

Second Regular Session
Sixty-sixth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 08-0442.01 Jery Payne

HOUSE BILL 08-1170

HOUSE SPONSORSHIP

Soper, Carroll M., Casso, Ferrandino, Gagliardi, Kefalas, and Labuda

SENATE SPONSORSHIP

(None),

House Committees

Business Affairs and Labor

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE REGULATION OF ELECTRICIANS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Requires an apprentice electrician to be registered in a United States department of labor bureau of apprenticeship and training certified program. Requires an applicant for a master electrician's license to have held a Colorado journeyman's electrician's license for one year prior to applying to be licensed as a master electrician. Specifies that an electrician's license is required for work on electrical equipment powered by solar and other renewable sources.

Requires the state electrical board (board) to notify an applicant of his or her examination score. Requires the board to meet with an

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.

Capital letters indicate new material to be added to existing statute.

Dashes through the words indicate deletions from existing statute.

applicant to review his or her examination score, if requested by the applicant.

Establishes a continuing education requirement to be met before renewal of a license. Establishes that one licensed electrician may supervise no more than one apprentice. Requires an electrical contractor to register an apprentice with the board. Allows electrical inspectors to issue a citation or cease-and-desist order, which may include stoppage of work on a project for up to 30 days.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** 12-23-101 (1), (1.5), (2), and (3), Colorado Revised
3 Statutes, are amended, and the said 12-23-101 is further amended BY
4 THE ADDITION OF A NEW SUBSECTION, to read:

5 **12-23-101. Definitions.** As used in this article, unless the context
6 otherwise requires:

7 (1) "Apprentice" means a person who is required to be registered
8 ~~as such~~ under section 12-23-110.5 (3) (a), who is in compliance with ~~the~~
9 ~~provisions of~~ this article, ~~and~~ who is working at the trade in the
10 employment of a registered electrical contractor and is under the direct
11 supervision of a licensed master electrician, journeyman electrician, or
12 residential wireman, AND WHO IS REGISTERED IN A UNITED STATES
13 DEPARTMENT OF LABOR BUREAU OF APPRENTICESHIP AND TRAINING
14 CERTIFIED PROGRAM.

15 (1.5) "Electrical contractor" means any person, firm,
16 copartnership, corporation, association, or combination thereof who
17 undertakes or offers to undertake for another the planning, laying out,
18 supervising, and installing or the making of additions, alterations, and
19 repairs in the installation of wiring apparatus and equipment for electric
20 light, heat, and power, INCLUDING SOLAR POWER AND POWER GENERATED
21 FROM OTHER RENEWABLE SOURCES. A licensed professional engineer

1 who plans or designs electrical installation shall not be classed as an
2 electrical contractor.

3 (2) "Journeyman electrician" means a person having the necessary
4 qualifications, training, experience, and technical knowledge to wire for,
5 install, and repair electrical apparatus and equipment for light, heat, AND
6 power, INCLUDING SOLAR POWER AND POWER GENERATED FROM OTHER
7 RENEWABLE SOURCES, and other purposes, in accordance with standard
8 rules and regulations governing such work.

9 (3) "Master electrician" means a person having the necessary
10 qualifications, training, experience, and technical knowledge to properly
11 plan, lay out, and supervise the installation and repair of wiring apparatus
12 and equipment for electric light, heat, AND power, INCLUDING SOLAR
13 POWER AND POWER GENERATED FROM OTHER RENEWABLE SOURCES, and
14 other purposes in accordance with standard rules and regulations
15 governing such work, such as the national electrical code.

16 (3.2) "NATIONAL ELECTRICAL CODE" MEANS THE CODE FOR THE
17 SAFE INSTALLATION OF ELECTRICAL WIRING AND EQUIPMENT, PUBLISHED
18 BY THE NATIONAL FIRE PROTECTION ASSOCIATION AND APPROVED BY THE
19 AMERICAN NATIONAL STANDARDS INSTITUTE, AS AMENDED FROM TIME TO
20 TIME.

21 **SECTION 2.** 12-23-104 (2) (f), Colorado Revised Statutes, is
22 amended to read:

23 **12-23-104. Board powers and duties.** (2) In addition to all other
24 powers and duties conferred or imposed upon the board by this article, the
25 board is authorized to:

26 (f) Inspect and approve or disapprove the installation within this
27 state of electrical wiring, apparatus, or equipment for electrical light, heat,

1 or power, INCLUDING SOLAR POWER AND POWER GENERATED FROM
2 RENEWABLE SOURCES, according to the minimum standards in the
3 national electrical code or AS prescribed in this article;

4 **SECTION 3.** 12-23-106 (1), (2) (a), (4) (a), and (4) (c), Colorado
5 Revised Statutes, are amended to read:

