

LEGISLATIVE BILL 914

Approved by the Governor April 9, 2004

Introduced by Bourne, 8; Janssen, 15

AN ACT relating to the State Electrical Act; to amend sections 81-2109, 81-2121, and 81-2124, Reissue Revised Statutes of Nebraska, and sections 81-2102, 81-2108, 81-2113, and 81-2118, Revised Statutes Supplement, 2003; to change provisions relating to residential journeyman electricians and electrical installations; to provide fees; to define and redefine terms; to provide powers and duties; to harmonize provisions; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 81-2102, Revised Statutes Supplement, 2003, is amended to read:

81-2102. For purposes of the State Electrical Act, unless the context otherwise requires:

(1) Apprentice electrician means any person, other than a licensee, who, as such person's principal occupation, is engaged in learning and assisting in the installation, alteration, and repair of electrical equipment as an employee of a licensee and who is registered with the board. For purposes of this subdivision, persons who are not engaged in the installation, alteration, or repair of electrical wiring and apparatus, either inside or outside buildings, shall not be considered apprentice electricians;

(2) Board means the State Electrical Board;

(3) Class A master electrician means a person having the necessary qualifications, training, experience, and technical knowledge to properly plan, lay out, and supervise the installation of wiring, apparatus, and equipment for electric light, heat, power, and other purposes and who is licensed by the board;

(4) Class B electrical contractor means a person having the necessary qualifications, training, experience, and technical knowledge to properly plan, lay out, install, and supervise the installation of wiring, apparatus, and equipment for systems of not over four hundred ampere capacity for light, heat, power, and other purposes in any structure used and maintained as a residential dwelling but not larger than a four-family dwelling located in any municipality which has a population of less than one hundred thousand inhabitants and who is licensed by the board;

(5) Class B journeyman electrician means a person having the necessary qualifications, training, experience, and technical knowledge to wire for or install electrical wiring, apparatus, and equipment for systems of not over four hundred ampere capacity for light, heat, power, and other purposes in any structure used and maintained as a residential dwelling but not larger than a four-family dwelling located in any municipality which has a population of less than one hundred thousand inhabitants and who is licensed by the board;

(6) Class B master electrician means a person having the necessary qualifications, training, experience, and technical knowledge to properly plan, lay out, and supervise the installation of wiring, apparatus, and equipment for systems of not over four hundred ampere capacity for light, heat, power, and other purposes in any structure used and maintained as a residential dwelling but not larger than a four-family dwelling located in any municipality which has a population of less than one hundred thousand inhabitants and who is licensed by the board;

(7) Commercial installation means an installation intended for commerce, but does not include a residential installation; ~~or for a family dwelling in excess of a single-family living unit;~~

(8) Electrical contractor means a person having the necessary qualifications, training, experience, and technical knowledge to properly plan, lay out, install, and supervise the installation of wiring, apparatus, and equipment for electric light, heat, power, and other purposes and who is licensed by the board;

(9) Fire alarm installer means any person having the necessary qualifications, training, and experience to plan, lay out, and install electrical wiring, apparatus, and equipment for only those components of fire alarm systems that operate at fifty volts or less and who is licensed by the board;

(10) Industrial installation means an installation intended for use in the manufacture or processing of products involving systematic labor or

habitual employment and includes installations in which agricultural or other products are habitually or customarily processed or stored for others, either by buying or reselling on a fee basis;

(11) Installer means a person who has the necessary qualifications, training, experience, and technical knowledge to properly lay out and install electrical wiring, apparatus, and equipment for major electrical home appliances on the load side of the main service in any municipality which has a population of less than one hundred thousand inhabitants and who is licensed by the board;

(12) Inspector means a person certified as an electrical inspector upon such reasonable conditions as may be adopted by the board. The board may permit more than one class of electrical inspector;

(13) Journeyman electrician means a person having the necessary qualifications, training, experience, and technical knowledge to wire for or install electrical wiring, apparatus, and equipment and to supervise apprentice electricians and who is licensed by the board;

(14) New electrical installation means the installation of wiring, apparatus, and equipment for electric light, heat, power, and other purposes;

(15) Public-use building or facility means any building or facility designated for public use;

