESSIONAL LICENSES, TO PROVIDE FOR RESIDENTIAL
35 ELECTRICIANS, AND TO REVISE A PENALTY PROVISION; AND DECLARING AN EMER-
36 GENCY AND PROVIDING AN EFFECTIVE DATE.
37

38 Be It Enacted by the Legislature of the State of Idaho:

39 SECTION 1. That Section [54-1001](#), Idaho Code, be, and the same is hereby
40 repealed.

1 SECTION 2. That Chapter 10, Title 54, Idaho Code, be, and the same is
2 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
3 ignated as Section 54-1001, Idaho Code, and to read as follows:

4 54-1001. DECLARATION OF POLICY. The 2023 National Electrical Code,
5 NFPA 70, is hereby adopted by the Idaho legislature. The 2023 National
6 Electrical Code, NFPA 70, together with any amendments, revisions, or mod-
7 ifications by the Idaho electrical board through negotiated rulemaking
8 shall collectively constitute and be named the Idaho electrical code. All
9 installations in the state of Idaho of wires and equipment to convey electric
10 current and installations of apparatus to be operated by such current, ex-
11 cept as provided in this chapter, shall be made substantially in accord with
12 the Idaho electrical code.

13 SECTION 3. That Section 54-1001B, Idaho Code, be, and the same is hereby
14 amended to read as follows:

15 54-1001B. INSPECTION PROVISIONS INAPPLICABLE WHEN INSTALLATION COV-
16 ERED BY MUNICIPAL ORDINANCE. The provisions of this act relating to state in-
17 spection, except as provided in section 54-1001C, Idaho Code, shall not ap-
18 ply within the corporate limits of incorporated cities and villages which,
19 by ordinance or building code, prescribe the manner in which wires or equip-
20 ment to convey current and apparatus to be operated by such current shall
21 be installed, provided that the provisions of the ~~National Electrical Code~~
22 Idaho electrical code are used as the minimum standard in the preparation of
23 such ordinances or building codes and provided that actual inspections are
24 made.

25 SECTION 4. That Section 54-1002, Idaho Code, be, and the same is hereby
26 amended to read as follows:

27 54-1002. LICENSE ESSENTIAL TO ENGAGE IN BUSINESS -- LICENSURE AUTHOR-
28 ITY EXCLUSIVE TO THE STATE. (1) It shall be unlawful for any person, partner-
29 ship, company, firm, association or corporation to act, or attempt to act,
30 as an electrical contractor or limited electrical contractor in this state
31 until such person, partnership, company, firm, association or corporation
32 shall have received a license as an electrical contractor or limited elec-
33 trical contractor, as defined in this chapter, issued pursuant to the provi-
34 sions of this chapter by the administrator of the division of ~~building safety~~
35 occupational and professional licenses.

36 (2) It shall be unlawful for any person to act as a residential, jour-
37 neyman, or master electrician in this state until such person shall have
38 received a license as a residential, journeyman, or master electrician, as
39 defined in this chapter, issued pursuant to the provisions of this chapter
40 by the administrator of the division of ~~building safety~~ occupational and
41 professional licenses, provided, however, that any person who has been is-
42 sued a master electrician's license pursuant to this chapter may act as a
43 residential electrician or journeyman electrician.

44 (3) It shall be unlawful for any person to act as a limited electrical
45 installer in this state until such person shall have received a license as a
46 limited electrical installer, as defined in this chapter, issued pursuant

1 to the provisions of this chapter by the administrator of the division of
2 ~~building safety occupational and professional licenses~~, provided however,
3 that any person who has been issued a master electrician's license or a jour-
4 neyman electrician's license pursuant to this chapter may act as a limited
5 electrical installer.

6 (4) It shall be unlawful for any person to act as a provisional journey-
7 man electrician in this state until such person has received a provisional
8 journeyman electrician's license, as defined in this chapter, issued pur-
9 suant to the provisions of this chapter by the administrator of the division
10 of ~~building safety occupational and professional licenses~~.

11 (5) Licensure of electrical contractors, residential electricians,
12 journeyman electricians, master electricians, provisional journeyman elec-
13 tricians, limited electrical installers, limited electrical contractors,
14 facility accounts and registration of apprentice electricians and trainees
15 shall be within the exclusive jurisdiction of the state pursuant to this
16 chapter and no local jurisdiction shall have the authority to require addi-
17 tional licensure or registration or to require payment of any fees in order
18 for any licensee or registrant to engage in the electrical construction
19 trade within the local jurisdiction or to issue licenses or registrations
20 to persons licensed or registered under this chapter that are inconsistent
21 with the provisions of this chapter or rules promulgated by the division of
22 ~~building safety occupational and professional licenses~~. The state shall
23 investigate all local infractions and state violations of this chapter
24 and prosecute the same. The local jurisdictions will assist the state by
25 requesting investigations within their jurisdictions. Nothing in this
26 chapter shall restrict a city or county from imposing stricter public safety
27 rules, notwithstanding any provision of Idaho Code.

