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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

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A N A C T

RELATING TO BUSINESSES AND PROFESSIONS - ELECTRICIANS

Introduced By: Representative John J. DeSimone

Date Introduced: February 07, 2013

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 5-6-1, 5-6-2, 5-6-8, 5-6-10, 5-6-10.1, 5-6-13, 5-6-19, 5-6-24 and 5-
2 6-32 of the General Laws in Chapter 5-6 entitled "Electricians" are hereby amended to read as
3 follows:

4 **5-6-1. Definitions.** -- For purposes of this chapter:

5 (1) "Electrical contractor" means a corporation, firm or person, who, by the employment
6 of journeypersons, performs the work of installing and maintaining wires, conduits, apparatus,
7 fixtures, and other appliances for carrying or using electricity for light, heat or power purposes
8 exclusive of low voltage wiring for heating or refrigeration equipment for service, maintenance,
9 and installation.

10 (2) "Electrical sign contractor" means a corporation, firm, or person who, by the
11 employment of electrical sign installers, performs the work of installing, altering, and servicing
12 electrical signs.

13 (3) "Electrical sign installer" means a person engaged in installing, altering, and
14 servicing electrical signs.

15 (4) "Fire alarm contractor" means a corporation, firm, or person who, by the employment
16 of fire alarm installers, performs the work of installing, altering and servicing and testing of fire
17 alarm systems in accordance with the Rhode Island Fire Safety Code, chapters 28.1 -- 28.39 of
18 title 23.

19 (5) "Fire alarm installation" means the installation or alteration of a fire alarm system

1 according to the Rhode Island Fire Safety Code.

2 (6) "Fire alarm installer" means a person engaged in installing, altering, or servicing and
3 testing of a fire alarm system used for the purpose of causing an alarm to be sounded in case of
4 fire.

5 (7) "Journeyman electrician" means a person doing any work of installing wires,
6 conduits, apparatus, fixtures, and other appliances.

7 (8) "Lightning protection contractor" means a corporation, firm or person, who by
8 employment of lightning protection installers, performs the work of installing, altering,
9 maintaining, lightning protection systems. The "systems" are defined and should be installed in
10 accordance with NFPA 780 current edition, and all referenced NFPA documents.

11 (9) "Lightning protection installer" means a person engaged in the installation, service or
12 maintenance of a lightning protection system according to NFPA 780 current edition.

13 (10) "Oil burner contractor" means a corporation, firm, or person, who by the
14 employment of oil burnerpersons performs the work of installing and servicing oil and domestic
15 automatic coal burning heating equipment, including central heating plants, and domestic type
16 range burners, and including all accessory equipment and control systems, excluding
17 thermostatic, mechanical, and low voltage wiring on heating, ventilating and air conditioning
18 equipment.

19 (11) "Oil burnerperson" means a person doing any work or installing or servicing oil
20 burners and other equipment installed and serviced by an oil burner contractor.

21 **5-6-2. Work for which license required.** -- (a) (1) No person, firm, or corporation shall
22 enter into, engage in, solicit, advertise, bid for, or work at the business of installing wires,
23 conduits, apparatus, fixtures, electrical signs, lightning protection equipment as defined in section
24 5-6-1, ~~and~~ other appliances [and maintenance work](#) for carrying or using or generating electricity
25 for light, heat, fire alarms, as defined in chapter 28.25 of title 23, entitled "Fire Alarm Systems",
26 or power purposes, exclusive of low voltage wiring for heating/refrigeration equipment, or work
27 at the business of removing and reattaching existing electrical meters, unless that person, firm, or
28 corporation shall have received a license and a certificate for the business, issued by the state
29 board of examiners of electricians of the division of professional regulation of the department of
30 labor and training in accordance with the provisions set forth in this chapter.

31 (2) That person shall carry this license on his or her person at all times while so engaged,
32 and shall affix his or her contractor's license number to any advertisement and/or contract he or
33 she executes and/or to any bid he or she files with any consumer for his or her professional
34 services and to any applicable permit required for the performance of those services.

1 (b) Any person, firm or corporation which is required to apply for a permit from a local
2 building official for any work required to be performed by a person licensed under the provisions
3 of this chapter shall cause the work to be performed by a person licensed under the provisions of
4 this chapter; provided, that the provisions of this section, except the provision regarding removing
5 and reattaching existing electrical meters, shall not apply to owner-occupied single family homes.