(16) Residential installation means an installation intended for a single-family or two-family residential dwelling or a multi-family residential dwelling not larger than three stories in height;

(17) Residential journeyman electrician means a person having the necessary qualifications, training, experience, and technical knowledge to wire for or install electric wiring, apparatus, and equipment for residential installations and to supervise apprentice electricians and who is licensed by the board;

(18) Routine maintenance means the repair or replacement of existing electrical apparatus and equipment of the same size and type for which no changes in wiring are made; and

~~(17)~~ (19) Special electrician means a person having the necessary qualifications, training, and experience in wiring or installing special classes of electrical wiring, apparatus, equipment, or installations which shall include irrigation system wiring, well pump wiring, air conditioning and refrigeration installation, and sign installation and who is licensed by the board.

Sec. 2. Section 81-2108, Revised Statutes Supplement, 2003, is amended to read:

81-2108. (1) Except as provided in subsection (2) of this section or in section 81-2110 or 81-2112, no person shall, for another, wire for or install electrical wiring, apparatus, or equipment unless he or she is licensed by the board as a Class B electrical contractor, an electrical contractor, a Class A master electrician, a Class B master electrician, or a fire alarm installer.

(2) Except as provided in section 81-2106, 81-2110, or 81-2112, no person shall wire for or install electrical wiring, apparatus, or equipment or supervise an apprentice electrician unless such person is licensed as a Class B journeyman electrician, a journeyman electrician, a residential journeyman electrician, or a fire alarm installer and is employed by a Class B electrical contractor, an electrical contractor, a Class A master electrician, a Class B master electrician, or a fire alarm installer.

For purposes of this section, the holder of a fire alarm installer license shall only supervise those apprentices engaged in the installation of fire alarm equipment and apparatus operating at fifty volts or less.

(3) No person licensed under the State Electrical Act may lend his or her license to any person or knowingly permit the use of such license by another.

Sec. 3. Section 81-2109, Reissue Revised Statutes of Nebraska, is amended to read:

81-2109. (1) ~~On and after September 9, 1993, an~~ An applicant for a journeyman electrician license shall have at least four years' experience, acceptable to the board, in the electrical trade. Registration as an apprentice electrician for those years shall, on the approval of the board, constitute evidence of such experience. The board may by rule or regulation provide for the allowance of one year of experience credit for successful completion of a two-year post-high school electrical course approved by the board.

(2) On and after the effective date of this act, an applicant for a residential journeyman electrician license shall have at least three years' experience, acceptable to the board, in the electrical trade. Registration as an apprentice electrician for those years shall, on the approval of the board,

constitute evidence of such experience. The board may by rule or regulation provide for the allowance of one year of experience credit for successful completion of a two-year post-high school electrical course approved by the board. A residential journeyman electrician license shall be valid only for residential installations.

(3) A Class B journeyman electrician license shall be valid only for electrical systems of not over four hundred amperes in capacity in structures used and maintained as residential dwellings but not larger than four-family dwellings located in any municipality which has a population of less than one hundred thousand inhabitants.

Sec. 4. Section 81-2113, Revised Statutes Supplement, 2003, is amended to read:

81-2113. (1) A person may register with the board and pay a fee as provided in section 81-2118 to work as an apprentice electrician. Such registration shall entitle the registrant to act as an apprentice electrician to a Class B electrical contractor, an electrical contractor, a Class B journeyman electrician, a journeyman electrician, a residential journeyman electrician, a Class A master electrician, or a Class B master electrician as provided in subsection (2) of this section.

(2) An apprentice electrician shall do no electrical wiring except under the direct personal on-the-job supervision and control and in the immediate presence of a licensee under the State Electrical Act. Such supervision shall include both on-the-job training and related classroom training as approved by the board. The licensee may employ or supervise apprentice electricians at a ratio not to exceed three apprentice electricians to one licensee, except that such ratio and the other requirements of this section shall not be applicable to a teacher-student relationship within a classroom of a community college.

For purposes of this section, the direct personal on-the-job supervision and control and in the immediate presence of a licensee shall mean the licensee and the apprentice electrician shall be working at the same project location but shall not require that the licensee and apprentice electrician must be within sight of one another at all times.