28 SECTION 5. That Section 54-1003, Idaho Code, be, and the same is hereby
29 amended to read as follows:

30 54-1003. ADMINISTRATOR AUTHORITY. (1) Only the administrator of the
31 division of ~~building safety occupational and professional licenses~~ of the
32 state of Idaho is authorized and empowered to conduct examinations and to
33 pass upon the qualifications of applicants, and to grant and issue licenses
34 or registrations to such applicants as are found to be qualified to engage
35 in the trade, business, or calling of a residential electrician, journeyman
36 electrician, electrical contractor, master electrician, provisional jour-
37 neyman electrician, limited electrical installer, limited electrical con-
38 tractor, limited electrical installer trainee or apprentice electrician in
39 the manner and upon the terms and conditions hereinafter provided.

40 (2) No licenses or registrations granted hereunder shall be transfer-
41 able. Licenses and registrations shall be issued upon the condition that the
42 holder thereof shall comply with all provisions of this chapter.

43 (3) The administrator of the division of ~~building safety occupational~~
44 and professional licenses is authorized to impose civil penalties as pro-
45 vided in this chapter.

46 SECTION 6. That Section 54-1003A, Idaho Code, be, and the same is hereby
47 amended to read as follows:

1 54-1003A. DEFINITIONS. (1) Electrical Contractor. Except as pro-
2 vided in section 54-1016, Idaho Code, any person, partnership, company,
3 firm, association or corporation engaging in, conducting, or carrying on
4 the business of installing wires or equipment to carry electric current
5 or installing apparatus to be operated by such current, or entering into
6 agreements to install such wires, equipment or apparatus, shall for the
7 purpose of this chapter be known as an electrical contractor. An electrical
8 contractor, prior to being issued a license, shall be required to provide
9 proof of liability insurance in the amount of three hundred thousand dollars
10 (\$300,000) and proof of worker's compensation insurance if applicable.

11 (2) Journeyman Electrician. Except as provided in section 54-1016,
12 Idaho Code, and subsections ~~(3), (4), (5) and (6)~~ (4), (5), (6), and (7) of
13 this section, any person who personally performs or supervises the actual
14 physical work of installing electrical wiring or equipment to convey elec-
15 tric current, or apparatus to be operated by such current, or engages in
16 planning, lay out, or design of such wiring, equipment, or apparatus, or
17 the supervision thereof, shall for the purpose of this chapter be known as a
18 journeyman electrician.

19 (3) Residential Electrician. Any person who personally performs or su-
20 pervise the actual physical work of installing electrical wiring or equip-
21 ment to convey electric current, or apparatus to be operated by such current
22 in a residential setting, shall for the purposes of this chapter be known as
23 a residential electrician. A residential electrician may work in a non-res-
24 idential setting only as a registered apprentice electrician under the con-
25 stant on-the-job supervision of a journeyman electrician.

26 ~~(3)~~ (4) Apprentice Electrician. Any person who, for the purpose of
27 learning the trade of residential electrician or journeyman electrician,
28 engages in the installation of electrical wiring, equipment, or apparatus
29 while under the constant on-the-job supervision of a qualified residential
30 electrician, journeyman electrician, or master electrician shall for the
31 purpose of this chapter be known as an apprentice electrician.

32 ~~(4)~~ (5) Maintenance Electrician. Any person who is regularly employed
33 to service, maintain or repair electrical apparatus, or to make minor re-
34 pairs or alterations to existing electrical wires or equipment located on
35 his employer's premises shall for the purpose of this chapter be known as a
36 maintenance electrician.

37 ~~(5)~~ (6) Master Electrician. A person who has the necessary qualifi-
38 cations, training, experience and technical knowledge to plan, lay out or
39 design the installation of electrical wiring or equipment, or to supervise
40 such planning, layout, or design, and who performs or supervises such plan-
41 ning, layout or design, shall for the purpose of this chapter be known as a
42 master electrician.

43 ~~(6)~~ (7) Limited Electrical Installer. A person having the necessary
44 qualifications, training, experience and technical knowledge to install,
45 alter, repair and supervise the installation, alteration or repair of spe-
46 cial classes of electrical wiring, apparatus or equipment within categories
47 adopted by the board. Limited electrical installers shall perform work only
48 within the scope of the restricted category for which the person is licensed.

49 ~~(7)~~ (8) Limited Electrical Contractor. Except as provided in section
50 54-1016, Idaho Code, any person, partnership, company, firm, association

1 or corporation engaging in, conducting or carrying on the business of in-
 2 stalling, altering or repairing restricted categories of electrical wiring,
 3 apparatus or equipment within categories adopted by the board, or entering
 4 into agreements to perform such restricted work, shall for the purpose of
 5 this chapter be known as a limited electrical contractor. Limited electri-
 6 cal contractors shall perform work only within the scope of the restricted
 7 category for which the contractor is licensed. A limited electrical con-
 8 tractor, prior to being issued a license, shall be required to provide proof
 9 of liability insurance in the amount of three hundred thousand dollars
 10 (\$300,000) and proof of worker's compensation insurance if applicable.

11 ~~(8)~~ (9) Limited Electrical Installer Trainee. Any person who engages
 12 in the installation of restricted categories of electrical wiring, equip-
 13 ment or apparatus under the constant on-the-job supervision of a qualified
 14 limited electrical installer shall for the purpose of this chapter be known
 15 as a limited electrical installer trainee.