6 **12-23-106. License requirements.** (1) An applicant for a master
7 electrician's license shall furnish written evidence that he OR SHE is a
8 graduate electrical engineer of an accredited college or university and has
9 one year of practical electrical experience in the construction industry; or
10 that he OR SHE is a graduate of an electrical trade school, ~~or community~~
11 ~~college~~ and has at least four years of practical experience in electrical
12 work, AND HAS HELD A COLORADO JOURNEYMAN ELECTRICIAN'S LICENSE
13 FOR ONE YEAR; or that he OR SHE has had at least one year of practical
14 experience in planning, laying out, supervising, and installing wiring,
15 apparatus, or equipment for electrical light, heat, and power, INCLUDING
16 SOLAR POWER AND POWER GENERATED FROM OTHER RENEWABLE
17 SOURCES, beyond the practical experience requirements for the
18 journeyman's license. Each applicant for a license as a master electrician
19 shall file an application on forms prepared and furnished by the board,
20 together with the examination fee provided in section 12-23-112 (1). The
21 board, not less than thirty days prior to a scheduled written examination,
22 shall notify each applicant that the evidence submitted with his OR HER
23 application is sufficient to qualify him OR HER to take such written
24 examination or that such evidence is insufficient and the application is
25 rejected. In the event that the application is rejected, the board shall set
26 forth the reasons ~~therefor~~ FOR THE REJECTION in the notice to the applicant
27 and shall ~~forthwith~~ return ~~such~~ THE applicant's examination fee. The

1 place of examination shall be designated in advance by the board, and
2 examinations shall be held not less often than twice IN a CALENDAR year
3 and at such other times as, in the opinion of the board, the number of
4 applicants warrants.

5 (2) (a) An applicant for a journeyman electrician's license shall
6 furnish written evidence that the applicant has had at least four years'
7 apprenticeship in the electrical trade or four years' practical experience in
8 wiring for, installing, and repairing electrical apparatus and equipment for
9 light, heat, and power, INCLUDING SOLAR POWER AND POWER GENERATED
10 FROM OTHER RENEWABLE SOURCES, and shall further establish that at least
11 two of such years' experience has been in commercial, industrial, or
12 substantially similar work.

13 (4) (a) Any examination ~~which~~ THAT is given for master
14 electricians, journeymen electricians, and residential wiremen shall be
15 subject to board approval. The board, or its designee, shall conduct and
16 grade the examination and shall set the passing score to reflect a
17 minimum level of competency AND NOTIFY THE APPLICANT OF HIS OR HER
18 SCORE. THE BOARD, OR ITS DESIGNEE, SHALL, IF REQUESTED BY THE
19 APPLICANT, MEET WITH THE APPLICANT TO REVIEW HIS OR HER SCORE. If
20 it is determined that the applicant has passed the examination, the division
21 of registrations, upon written notice from the board or the program
22 administrator, acting as an agent thereof, and upon payment by the
23 applicant of the fee provided in section 12-23-112, shall issue to the
24 applicant a license which shall authorize him OR HER to engage in the
25 business, trade, or calling of a master electrician, journeyman electrician,
26 or residential wireman.

27 (c) Licenses shall be renewed or reinstated pursuant to a schedule

1 established by the director of the division of registrations within the
2 department of regulatory agencies and shall be renewed or reinstated
3 pursuant to section 24-34-102 (8), C.R.S. A LICENSEE SHALL INCLUDE
4 WITH SUCH APPLICATION FOR RENEWAL A CERTIFIED STATEMENT
5 VERIFYING SUCCESSFUL COMPLETION OF AT LEAST TWENTY-FOUR HOURS
6 OF INDUSTRY-APPROVED, ELECTRICAL INDUSTRY CONTINUING EDUCATION
7 CLASSES WITHIN THE TWO YEARS PRIOR TO RENEWAL. The director of the
8 division of registrations within the department of regulatory agencies may
9 establish renewal fees and delinquency fees for reinstatement pursuant to
10 section 24-34-105, C.R.S. If a person fails to renew his or her license
11 pursuant to the schedule established by the director of the division of
12 registrations, such license shall expire. Any person whose license has
13 expired shall be subject to the penalties provided in this article or section
14 24-34-102 (8), C.R.S.

15 **SECTION 4.** 12-23-110.5 (1) and (3) (a), Colorado Revised
16 Statutes, are amended to read:

17 **12-23-110.5. Apprentices - supervision - registration -**
18 **discipline.** (1) Any person may work as an apprentice but shall not do
19 any electrical wiring for the installation of electrical apparatus or
20 equipment for light, heat, or power, INCLUDING SOLAR POWER AND POWER
21 GENERATED FROM RENEWABLE SOURCES, except under the supervision of
22 a licensed electrician. The degree of supervision required shall be no
23 more than one licensed electrician to supervise no more than ~~three~~
24 ~~apprentices~~ ONE APPRENTICE at the jobsite.