6 **5-6-8. Contractor's certificates/licenses.** -- (a) Electrical contractor's license. -
7 Certificate A shall be issued to any person, firm or corporation, qualified under this chapter,
8 engaging in, or about to engage in, the business of installing and maintaining electrical wires,
9 conduits, apparatus, fixtures, fire alarm and safety communication systems and other electrical
10 appliances, excluding low voltage wiring for heating, ventilating and air conditioning equipment.
11 The certificate shall specify the name of the person, firm, or corporation applying and the name of
12 the person, who in the case of a firm is one of its members, and in the case of a corporation, one
13 of its officers, passing the examination, by which he or she or it is authorized to enter upon or
14 engage in business as prescribed in the certificate. The holding of a Certificate A does not entitle
15 the holder individually to engage in or perform the actual work of installing electric wires,
16 conduits, and appliances as previously described in this chapter, but entitles him or her to conduct
17 business as an electrical contractor.

18 (b) Oil burner contractor's license. - A Certificate E shall be issued to any person, firm,
19 or corporation qualified under this chapter, and engaged in, or about to engage in, the business of
20 an oil burner contractor, as defined in section 5-6-1. The certificate shall specify the name of the
21 person, firm, or corporation applying and the name of the person who, in the case of a firm is one
22 of its members, and in the case of a corporation one of its officers, passing the examination, by
23 which he or she or it is authorized to enter upon or engage in business as prescribed in the
24 certificate. The holding of a Certificate E does not entitle the holder individually to engage in or
25 perform any work on, or in connection with electric wires, conduits, and appliances as previously
26 described in this chapter, but entitles the holder to contract to do that work to the extent permitted
27 in this chapter, through the employment of oil burnerpersons holding a Certificate F. An oil
28 burner contractor who is the holder of a Certificate A is not required to obtain a Certificate E.

29 (c) Fire alarm contractor's license. - A Certificate AF shall be issued to any person, firm,
30 or corporation qualified under this chapter, and engaged in or about to engage in the business of a
31 fire alarm contractor, as defined in section 5-6-1. The certificate shall specify the name of the
32 person, firm, or corporation applying and the person who, in the case of a firm is one of its
33 members, and in the case of a corporation one of its officers, passing the examination, by which
34 he or she or it is authorized to enter upon or engage in business as prescribed in the certificate.

1 The holding of a Certificate AF does not entitle the holder individually to engage in or perform
2 and work on, or in connection with, electric wires, fire alarm wires, conduits, and appliances as
3 previously described in this chapter, but entitles the holder to contract to do that work to the
4 extent permitted in this chapter through the employment of fire alarm installers holding a
5 Certificate BF. A contractor who is the holder of a Certificate A is not required to obtain a
6 Certificate BF.

7 (d) Electrical sign contractor's license. - A Certificate SCF shall be issued to any person,
8 firm, or corporation qualified under this chapter, and engaged in or about to engage in the
9 business of electrical sign installations, as defined in section 5-6-1.

10 (e) Lightning protection contractor. - A Certificate LPC shall be issued to any person,
11 firm or corporation qualified under this chapter and engaged in or about to engage in the business
12 of lightning protection contractor, as defined in section 5-6-1. The Certificate LPC shall specify
13 the name of the person, firm or corporation applying and the person who in the case of a firm, is
14 one of its members, and in the case of a corporation, one of its officers, passing the examination
15 by, which he or she or it is authorized to enter upon or engage in business as prescribed in the
16 certificate. The holding of a Certificate LPC does not entitle the holder individually to engage in
17 or perform and work on, or in connection with the installation of lightning protection equipment
18 as defined in section 5-6-1, unless that individual also holds a Certificate LPI, but entitles the
19 holder to contract to do that work to the extent permitted in this chapter through the employment
20 of lightning protection installers holding a Certificate LPI.

21 **5-6-10. Limited premises certificate/license.** -- A Certificate C shall be issued to the
22 department of transportation, state airport corporation and manufacturing and industrial firms that
23 regularly employ one or more [Class B or M](#) electricians for installation and when the work
24 performed by those individuals is limited to maintenance and repair of electrical wiring, devices,
25 appliances, and equipment on the premises owned or occupied by the applicant. The application
26 must be made by a responsible officer of the firm and contains a description of the premises
27 within which work is to be done under the permit. All work must meet electrical and municipal
28 codes and must be permitted accordingly by the municipality.