16 ~~(9)~~ (10) Electrical Facility Employer Account or Facility Account. An
 17 employer licensed with the division of ~~building safety~~ occupational and profes-
 18 sional licenses who employs individuals holding valid journeyman or mas-
 19 ter electrician licenses to perform alterations, extensions and new instal-
 20 lations of electrical systems or components thereof on premises owned by the
 21 employer. The employer may also employ maintenance electricians in accor-
 22 dance with section 54-1016, Idaho Code.

23 ~~(10)~~ (11) Provisional Journeyman Electrician. Any person who has met
 24 the requirements of section 54-1007(4), Idaho Code, and who wishes to per-
 25 form the actual physical work of installing electrical wiring or equipment
 26 to convey electric current, or apparatus to be operated by such current,
 27 while under the constant on-the-job supervision of a qualified residential
 28 electrician, journeyman electrician, or master electrician may upon ap-
 29 plication, for the purposes of this chapter, be known as a provisional
 30 journeyman electrician.

31 (12) Residential Setting. For the purposes of this chapter, residen-
 32 tial setting means one (1) and two (2) family dwellings, townhouses, and
 33 multi-family structures up to three (3) stories.

34 SECTION 7. That Section 54-1005, Idaho Code, be, and the same is hereby
 35 amended to read as follows:

36 54-1005. RULES -- INSPECTIONS -- ELECTRICAL PERMITS AND FEES. (1) The
 37 administrator of the division of ~~building safety~~ occupational and profes-
 38 sional licenses is hereby authorized and directed to enforce rules consis-
 39 tent with this chapter for the administration of this chapter and to effectu-
 40 ate the purposes thereof, and for the examination and licensing of electri-
 41 cal contractors, residential electricians, journeyman electricians, mas-
 42 ter electricians, provisional journeyman electricians, limited electrical
 43 installers, limited electrical contractors, limited electrical installer
 44 trainees and apprentice electricians, and to make inspections of electrical
 45 installations referred to in section 54-1001, Idaho Code, and to issue elec-
 46 trical permits covering such installations, and to collect the fees estab-
 47 lished therefor.

48 (2) The administrator of the division of ~~building safety~~ occupational
 49 and professional licenses may make electrical inspections for another state

1 or local jurisdiction upon request by an appropriate building official.
2 Such inspections shall be made in accordance with the applicable electrical
3 codes of the requesting jurisdiction. Fees charged for such inspection ser-
4 vices shall be as provided in the rules promulgated by the board.

5 (3) Individuals, firms, cooperatives, corporations, or municipalities
6 selling electricity, hereinafter known as the power supplier, shall not con-
7 nect with or energize any electrical installation, coming under the provi-
8 sions of this chapter, unless an inspection has been conducted and resulted
9 as "passed" by the administrator, covering the installation to be energized.
10 Electrical installations approved by the board and addressed through admin-
11 istrative rule may be connected and energized by the power supplier after the
12 purchase of an electrical permit by a licensed electrical contractor.

13 (4) It shall be unlawful for any person, partnership, company, firm,
14 association or corporation other than a power supplier to energize any elec-
15 trical installation coming under the provisions of this chapter prior to the
16 purchase of an electrical permit covering such installation.

17 SECTION 8. That Section 54-1006, Idaho Code, be, and the same is hereby
18 amended to read as follows:

19 54-1006. IDAHO ELECTRICAL BOARD. (1) The Idaho electrical board,
20 hereinafter known as the board, is hereby created and made a part of the
21 division of occupational and professional licenses. It shall be the re-
22 sponsibility and duty of the administrator of the division of occupational
23 and professional licenses to administer and enforce the provisions of this
24 chapter, and to serve as secretary to the Idaho electrical board.

25 (2) The board shall consist of nine (9) members to be appointed by the
26 governor and who shall serve at the pleasure of the governor. Two (2) members
27 shall be licensed journeymen or master electricians; two (2) members shall
28 be employees or officers of licensed electrical contractors; one (1) mem-
29 ber shall be a licensed limited electrical installer or limited electrical
30 contractor; one (1) member shall be an employee or officer of an electrical
31 power provider; one (1) member shall be an employee or officer of a manufac-
32 turing plant or other large power user; one (1) member shall be an employee or
33 director of a manufacturer or distributor of electrical supplies or materi-
34 als; and one (1) member shall be from the public at large not directly asso-
35 ciated with the electrical industry. Board members shall be appointed for a
36 term of four (4) years. Members of the board shall hold office until expira-
37 tion of the term to which the member was appointed and until his successor has
38 been duly appointed and qualified. Whenever a vacancy occurs, the governor
39 shall appoint a qualified person to fill the vacancy for the unexpired por-
40 tion of the term.

41 (3) All members of the board shall be citizens of the United States,
42 residents of this state for not less than two (2) years and shall be qual-
43 ified by experience, knowledge and integrity in formulating rules for ex-
44 aminations, in passing on the fitness and qualifications of applicants for
45 ~~electrical contractor and journeyman electrician licenses~~ licensure and in
46 establishing standards for electrical products to be used in electrical in-
47 stallations coming under the provisions of this chapter.

