

# HOUSE BILL No. 5168

October 11, 1989, Introduced by Reps. Joe Young, Jr., Hoffman, Profit, Varga, Martin, Joe Young, Sr., Harrison, Stupak, Jacobetti, Mathieu, Knight, Hickner, Emerson, Berman, Scott, Clack, Hart, DeMars and Terrill and referred to the Committee on State Affairs.

A bill to regulate the use, installation, alteration, and servicing of certain electrical equipment and to safeguard persons and property; to create an electrical administrative board; to provide for the inspection of electrical equipment and for the licensing and regulation of classes of electricians, inspectors, and electrical contractors; to provide for the promulgation of rules; to prescribe penalties; and to repeal certain acts and parts of acts.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 1. This act shall be known and may be cited as the  
2 "electrical administrative act".

3       Sec. 3. As used in this act:

4       (a) "Apprentice electrician" means an individual other than  
5 an electrical contractor, master electrician, or journey  
6 electrician, who is engaged in learning about and assisting in

1 the installation or alteration of electrical equipment under the  
2 direct supervision of a journey electrician or master  
3 electrician.

4 (b) "Board" means the electrical administrative board cre-  
5 ated pursuant to this act.

6 (c) "Code" means that nationally recognized electrical code  
7 used by an enforcing agency along with changes and amendments  
8 made by the enforcing agency.

9 (d) "Communication utility" means a communication company or  
10 corporation regulated by the Michigan public service commission.

11 (e) "Department" means the department of labor.

12 (f) "Electrical contractor" means a person engaged in the  
13 business of erecting, installing, altering, repairing, servicing,  
14 or maintaining electrical equipment.

15 (g) "Electrical equipment" includes, but is not limited to,  
16 material, fittings, devices, appliances, fixtures, and apparatus  
17 used as a part of, or in connection with, an electrical  
18 installation.

19 (h) "Electrical utility" means a person regulated by the  
20 Michigan public service commission or a governmental subdivision  
21 which provides generation and distribution of electrical  
22 service.

23 (i) "Enforcing agency" means the agency in a city, village,  
24 township, or county principally responsible for the administra-  
25 tion and enforcement of the electrical code pursuant to section 8  
26 or 9 of the state construction code act of 1972, Act No. 230 of

1 the Public Acts of 1972, being sections 125.1508 and 125.1509 of  
2 the Michigan Compiled Laws.

3 (j) "Governmental subdivision" means a city, village, town-  
4 ship, or county, which, pursuant to section 8 or 9 of the state  
5 construction code act of 1972, Act No. 230 of the Public Acts of  
6 1972, being sections 125.1508 and 125.1509 of the Michigan  
7 Compiled Laws, has assumed responsibility for the administration  
8 and enforcement of the applicable code that enforcing agency  
9 enforces.

10 (k) "Jobsite" means the immediate work area within the prop-  
11 erty lines of a single construction or alteration project where  
12 electrical construction or alteration is in progress.

13 (l) "Journey electrician" means an individual who engages in  
14 the practical installation or alteration of electrical  
15 equipment.

16 (m) "Master electrician" means an individual who supervises  
17 the installation and alteration of electrical equipment.

18 (n) "Minor repair work" means the replacement of lamps or  
19 fuses, the value of which, including labor and electrical equip-  
20 ment, does not exceed \$50.00.

21 (o) "Person" means an individual, partnership, association,  
22 corporation, governmental subdivision, or other legal entity.

23 Sec. 5. (1) An electrical administrative board is created  
24 within the department which shall consist of the director of  
25 labor and the state fire marshal as ex officio voting members,  
26 and 9 residents of this state, appointed by the governor with the  
27 advice and consent of the senate. The state fire marshal and the

1 director of labor may designate representatives to serve in their  
2 stead. Appointed members shall be not less than 22 years of age  
3 and shall be qualified in their respective fields.

4 (2) The 9 members appointed by the governor shall include 1  
5 member of the general public, 1 representative of a fire insur-  
6 ance company domiciled in this state, 1 representative of an  
7 electrical utility operating in this state, 1 electrical contrac-  
8 tor licensed under this act, 1 master electrician licensed under  
9 this act, 1 journey electrician licensed under this act, 1 elec-  
10 trical inspector of a governmental subdivision who is licensed  
11 under this act, 1 representative of sellers of electrical appa-  
12 ratus and supplies, and 1 representative of manufacturers of  
13 electrical equipment. Of the 4 appointed members of the initial  
14 board requiring licensure under this act, that licensing require-  
15 ment shall be fulfilled if, within 1 year after the effective  
16 date of this act, those members obtain licensure in their appro-  
17 priate class.