29 **5-6-10.1. Limited maintenance license.** -- A Certificate D shall be issued to
30 municipalities, schools, hospitals, colleges, or other non-manufacturing firms or establishments
31 who regularly employ one or more licensed electricians (journeyman/[Class B or Class M](#))
32 when the work performed by those individuals is limited to the maintenance of electrical wiring,
33 devices, appliances, and equipment on the premises owned or occupied by the applicant. The
34 applicant must contain a description of the premises within which work is to be done under the

1 permit. All work must meet electrical and municipal codes and must be permitted accordingly by
2 the municipality.

3 **5-6-13. Journeyperson and burnerperson restricted to work as employee of licensee.**

4 -- (a) Except as provided in section 5-6-14, a holder of a Certificate B is not entitled to do any
5 work of installing wires, conduits, apparatus, fixtures, ~~or~~ other appliances, or maintenance work
6 for carrying or using electricity for light, heat, or power purposes except as an employee of a
7 holder of a Certificate A, of a Certificate C, or a Certificate D, or unless the holder of a Certificate
8 B is also registered as an electrical contractor and holds a certificate.

9 (b) A holder of a Certificate F is not entitled to do any work on electric wiring, conduits,
10 apparatus, fixtures, or other appliances for carrying or using electricity for light, heat, or power
11 purposes, except as an employee of a holder of a Certificate E or A unless the holder of a
12 Certificate F is also registered as an oil burner contractor and holds a Certificate E.

13 (c) A holder of a Certificate AF is limited to fire alarm, fixtures, equipment for fire alarm
14 purposes only, and life safety equipment only unless the holder of a Certificate AF also holds a
15 Certificate BF.

16 (d) A holder of a Certificate SCF is limited to electrical sign contracting only. A
17 Certificate CF is required for the actual installation of the electrical sign.

18 (e) A holder of a Certificate LPC is limited to lightning protection contracting only. A
19 Certificate LPI is required for the actual installation of the lightning protection system.

20 **5-6-19. Display of licenses.** -- (a) Holders of Licenses B, F, BF, CF, M, A, E, AF, SCF,
21 LPC, and LPI shall be furnished by the division of professional regulation with evidence of
22 having been licensed in card form or otherwise, which shall be carried on the person of the
23 licensee and exhibited on request.

24 (b) Any sign, listing, or advertisement of any type of a holder of those licenses shall
25 contain the holder's name, address, and license number; provided, only those persons, firms, or
26 corporations who are holders of a Class A license shall be permitted to advertise for the
27 employment of journeyperson or electrical apprentices.

28 **5-6-24. Apprentices -- Registration fee.** -- (a) This chapter does not forbid the
29 employment of one properly limited registered apprentice electrician working with and under the
30 direct personal supervision of a licensed journeyperson electrician. Additionally, this chapter does
31 not forbid the employment of: (1) one properly registered apprentice oil burnerperson working
32 with and under the direct personal supervision of a licensed oil burnerperson; (2) one properly
33 registered apprentice fire alarm installer working with and under the direct personal supervision
34 of a licensed fire alarm installer; or (3) two (2) properly registered apprentice electrical sign

1 installer working with and under the direct personal supervision of a licensed electrical sign
2 installer; (4) one properly registered apprentice maintenance electrician working with and under
3 the direct personal supervision of a valid Class C or Class D license holder; or (5) one properly
4 registered apprentice lightning protection installer working with and under the direct personal
5 supervision of a licensed lightning protection installer (LPI). Apprentices are required to register
6 with the division of professional regulation initially upon payment of a fee of twenty dollars
7 (\$20.00) per year. Apprentices are required to register with the division of professional regulation
8 immediately upon employment with a properly licensed electrical contractor or lightning
9 protection contractor.