48 (4) The members of the board shall, every two (2) years, elect by major-
49 ity vote of the members of the board a chairman who shall preside at meetings

1 of the board and a vice chairman who shall preside at any board meeting in
 2 the event the chairman is not present. A majority of the members of the board
 3 shall constitute a quorum.

4 (5) The board is authorized and directed to prescribe and amend rules
 5 consistent with this chapter for the administration of this chapter, and
 6 to effectuate the purpose thereof, and for the examination and licensing
 7 of electrical contractors, residential electricians, journeyman electri-
 8 cians, master electricians, provisional journeyman electricians, limited
 9 electrical installers, limited electrical contractors, limited electri-
 10 cal installer trainees and apprentice electricians. The board shall also
 11 establish the categories for limited electrical installers and limited
 12 electrical contractor licensing and the fees to be charged for permits and
 13 inspections of electrical systems. The board shall establish by administra-
 14 tive rule the fines to be paid for citations issued and shall hear appeals
 15 regarding the imposition of civil penalties for violations of this chapter
 16 and the rules of the Idaho electrical board. The board is authorized to af-
 17 firm, reject, decrease or increase the penalty imposed by the administrator.
 18 However, in no case shall the penalty exceed one thousand dollars (\$1,000)
 19 for each offense.

20 (6) Each member of the board not otherwise compensated by public moneys
 21 shall be compensated as provided by section 59-509(n), Idaho Code.

22 SECTION 9. That Section 54-1007, Idaho Code, be, and the same is hereby
 23 amended to read as follows:

24 54-1007. ISSUANCE OF LICENSES -- RECIPROCITY. (1) The administrator
 25 shall issue licenses to such persons as have by examination shown themselves
 26 to be fit, competent and qualified to engage in the trade of residential
 27 electrician, journeyman electrician, limited electrical installer or mas-
 28 ter electrician as defined in section 54-1003A, Idaho Code, and to such
 29 persons, firms, partnerships, associations or corporations as have shown
 30 themselves to be fit, competent and qualified to engage in the business of
 31 electrical contracting or limited electrical contracting as defined in sec-
 32 tion 54-1003A, Idaho Code.

33 (2) An apprentice electrician, as defined in section 54-1003A, Idaho
 34 Code, may take the journeyman's examination if he has completed the required
 35 related instruction for electrical apprentices as approved by the Idaho
 36 state board for career technical education, completion of which shall be
 37 evidenced by a certificate from an approved provider, and has worked the num-
 38 ber of hours as prescribed by the Idaho electrical board, provided that for
 39 all the time he is claiming to have worked as an apprentice electrician, the
 40 apprentice shall have been registered with the division of ~~building safety~~
 41 occupational and professional licenses as an apprentice. The electrical
 42 board may, by rule, fix the apprentice registration fee, in an amount not
 43 to exceed the costs of issuing apprentice registration certificates and
 44 enforcing the apprentice registration provisions of this chapter, and may
 45 also by rule establish requirements relative to the manner of registration
 46 renewal, verification of employment, the number of instructional hours com-
 47 pleted, ~~continuation training~~ and the number of hours worked. ~~An apprentice~~
 48 ~~who has completed the number of instructional hours and has not taken or~~
 49 ~~passed the journeyman's examination within two (2) years of completion of~~

1 ~~the instructional training hours shall provide proof of continuation train-~~
2 ~~ing as set by rule of the electrical board.~~

3 (3) Any person who has worked as a licensed journeyman for a period of
4 not less than four (4) years and who has worked the number of hours as pre-
5 scribed by rule of the board as a licensed journeyman electrician shall be
6 considered as qualified to apply for a master electrician's license in this
7 state. The Idaho electrical board, in establishing by rule the requirements
8 for a master electrician's license, shall also take into account the appli-
9 cant's performance as a journeyman electrician.

10 (4) Notwithstanding subsection (2) of this section, any person who can
11 demonstrate eight (8) years of work experience, defined as a minimum of six-
12 teen thousand (16,000) hours, making electrical installations on the job,
13 shall be considered as qualified to apply for a journeyman electrician's li-
14 cense in this state.

15 (5) A person qualifies for a residential electrician license if he
16 passes the residential electrician examination approved by the board, has
17 completed a two (2) year course of related instruction for residential
18 electrical apprentices as approved by the Idaho electrical board and the
19 Idaho state board for career technical education, and submits proof of four
20 thousand (4,000) hours of electrical experience as an Idaho-registered ap-
21 prentice or in accordance with the requirements of the jurisdiction where
22 the applicant obtained such experience. Completion of an approved course
23 as required pursuant to this subsection shall be evidenced by a certificate
24 from an approved provider. An applicant for a journeyman electrician li-
25 cence may utilize the experience hours identified in this section towards
26 the work experience requirement for a journeyman electrician license.