18 (3) A member of the board shall be appointed for a term of 3  
19 years, except that a vacancy shall be filled for the unexpired  
20 portion of the term. In the case of the 9 appointed members of  
21 the initial board, the first 3 members appointed shall serve for  
22 a term of 1 year and shall not include any of those 4 members  
23 requiring licensure under this act, the second 3 appointed mem-  
24 bers shall serve a term of 2 years, and the last 3 appointed mem-  
25 bers shall serve a term of 3 years.

26 (4) A member of the board who has a pecuniary interest in a  
27 matter shall disclose that interest before the board takes action

1 in the matter. The disclosure shall be a matter of record in the  
2 board's official proceedings.

3 (5) Each appointed member of the board shall receive per  
4 diem compensation and actual expenses incurred by the member in  
5 the performance of his or her duties as a member of the board  
6 which the legislature shall annually fix.

7 (6) Travel or other expenses incurred by a member of the  
8 board in the performance of an official function under this act  
9 shall be payable by the department pursuant to the standardized  
10 travel regulations of the department of management and budget.

11 (7) At the first meeting of each year, the board shall elect  
12 a chairperson, a vice-chairperson, and other officers, as it  
13 determines appropriate, for the terms and with the duties and  
14 powers as the board determines. The chairperson and  
15 vice-chairperson shall be elected from those members appointed to  
16 the board by the governor.

17 Sec. 7. (1) The board shall hold not less than 1 regularly  
18 scheduled meeting each calendar quarter. Special meetings may be  
19 held at the call of the chairperson or 5 members of the board.  
20 Written notice of a special meeting shall be mailed to each  
21 member not less than 10 days before the date of the meeting. The  
22 board may hold its meetings anywhere in this state.

23 (2) Six members of the board constitute a quorum. Except as  
24 otherwise provided in the board's bylaws, the board may take  
25 action by a majority vote of the members serving on the board.

26 (3) The business which the board performs shall be conducted  
27 at a public meeting of the board held in compliance with the open

1 meetings act, Act No. 267 of the Public Acts of 1976, being  
2 sections 15.261 to 15.275 of the Michigan Compiled Laws. Public  
3 notice of the time, date, and place of the meeting shall be given  
4 in the manner required by Act No. 267 of the Public Acts of  
5 1976.

6 (4) A writing prepared, owned, used, in the possession of,  
7 or retained by the board in the performance of an official func-  
8 tion shall be made available to the public in compliance with the  
9 freedom of information act, Act No. 442 of the Public Acts of  
10 1976, being sections 15.231 to 15.246 of the Michigan Compiled  
11 Laws.

12 Sec. 9. (1) The board may recommend to the state construc-  
13 tion code commission the promulgation of rules necessary for the  
14 safe design, construction, installation, alteration, servicing,  
15 and inspection of electrical equipment. The board may also rec-  
16 ommend to the state construction code commission, after testing  
17 and evaluation, that the commission issue certificates of accept-  
18 ability under the code for a material, product, method of manu-  
19 facturing, or method of construction or installation of electri-  
20 cal equipment.

21 (2) The board, in consultation with the department, may  
22 promulgate rules pursuant to the administrative procedures act of  
23 1969, Act No. 306 of the Public Acts of 1969, being sections  
24 24.201 to 24.328 of the Michigan Compiled Laws, for the adminis-  
25 tration of this act and to effectuate the purposes of this act,  
26 including, but not limited to, the examination and licensing of

1 master electricians, electrical contractors, and journey  
2 electricians and the registration of apprentice electricians.

3 (3) The board shall provide for an examination to be given  
4 to an applicant seeking licensure under this act for a specific  
5 class of license. The board and department, acting jointly, may  
6 develop an examination or use an examination developed by another  
7 governmental subdivision which the department and the board,  
8 acting jointly, review and determine is designed to test the  
9 qualifications and competency of applicants seeking licensure  
10 under this act. The examination shall include, but not be  
11 limited to, questions designed to test an individual's knowledge  
12 of this act and any rules promulgated under this act.

