



**House  
Legislative  
Analysis  
Section**

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***A SUMMARY OF HOUSE BILL 5168 AS  
INTRODUCED 1-11-89***

The bill would repeal the Electrical Administrative Act, and create a new act to provide for the licensing of electricians. The bill would retain many of the provisions of the current act; major new provisions are summarized as follows:

**Definitions.** The bill would provide definitions for "apprentice electrician" (an individual other than an electrical contractor, master electrician, or journey electrician, engaged in learning about and assisting in the installation or alteration of electrical equipment under the direct supervision of a journey electrician or master electrician); "enforcing agency" (the agency in a city, village, township, or county principally responsible for the administration and enforcement of the electrical code, pursuant to the State Construction Code Act); "communication utility" (a communication company or corporation regulated by the Public Service Commission); "electrical utility" (a person regulated by the Public Service Commission, or a governmental subdivision which provides generation and distribution of electrical service); and "jobsite" (the immediate work area within the property lines of a single construction or alteration project where electrical construction or alteration is in progress). The bill would also provide a definition of "master electrician" that would exclude the current provision that permits a master electrician to purchase an electrical contractor's license in order to enter into the contracting business as his or her own supervisor.

**Electrical Administrative Board.** Under the bill, the board would be required to provide an examination for applicants seeking licensure under the act, or the board and the Department of Labor could jointly develop an examination or use one developed by another governmental subdivision. The board could also recommend to the State Construction Code Commission the promulgation of rules for the safe design, construction, installation, alteration, servicing, and inspection of electrical equipment. After testing and evaluation, the board could also recommend to the commission that it issue certificates of acceptability under the code for a material or product, or for a method of manufacturing, construction, or installation of electrical equipment. The bill would also require board members with a pecuniary interest in a matter to disclose that interest before the board took action on the matter.

**Penalties.** The Electrical Administrative Board could bring action against those whom the Department of Labor found to be in violation of the bill, or who were found performing activities without a license. One or more of the following would be grounds for board action:

- Fraud or deceit in obtaining a license.
- Willful violation of a code.
- False advertising.
- An act which demonstrated incompetence.
- Failure by an electrical contractor to maintain the required insurance coverage.
- A violation of the bill.

**NEW ELECTRICAL ADMINISTRATIVE ACT**

**House Bill 5168 Sponsor: Rep. Joseph Young, Jr.  
Committee: State Affairs**

**Complete to 11-13-89**

Violation of the bill would be considered a civil infraction, punishable by a fine of not less than \$1,000 per day for each day the violation occurred, and \$2,000 per day for each day a second or subsequent violation occurred. In addition, the board could also suspend, deny, or revoke licenses, and demand restitution.

The attorney general or local prosecuting attorney could also initiate an action to enforce the bill, or to enforce rules promulgated under the bill.

**License and Examination Fees.** License fees would remain unchanged under the bill. However, the bill would establish examination fees of \$25 for each license category and license renewal fees equal to twice the amount of current license fees. Those already licensed by the electrical administrative board or a governmental subdivision would be eligible for licensure without examination, provided that they applied not more than one year after the effective date of the bill and paid the prescribed fee. Other applicants would be required to pay the appropriate license, pass an examination, and complete certain other requirements.

An electrical contractor's license would be granted to a person who held a master electrician's license or had not less than one master electrician residing in the state in his or her full-time employ. The master electrician would be required to be actively in charge of and responsible for code compliance of all installations of electrical equipment, and to present proof of automobile fleet liability, comprehensive business liability, and worker compensation insurance coverage. A master electrician could not qualify for more than one electrical contractor's license.

A master electrician's license would be granted to a person of at least 22 years of age who had obtained within six years not less than 10,000 hours of experience in electrical construction, or building or electrical equipment maintenance under the supervision of a master electrician, and had held a journey electrician's license for not less than two years. If an applicant failed to pass the master electrician examination two times within two years, he or she would be ineligible to take another examination for one year.

A journey electrician's license would be granted to a person of at least 20 years of age who had obtained at least 8,000 hours of experience over a period of not less than four years related to electrical construction, maintenance of buildings, or electrical equipment, under the direct supervision of a person licensed under the act. If an applicant failed to pass the journey electrician examination two times within two years, he or she would be ineligible to take another examination for at least one year.

**Apprentice Requirements.** Apprentices would be required to register with the board within 30 days after employment, and to prove participation in a bona fide apprenticeship training program approved by the board and the United States Department of Labor Bureau of Apprenticeship and Training. Under the bill, the ratio of journey electricians to

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registered apprentice electricians would be 1:1 for the first journey electrician, and thereafter on the basis of 3 journey electricians to 1 registered apprentice electrician. The department would be required to enforce the ratio on a jobsite basis.

Exemptions. Under the bill, a journey electrician's license would be required for the installation, alteration, servicing or inspection of electrical equipment, including fire alarms and other signaling systems, within a building. The exceptions to this requirement would be:

- The owner of a single family residence who personally installed electrical equipment in the dwelling and adjacent outbuildings and who had the required permits and inspections.
- Minor repair work.
- The installation, alteration, repair, rebuilding, or remodeling of elevators, dumbwaiters, escalators, or man lifts if done under the appropriate permit.
- The installation, alteration, or repair of electric wiring for the generation and primary distribution of electric current or the secondary distribution system, up to and including the meters, if the work was an integral part of the system owned and operated by an electrical utility.
- The operation of signals or transmission of intelligence and associated wiring installed to the premises of consumers or subscribers by or for electrical energy supply, if an integral part of the system owned and operated by an electrical utility.
- The use, maintenance, operation, dismantling, or reassembling of motion picture and theatrical equipment used in a building with approved facilities for entertainment or educational use and with the necessary permanent wiring, floor and wall receptacle outlets designed for the use of theatrical equipment, but not including permanent wiring.
- The testing or repair of electrical equipment if done in a repair shop.
- The manufacture of electrical equipment requiring a certification of a testing laboratory.
- Installations in ships, watercraft other than those defined as buildings, or structures, railway rolling stock, aircraft, automotive vehicles, or mobile homes during manufacture.
- Underground mine installations.
- The installations of railways used exclusively for the operation of rolling stock or installations used exclusively for signaling and communication purposes.
- Installations of communication circuits or equipment to building interface for transmission of intelligence under the exclusive control of communication utilities.
- Installations of coaxial cable distribution of radio frequency signals typically employed in communication antenna television (CATV) systems.
- The alteration or repair of electrical equipment for the metering, control, and utilization of natural gas by a natural gas utility.

Department Inspectors. The department would be required to provide sufficient inspectors, who would be licensed as master electricians, and who could not engage in electrical contracting business during their terms of employment. The inspectors would have the authority to request identification cards and at least one piece of identification containing a photograph of the licensee, and to issue citations for minor violations of the bill.

Repeal Provisions. The bill would repeal the existing Electrical Administrative Act, Public Act 217 of 1956.

Proceedings pending before the existing Electrical Administrative Board would be continued, and would be conducted and determined under the previous Electrical Administrative Act.

Persons licensed under the previous act would be considered licensed or registered until the license or registration expired.

Provisions of the bill that were inconsistent or in conflict with the State Construction Code Act would be superseded to the extent of the inconsistency or conflict.