25 (3) (a) Upon employing an electrical apprentice to work at the
26 trade, the electrical contractor, within thirty days after such initial
27 employment, shall register ~~such~~ THE apprentice with the board. THE

1 ELECTRICAL CONTRACTOR SHALL REGISTER THE APPRENTICE WITH THE
2 BOARD AND THE APPRENTICE SHALL BE ENROLLED INTO A UNITED STATES
3 DEPARTMENT OF LABOR BUREAU OF APPRENTICESHIP AND TRAINING
4 CERTIFIED PROGRAM WITHIN SIX MONTHS AFTER BEING REGISTERED WITH
5 THE BOARD AND SHALL REMAIN REGISTERED THROUGHOUT THE DURATION
6 OF THE APPRENTICESHIP PROGRAM. The employer shall also notify the
7 board within thirty days after the termination of such employment.

8 **SECTION 5.** 12-23-115 (1) (a) (II), Colorado Revised Statutes,
9 is amended to read:

10 **12-23-115. Inspectors - qualifications.** (1) (a) (II) Such
11 inspectors may be employed either on a full-time or on a part-time basis
12 as the circumstances in each case shall warrant; except that the division
13 director may contract with any electrical inspector regularly engaged as
14 such and certify him OR HER to make inspections in a designated area at
15 such compensation as shall be fixed by the division director. A STATE
16 ELECTRICAL INSPECTOR SHALL CONDUCT INVESTIGATIONS AND MAY ISSUE
17 A CITATION OR CEASE-AND-DESIST ORDER FOR POSSIBLE VIOLATIONS OF
18 THIS ARTICLE. SUCH CITATION OR CEASE-AND-DESIST ORDER MAY
19 INCLUDE STOPPAGE OF WORK ON A PROJECT FOR UP TO THIRTY DAYS OR
20 UNTIL THE BOARD REVIEWS THE POSSIBLE VIOLATIONS AND MAKES A
21 DETERMINATION CONCERNING THE POSSIBLE VIOLATIONS, WHICHEVER
22 PERIOD OF TIME IS SHORTER. State electrical inspectors have the right of
23 ingress and egress to and from all public and private premises during
24 reasonable working hours where this ~~law~~ ARTICLE applies for the purpose
25 of making electrical inspections or otherwise determining compliance
26 with ~~the provisions of~~ this article. In order to avoid conflicts of interest,
27 a state electrical inspector hired under this section shall not inspect any

1 electrical work in which such inspector has any financial or other
2 personal interest and shall not be engaged in the electrical business by
3 contracting, supplying material, or performing electrical work as defined
4 in this article.

5 **SECTION 6.** 12-23-115 (3), Colorado Revised Statutes, is
6 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

7 **12-23-115. Inspectors - qualifications.** (3) State electrical
8 inspectors appointed or employed pursuant to subsection (1) of this
9 section may:

10 (c) ISSUE A CITATION OR CEASE-AND-DESIST ORDER, WHICH MAY
11 INCLUDE STOPPAGE OF WORK ON A PROJECT FOR UP TO THIRTY DAYS OR
12 UNTIL THE BOARD REVIEWS THE POSSIBLE VIOLATIONS OF THIS ARTICLE
13 AND MAKES A DETERMINATION CONCERNING THE POSSIBLE VIOLATIONS,
14 WHICHEVER PERIOD OF TIME IS SHORTER.

15 **SECTION 7.** 12-23-118 (8) (a), Colorado Revised Statutes, is
16 amended to read:

17 **12-23-118. Violations - citations - settlement agreements -**
18 **hearings - fines.** (8) (a) If it appears to the board OR AN INSPECTOR,
19 based upon credible evidence as presented in a written complaint by any
20 person, that a licensee is acting in a manner that is an imminent threat to
21 the health and safety of the public or a person is acting or has acted
22 without the required license, the board OR AN INSPECTOR may issue an
23 order to cease and desist such activity. The order shall set forth the
24 statutes and rules alleged to have been violated, the facts alleged to have
25 constituted the violation, and the requirement that all unlawful acts or
26 unlicensed practices immediately cease.

27 **SECTION 8. Effective date.** This act shall take effect at 12:01

1 a.m. on the day following the expiration of the ninety-day period after
2 final adjournment of the general assembly that is allowed for submitting
3 a referendum petition pursuant to article V, section 1 (3) of the state
4 constitution, (August 6, 2008, if adjournment sine die is on May 7, 2008);
5 except that, if a referendum petition is filed against this act or an item,
6 section, or part of this act within such period, then the act, item, section,
7 or part, if approved by the people, shall take effect on the date of the
8 official declaration of the vote thereon by proclamation of the governor.