10 (b) Indentured apprentice electricians are required to work a minimum of eight thousand
11 (8,000) hours over a period of time of not less than four (4) years and successfully complete one
12 hundred forty-four (144) hours of related instruction per year in an indentured apprenticeship
13 program approved by the Rhode Island department of labor and training, to qualify for the
14 journeyman "B" electrician examination; provided, however, apprentices may receive credit for
15 one hundred forty-four (144) hours of classroom training gained in a vocational school authorized
16 by the board of regents for elementary and secondary education and approved by the Rhode
17 Island department of labor and training apprenticeship council. Provided, that the test applicant
18 has possessed for at least four (4) years prior to the filing of the application a certificate of
19 registration in full force and effect from the department of labor and training of Rhode Island
20 specifying the person as an indentured apprentice, and the application of an applicant is
21 accompanied by an affidavit or affidavits of his or her employer or former employers or other
22 reasonably satisfactory evidence showing that the applicant has been actually engaged in
23 electrical work as an apprentice in Rhode Island during those four (4) years, or the application is
24 accompanied by an affidavit or other reasonably satisfactory evidence showing that the applicant
25 has successfully completed a course of study in a recognized college or university and has
26 pursued a course of electrical technology for at least two (2) academic years or is the recipient of
27 an associate degree in electrical technology, and has thereafter been indentured by the department
28 of labor and training as an apprentice for at least two (2) years and employed as an indentured
29 apprentice by a duly licensed electrician master in this state for a period of two (2) years, or a
30 showing that the applicant possesses a certificate of license issued under the laws of another state
31 based on training equal to that required by the state of Rhode Island. Limited registered
32 apprentice electricians shall be required to work a minimum of four thousand (4,000) hours over a
33 period of time of not less than two (2) years.

34 (c) Indentured apprentice maintenance electricians are required to work a minimum of

1 six thousand (6,000) hours over a period of time of not less than three (3) years and successfully
2 complete a one hundred forty-four (144) hours of related instruction per year in an indentured
3 apprenticeship program approved by the Rhode Island department of labor and training, to qualify
4 for the journeyperson "M" electrician examination. Provided, however, that the test applicant has
5 possessed for at least three (3) years prior to the filing of the application a certificate of
6 registration in full force and effect from the department of labor and training of Rhode Island
7 specifying the person as an indentured apprentice, and the application of an applicant is
8 accompanied by an affidavit or affidavits of his or her employer or former employers or other
9 reasonably satisfactory evidence showing that the applicant has been actually engaged in
10 electrical work as an apprentice in Rhode Island during those three (3) years. Class M
11 journeyperson electricians may qualify to take the journeyperson "B" electrician examination
12 upon registering as a fourth year apprentice and becoming employed by a properly licensed Class
13 A electrical contractor for that period of time.

14 (d) Apprentice lightning protection installers are required to work a minimum of four
15 thousand (4,000) hours over a period of time of not less than two (2) years to qualify for the
16 lightning protection installer (LPI) examination. Provided, that the test applicant has possessed
17 for at least two (2) years prior to the filing of the application a certificate of registration in full
18 force and effect from the department of labor and training of Rhode Island specifying the person
19 as an apprentice lightning protection installer, and the application of an applicant is accompanied
20 by an affidavit or affidavits of his or her employer or former employers or other reasonably
21 satisfactory evidence showing that the applicant has been actually engaged in lightning protection
22 work as an apprentice during those two (2) years.

23 **5-6-32. Authority of director to assess penalty.** -- (a) The director may assess an
24 administrative penalty on any person, firm, or corporation for any violation of the provisions of
25 this chapter, after notice and a hearing, before and upon the recommendation of the board of
26 examiners of electricians in the amount of five hundred dollars (\$500) for the first violation and
27 nine hundred fifty dollars (\$950) for a subsequent violation. All funds collected by the labor and
28 training department under this section shall be placed in the restricted receipts account created
29 pursuant to section 28-22-1.1. This section is in addition to any other action provided by law for
30 violations of this chapter.

31 (b) The chief of the section shall act as an investigator with respect to the enforcement of
32 all the provisions of law relative to the licensing of electricians and, to this effect, whenever a
33 complaint is made by the chief of the section to the director of the department of labor and
34 training or his or her designee that the provisions of this chapter are being violated, the director of

1 the department of labor and training or his or her designee ~~may~~ [shall](#) issue an order to cease and
2 desist from that violation and may impose the above penalties against the violator and against the
3 contractor.

4 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO BUSINESSES AND PROFESSIONS - ELECTRICIANS

- 1 This act would include the maintenance of certain electrical components within the
- 2 purview of this chapter.
- 3 This act would take effect upon passage.

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