27 ~~(5) (6) To the extent that other states that provide for the licensing~~
28 ~~of electricians require qualifications at least equal to those contained~~
29 ~~in this chapter, the administrator may enter reciprocal agreements with~~
30 ~~such other states to grant licenses to electricians licensed by such other~~
31 ~~states. The administrator, on the recommendation of the Idaho electrical~~
32 ~~board, may grant licenses to electricians licensed by such other states upon~~
33 ~~payment by the applicant of the required fee and upon furnishing proof to the~~
34 ~~board that the applicant has qualifications at least equal to those provided~~
35 ~~herein for applicants for written examinations. Applicants who qualify for~~
36 ~~a license under this subsection are not required to take a written examina-~~
37 ~~tion.~~

38 ~~(6) (7) A provisional journeyman electrician, as defined in section~~
39 ~~54-1003A, Idaho Code, may take the residential electrician or journeyman~~
40 ~~electrician examination. Upon passing the examination, the administrator~~
41 ~~of the division of building safety occupational and professional licenses~~
42 ~~shall issue the provisional journeyman electrician a residential or jour-~~
43 ~~neyman electrician's license.~~

44 ~~(6) All verification of employment forms submitted by an individual~~
45 ~~seeking electrical licensing or registration shall be entered into and~~
46 ~~maintained in the individual's file by the division of building safety. The~~
47 ~~division of building safety shall provide the individual with online access~~
48 ~~to this information.~~

49 SECTION 10. That Section 54-1008, Idaho Code, be, and the same is hereby
50 amended to read as follows:

1 54-1008. DURATION OF LICENSE. (1) All licenses, including license
2 renewals, for master electricians, residential electricians, journeyman
3 electricians, and limited electrical installers shall be issued for a period
4 of three (3) years and shall expire three (3) years from the date of issue
5 unless renewed, revoked or suspended.

6 (2) Electrical contractor and limited electrical contractor licenses
7 shall be issued for a period of one (1) year and shall expire one (1) year from
8 the date of issue unless renewed, revoked or suspended.

9 (3) Electrical apprentice registrations issued or renewed shall be is-
10 sued for a period of one (1) year. No person shall be issued an apprentice
11 license for more than ten (10) one (1) year periods.

12 (4) Limited electrical installer trainee registrations shall be issued
13 for a period of three (3) years.

14 (5) Facility account licenses shall be issued and renewed for a period
15 of one (1) year.

16 (6) (a) Provisional journeyman electrician's licenses shall be issued
17 for a period of six (6) months and shall expire six (6) months from the
18 date issued, during which time a provisional journeyman electrician
19 shall apply for and take the journeyman electrician examination. A six
20 (6) month renewal shall be issued upon application if:

21 (i) The applicant has taken, but failed to pass, the journeyman
22 electrician examination within the six (6) month period; or

23 (ii) The applicant has failed to take the journeyman electrician
24 examination within the six (6) month period and has shown that ex-
25 ceptional circumstances prevented the applicant from taking the
26 journeyman electrician examination.

27 (b) A provisional journeyman electrician's license shall be issued and
28 renewed only once. If the applicant fails to pass the journeyman elec-
29 trician examination, or fails to take the journeyman electrician ex-
30 amination, within one (1) year from the date of issue of a provisional
31 journeyman electrician's license, the applicant is no longer eligible
32 to apply for a provisional journeyman electrician's license.

33 (7) Each licensing period and each registration period shall end at
34 midnight on the last day of the month of the licensing or registration
35 period. Licenses and registrations not renewed by this date shall have ex-
36 pired.

37 (8) The board shall promulgate rules to provide for a staggered system
38 of issuing and renewing licenses.

39 SECTION 11. That Section 54-1010, Idaho Code, be, and the same is hereby
40 amended to read as follows:

41 54-1010. INSTALLATIONS BY ELECTRICAL CONTRACTOR PERFORMED BY LI-
42 CENSED RESIDENTIAL OR JOURNEYMAN -- PRIOR CERTIFICATE HOLDERS ENTITLED TO
43 LICENSE -- LIST OF ELECTRICIANS IN CONTRACTOR'S EMPLOY. (1) Any electrical
44 contractor who works as a residential or journeyman electrician, as herein
45 defined, shall be required to have a residential electrician's license or
46 journeyman electrician's license or master electrician's license issued
47 under the provisions of this act. All installations of electrical wiring,
48 equipment or apparatus made by an electrical contractor shall be done by

1 or under the direct supervision of a licensed residential electrician, li-
2 icensed journeyman electrician, or licensed master electrician.

3 (2) The individual owner of an electrical contracting business shall
4 employ a full-time journeyman or master electrician, however an individual
5 owner of an electrical contracting business may act as his own journeyman
6 electrician or master electrician provided that he has complied with the
7 provisions of section 54-1002, Idaho Code, pertaining to journeyman elec-
8 trician. Each electrical contractor in this state shall, upon request of the
9 administrator or his authorized agent, furnish a list of journeyman electri-
10 cians in said electrical contractor's employ.