(3) An apprentice electrician shall not install, alter, or repair electrical equipment except as provided in this section, and the licensee employing or supervising an apprentice electrician shall not authorize or permit such actions by the apprentice electrician.

Sec. 5. Section 81-2118, Revised Statutes Supplement, 2003, is amended to read:

81-2118. All licenses issued under the State Electrical Act shall expire on December 31 of each even-numbered year. All license applications shall include the applicant's social security number. The board shall establish the fees to be payable for examination, issuance, and renewal in amounts not to exceed:

(1) For examination:

- (a) Electrical contractor, one hundred twenty-five dollars;
- (b) Journeyman electrician, sixty dollars; ~~and~~
- (c) Residential journeyman electrician, sixty dollars; and
- (d) Fire alarm installer, sixty dollars;

(2) For each year of the two-year license period for issuance and renewal:

- (a) Electrical contractor, one hundred twenty-five dollars; and
- (b) Journeyman electrician, residential journeyman electrician, fire alarm installer, or special electrician, twenty-five dollars;

(3) For each year of the two-year license period for registration as an apprentice electrician, twenty dollars; and

(4) For renewal on or after September 9, 1993, of the following licenses issued prior to such date for each year of the two-year license period:

- (a) Class B electrical contractor, one hundred twenty-five dollars;
- (b) Class A master electrician, one hundred twenty-five dollars;
- (c) Class B master electrician, one hundred twenty-five dollars; and
- (d) Class B journeyman electrician, installer, or special electrician, twenty-five dollars.

The holder of an expired license may renew the license for a period of three months from the date of expiration upon payment of the license fee plus ten percent of the renewal fee for each month or portion thereof past the expiration date. All holders of licenses expired for more than three months shall apply for a new license.

Sec. 6. Section 81-2121, Reissue Revised Statutes of Nebraska, is amended to read:

81-2121. Nothing in the State Electrical Act shall be construed to:

(1) Require employees of municipal corporations, public power districts, public power and irrigation districts, electric membership or cooperative associations, public utility corporations, railroads, telephone or telegraph companies, or commercial or industrial companies performing manufacturing, installation, and repair work for such employer to hold licenses while acting within the scope of their employment;

(2) Require any person doing work for which a license would otherwise be required under the act to hold a license issued under the act if he or she is the holder of a valid license issued by any city or other political subdivision, so long as he or she makes electrical installations only in the jurisdictional limits of such city or political subdivision and such license issued by the city or political subdivision meets the requirements of the act;

(3) Cover the installation, maintenance, repair, or alteration of vertical transportation or passenger conveyors, elevators, moving walks, dumbwaiters, stagelifts, manlifts, or appurtenances thereto beyond the terminals of the controllers. The licensing of elevator contractors or constructors shall not be considered a part of the licensing requirements of the act;

(4) Require a license of any person who engages any electrical appliance where approved electrical outlets are already installed;

(5) Prohibit an owner of property from performing work on his or her principal residence, if such residence is not larger than a single-family dwelling, or farm property, excluding commercial or industrial installations or installations in public-use buildings or facilities, or require such owner to be licensed under the act; or

(6) Require that any person be a member of a labor union in order to be licensed.

Sec. 7. Section 81-2124, Reissue Revised Statutes of Nebraska, is amended to read:

81-2124. (1) All new electrical installations for commercial or industrial applications, including installations both inside and outside of the buildings, and for public-use buildings and facilities and any installation at the request of the owner shall be subject to the inspection and enforcement provisions of the State Electrical Act.

(2) All new electrical installations for residential applications in excess of single-family residential applications shall be subject to the inspection and enforcement provisions of the act.

(3) All new electrical installations for single-family residential applications requiring new electrical service equipment shall be subject to the inspection and enforcement provisions of the act.

(4) ~~(3)~~ Existing electrical installations observed during inspection which constitute an electrical hazard shall be subject to the act. Existing installations shall not be deemed to constitute an electrical hazard if the wiring when originally installed was installed in accordance with the electrical code in force at the time of installation and has been maintained in that condition.

Sec. 8. Original sections 81-2109, 81-2121, and 81-2124, Reissue Revised Statutes of Nebraska, and sections 81-2102, 81-2108, 81-2113, and 81-2118, Revised Statutes Supplement, 2003, are repealed.