11 (3) Any individual working as an apprentice electrician, as de-
12 defined in this act, must be registered with the division of ~~building safety~~
13 occupational and professional licenses as an apprentice electrician, as
14 provided in section 54-1007, Idaho Code; and it shall be unlawful for an
15 individual to work as an apprentice electrician without possessing a cur-
16 rent apprentice registration certificate. The supervision ratio in a
17 residential setting shall be one (1) residential electrician, journeyman
18 electrician, or master electrician to no more than six (6) apprentice elec-
19 tricians. The supervision ratio in any setting other than a residential
20 setting is one (1) journeyman electrician or master electrician to no more
21 than two (2) apprentice electricians. No supervision ratio applies to an
22 apprentice electrician who has completed six thousand (6,000) or more hours
23 of work experience as an Idaho-registered apprentice or in accordance with
24 the requirements of the jurisdiction where the applicant obtained such ex-
25 perience and who is currently enrolled in or has completed a board-approved
26 career technical education program.

27 (4) Any individual working as a limited electrical installer trainee,
28 as defined in this chapter, must be registered with the division of ~~building~~
29 safety occupational and professional licenses as a limited electrical in-
30 staller trainee. It shall be unlawful for an individual to work as a lim-
31 ited electrical installer trainee without possessing a current registration
32 certificate. No supervision ratio applies to limited electrical installer
33 trainees.

34 (5) The provisions of this section preempt, eliminate, and prohibit any
35 cities, counties, incorporated or unincorporated areas, special use dis-
36 tricts, or any other local governmental entities of any kind from adopting
37 requirements through any code, ordinance, process, policy, or guidance that
38 differ from or are more extensive than the requirements of this section. The
39 preemption provided for in this subsection shall apply to any local code, or-
40 dinance, process, policy, or guidance in effect prior to, on, or after July
41 1, 2023.

42 SECTION 12. That Section 54-1013, Idaho Code, be, and the same is hereby
43 amended to read as follows:

44 54-1013. RENEWAL OF LICENSES OR REGISTRATIONS -- INACTIVE LI-
45 CENSES. (1) A license or registration once issued under this chapter, unless
46 revoked or suspended as herein provided, may be renewed at any time during
47 the final month of the licensing period on the payment of the renewal fee
48 herein specified, proof of satisfaction of applicable continuing education
49 requirements for journeyman electricians or master electricians as estab-

1 lished by the electrical board, proof of satisfaction of applicable appren-
 2 tice and specialty trainee instruction and work requirements as established
 3 by the electrical board, and provided that all outstanding civil penalties,
 4 and permit or other fees, have been paid in full, and all outstanding correc-
 5 tion notices have been satisfactorily resolved. For electrical contractors
 6 and specialty electrical contractors, proof of liability insurance in the
 7 amount of three hundred thousand dollars (\$300,000) shall also be required,
 8 and proof of worker's compensation insurance shall be required if applica-
 9 ble.

10 (2) Any license or registration that has expired may be revived at any
 11 time within one (1) year from the last day of the final month of the licensing
 12 period, by payment of the revival fee herein specified, together with all
 13 outstanding civil penalties, and permit or other fees and penalties, and
 14 upon proof that outstanding correction notices have been satisfactorily
 15 resolved. For electrical contractors and limited electrical contractors,
 16 proof of liability insurance in the amount of three hundred thousand dollars
 17 (\$300,000) shall also be required, and proof of worker's compensation insur-
 18 ance shall be required if applicable.

19 (3) Certificates of competency issued prior to July 1, 1961, shall, for
 20 the purpose of this chapter, be considered as licenses and may be renewed or
 21 revived as herein provided.

22 (4) The administrator may renew, on an inactive basis, the license of an
 23 electrical contractor or limited electrical contractor who is not engaged in
 24 electrical contracting in this state. The board shall fix and collect an in-
 25 active license fee for such an inactive license renewal in an amount not to
 26 exceed one hundred fifty dollars (\$150). Each inactive license shall be is-
 27 sued for a period of one (1) year. An electrical contractor or limited elec-
 28 trical contractor holding an inactive license may not engage in the practice
 29 of electrical contracting or limited electrical contracting in this state.
 30 If an electrical contractor or limited electrical contractor wishes to con-
 31 vert his inactive license to an active license, he may do so by paying a pro-
 32 cessing fee of thirty dollars (\$30.00) and providing proof of the required
 33 liability insurance and applicable worker's compensation insurance.

34 SECTION 13. That Section 54-1014, Idaho Code, be, and the same is hereby
 35 amended to read as follows:

36 54-1014. FEES. The administrator of the division of ~~building safety~~
 37 occupational and professional licenses shall charge the following fees:

38 (1) Application for license or registration \$15.00

39 (2) Six-month licenses:

40 (a) Provisional journeyman electrician license \$55.00

41 (b) Provisional journeyman electrician license renewal 45.00

42 (i) If a provisional journeyman electrician applies for a
 43 residential electrician or journeyman electrician license, the
 44 pro rata value of any time remaining on his provisional journey-
 45 man electrician license shall be credited toward the application
 46 fee for the residential electrician or journeyman electrician li-
 47 cence.

48 (3) One-year licenses and registration, in accordance with sections
 49 54-1008 and 54-1013, Idaho Code:

1	(a) Electrical contractor license	\$125.00
2	(b) Electrical contractor license renewal	100.00
3	(c) Electrical contractor license revival	125.00
4	(d) Limited electrical contractor license	125.00
5	(e) Limited electrical contractor license renewal	100.00
6	(f) Limited electrical contractor license revival	125.00
7	(g) Facility account license	125.00
8	(h) Apprentice electrician registration	15.00
9	(i) At the time the apprentice applies for a <u>residential electrician or journeyman electrician license</u> , the pro rata value of any	
10	remaining time on an apprentice electrician working license shall	
11	be credited toward the purchase of the <u>residential electrician or</u>	
12	<u>journeyman electrician license</u> .	
13		
14	(i) Apprentice electrician registration renewal	15.00
15	(j) Apprentice electrician registration revival	15.00
16	(4) Three-year licenses and registration, in accordance with sections	
17	54-1008 and 54-1013, Idaho Code:	
18	(a) Master electrician license	\$65.00
19	(b) Master electrician license renewal	45.00
20	(c) Master electrician license revival	55.00
21	(d) Journeyman <u>or residential</u> electrician license	55.00
22	(e) Journeyman <u>or residential</u> electrician license renewal	45.00
23	(f) Journeyman <u>or residential</u> electrician license revival	55.00
24	(g) Limited electrical installer license	55.00
25	(h) Limited electrical installer license renewal	45.00
26	(i) Limited electrical installer license revival	55.00
27	(j) Limited electrical installer trainee registration	30.00
28	(i) At the time the limited electrical installer trainee applies	
29	for a limited electrical installer license, the pro rata value of	
30	any remaining time on a limited electrical installer trainee work-	
31	ing license shall be credited toward the purchase of the limited	
32	electrical installer license.	
33	(k) Limited electrical installer trainee registration renewal	25.00
34	(l) Limited electrical installer trainee registration revival	30.00

35 SECTION 14. That Section 54-1016, Idaho Code, be, and the same is hereby
36 amended to read as follows:

37 54-1016. EXEMPTIONS. (1) Nothing in this chapter shall be deemed to
38 apply to:

- 39 (a) Any regulated utility, telephone company, rural telephone cooper-
40 ative or municipal communications utility, or its employees, in the in-
41 stallation or maintenance of communication circuits, wires and apparat-
42 us by or for such entities or their communications service customers;
43 (b) Any electrical public utility, or its employees, in the instal-
44 lation and maintenance of electrical wiring, circuits, apparatus and
45 equipment by or for such public utility or comprising a part of its
46 plants, lines or system;
47 (c) Modular buildings as defined in section 39-4301, Idaho Code, that
48 are constructed in the state of Idaho for installation on building sites
49 outside the state; provided however, that no modular building shall be

1 installed on a building site in the state of Idaho until it has been ap-
2 proved and bears the insignia of approval of the division as being in
3 compliance with the requirements set forth in section 39-4304, Idaho
4 Code.

5 (2) The licensing provisions of this chapter shall not apply to:

6 (a) Any property owner performing noncommercial electrical work in the
7 owner's primary or secondary residence or associated outbuildings or
8 land associated with the entire property on which those buildings sit,
9 except that homeowner installations of renewable power generation con-
10 nected to the community power grid shall be subject to a preplan review
11 in accordance with local jurisdictions' policies and procedures prior
12 to the purchase of a permit;

13 (b) Any person regularly employed as a maintenance electrician per-
14 forming electrical maintenance work on the premises owned and operated
15 by his employer, provided that electrical work is limited to mainte-
16 nance and replacement of electrical fixtures, electrical conductors,
17 electrical equipment and electrical apparatus on a like-for-like ba-
18 sis;

19 (c) Any telephone company, rural telephone cooperative, or municipal
20 communications utility, its employees, its subsidiaries, and employees
21 of the subsidiaries performing work on customer-owned facilities under
22 the exclusive control of the telephone company, rural telephone cooper-
23 ative, or municipal communications utility;

24 (d) Any telephone company, rural telephone cooperative, or municipal
25 communications utility, its employees, its subsidiaries, and employ-
26 ees of the subsidiaries performing repair work on customer-owned facil-
27 ities at the request of the customer;

28 (e) Any electrical public utility, rural electrical cooperative, mu-
29 nicipal power utility, its employees, its subsidiaries, and employees
30 of the subsidiaries performing work on customer-owned facilities under
31 the exclusive control of the electrical public utility, rural electri-
32 cal cooperative, or municipal power utility;

33 (f) Any electrical public utility, rural electrical cooperative, mu-
34 nicipal power utility, its employees, its subsidiaries, and employees
35 of the subsidiaries performing emergency repair work on customer-owned
36 facilities at the request of the customer;

37 (g) A fire department employee who is acting in his official capacity
38 as a representative of his agency when he is replacing, maintaining, or
39 repairing a hard-wired smoke or carbon monoxide alarm at the request of
40 a homeowner in a one (1) or two (2) family dwelling unit, provided that
41 such fire department employee has received annual training regarding
42 electrical safety and installation of the devices identified in this
43 paragraph;

44 (h) A limited electrical contractor, limited electrical installer,
45 or employee of a company holding a limited electrical contractor li-
46 cense who is replacing or installing a fire alarm communication device
47 (DACT). A person provided for in this paragraph shall obtain a permit if
48 required by the authority having jurisdiction but must not be required
49 to submit design plans. The fire alarm communication device (DACT) may
50 be inspected if required by the authority having jurisdiction after

1 replacement of the fire alarm communication device (DACT). The fee for a
2 permit shall not exceed one hundred twenty-five dollars (\$125); or

3 (i) A nonprofit organization that is chartered to build houses and
4 that has tax-exempt status under section 501(c) (3) of the Internal Rev-
5 enue Code, including a religious corporation, and such organization's
6 volunteers, performing electrical installations for a single-family
7 dwelling unit. An organization described in this paragraph shall des-
8 ignate a primary contact person with whom inspectors may communicate.

9 (3) The licensing provisions of this chapter shall not apply to indi-
10 viduals licensed pursuant to chapter 50, title 54, Idaho Code, or certifi-
11 cated pursuant to chapter 26, title 54, Idaho Code, as follows:

12 (a) Individuals holding a current heating, ventilation and air condi-
13 tioning (HVAC) license or a current plumbing certification may install
14 electrical circuitry and make connections from the disconnecting means
15 to a water heater as long as the disconnect is in sight from the unit and
16 the circuit from the disconnecting means to the water heater is no more
17 than fifty (50) feet long.

18 (b) Individuals holding a current HVAC license may install:

19 (i) Electrical space heaters with no attached ductwork;

20 (ii) Electrical connections to HVAC equipment from the discon-
21 necting means to the unit as long as the disconnect is in sight from
22 the unit and the circuit from the disconnecting means to the HVAC
23 equipment is no more than fifty (50) feet long; and

24 (iii) Ventilating fans, except ducted range hoods in residences.

25 (c) HVAC licensees may install control wiring of twenty-four (24) volts
26 or less for HVAC equipment of five (5) tons or less in capacity. Plumb-
27 ing certificate holders are not authorized to install control wiring in
28 HVAC equipment, regardless of voltage.

29 (d) Individuals holding a current limited energy electrical license
30 may install electrical circuitry and make connections from utilization
31 equipment installed under the restricted category of the limited elec-
32 trical installer license to outlets, as long as those outlets are in
33 sight from such utilization equipment and not more than fifty (50) feet
34 from such utilization equipment. Outlets shall be installed by others.

35 (4) To the extent that a plumbing or HVAC installation permit issued by
36 the Idaho division of occupational and professional licenses includes any
37 part of an electrical installation, the permit issued and inspection per-
38 formed shall be sufficient to satisfy the permitting and inspecting require-
39 ments of this chapter if all required permit fees have been paid.

40 (5) Approval and certification requirements of product and equipment
41 as set forth in this chapter and in the adopted edition of the national elec-
42 trical code do not apply to industrial machinery unless the board has made a
43 determination that such product, machine or classes of products and machines
44 present an undue hazard to life and property.

45 (6) Apprentice registration requirements shall not apply to high
46 school students enrolled in an educational program recognized by the board
47 in which the performance of electrical installation is a formal component
48 of the program. The exemption is limited to students performing residen-
49 tial installations as part of such program under the constant on-the-job
50 supervision of a licensed residential electrician or a licensed journeyman

1 electrician and a permit for the work is obtained from the authority having
2 jurisdiction. Work hours performed by such students shall not apply toward
3 apprentice work requirements.

4 (7) Neither local jurisdictions nor the state fire marshal shall have
5 the authority to amend the exemptions provided for in this section or to
6 adopt any ordinance, law, or rule in conflict with the provisions of this
7 section.

8 SECTION 15. That Section 54-1017, Idaho Code, be, and the same is hereby
9 amended to read as follows:

10 54-1017. VIOLATIONS OF ACT A MISDEMEANOR. Any person, partnership,
11 company, firm, association, or corporation who shall engage in the trade,
12 business or calling of an electrical contractor, residential electrician,
13 journeyman electrician, master electrician, limited electrical installer,
14 limited electrical contractor, limited electrical installer trainee or ap-
15 prentice electrician without a license or required registration as provided
16 for by this act, or who shall violate any of the provisions of this act, or the
17 rules of the Idaho electrical board or of the administrator of the division
18 of ~~building safety~~ occupational and professional licenses herein provided
19 for, or who shall refuse to perform any duty lawfully enjoined upon him by
20 the administrator within the prescribed time, or who shall fail, neglect,
21 or refuse to obey any lawful order given or made by the administrator shall
22 be guilty of a misdemeanor ~~and~~. In addition, any such person, partnership,
23 company, firm, association, or corporation shall be subject to the civil
24 penalties established by administrative rule but not to exceed ~~one thousand~~
25 ~~dollars (\$1,000)~~ three thousand dollars (\$3,000) per violation. Each day
26 of such violation shall constitute a separate offense. A violation will be
27 considered a second or additional offense only if it occurs within one (1)
28 year from the first violation.

29 SECTION 16. An emergency existing therefor, which emergency is hereby
30 declared to exist, this act shall be in full force and effect on and after
31 July 1, 2023.