13 Examinations shall be offered at locations throughout the state  
14 as determined by the board. Copies of examinations developed by  
15 a governmental subdivision shall be presented for board approval  
16 and shall remain the property of the governmental subdivision and  
17 shall be returned to that governmental subdivision without having  
18 been copied or reproduced in any manner.

19 Sec. 11. (1) An applicant for licensure under this act may  
20 sit for an examination upon an applicant doing all of the  
21 following:

22 (a) Filing a completed application form provided by the  
23 department for the particular class of licensure.

24 (b) Paying the examination fee prescribed in section 27.

25 (c) Paying the licensing fee prescribed in section 27.

1 (d) Establishing, in a manner satisfactory to the board, the  
2 experience requirement or an equivalent of that experience  
3 requirement for the particular class of licensure.

4 (2) An applicant who, on the effective date of this act, is  
5 licensed by the electrical administrative board or a governmental  
6 subdivision under former Act No. 217 of the Public Acts of 1956  
7 shall be eligible for licensure without examination if he or she  
8 applies for licensure not more than 1 year after the effective  
9 date of this act and pays the license fee prescribed in  
10 section 27.

11 Sec. 13. (1) The department shall issue an electrical  
12 contractor's license to a person who does all of the following:

13 (a) Holds a master electrician's license or has not less  
14 than 1 master electrician residing in this state who is in his or  
15 her full-time employ. That master electrician shall be actively  
16 in charge of and responsible for code compliance of all installa-  
17 tions of electrical equipment.

18 (b) Files a completed application on a form provided by the  
19 department.

20 (c) Passes an examination provided for by the board and the  
21 department.

22 (d) Pays the license fee prescribed in section 27.

23 (e) Obtains insurance coverage as prescribed in  
24 subsection (3) and presents proof of that coverage to the  
25 department.

26 (2) An electrical contractor shall not be an inspector.



1 (3) Before issuing or renewing an electrical contractor's  
2 license, the department shall require the following insurance  
3 coverage by an insurance carrier licensed or authorized to do  
4 business in Michigan:

5 (a) Automobile fleet liability, including bodily injury of  
6 not less than \$100,000.00; property damage of not less than  
7 \$100,000.00; and uninsured motorist coverage of not less than  
8 \$100,000.00 for each vehicle used during activity of the type  
9 regulated under this act.

10 (b) Comprehensive business liability, including bodily  
11 injury, property damage, contractual liability, and products and  
12 completed operation coverage, of not less than \$500,000.00.

13 (c) Worker compensation at the applicable standard indus-  
14 trial code classification as published by the United States  
15 department of management and budget.

16 Sec. 15. (1) The department shall issue a master  
17 electrician's license to a person not less than 22 years of age  
18 who does all of the following:

19 (a) Files a completed application form provided by the  
20 department.

21 (b) Passes an examination provided for by the board and the  
22 department.

23 (c) Pays the license fee prescribed in section 27.

24 (d) Has not less than 10,000 hours of experience obtained  
25 over a period of not less than 6 years related to electrical con-  
26 struction or the maintenance of buildings or electrical equipment  
27 under the supervision of a master electrician.

1 (e) Held a journey electrician's license for not less than 2  
2 years.

3 (2) Upon failure to pass the master electrician examination  
4 2 times within a period of 2 years, an applicant shall be ineli-  
5 gible to sit for another examination until a period of not less  
6 than 1 year from the date of failure of the second examination,  
7 at which time he or she shall present to the board proof of the  
8 successful completion of a code course, approved by the board, in  
9 order to become eligible to again sit for an examination.

10 (3) As a condition of renewal of a master electrician's  
11 license, the master electrician shall demonstrate the successful  
12 completion of a course, approved by the board, concerning any  
13 update or change in the code within 12 months after the update or  
14 change in that code. This requirement applies only during or  
15 after those years that the code is updated or changed.

16 (4) A master electrician license shall not qualify for more  
17 than 1 electrical contractor's license.

18 Sec. 17. (1) The department shall issue a journey  
19 electrician's license to a person not less than 20 years of age  
20 who does all of the following:

21 (a) Files a completed application form provided by the  
22 department.

23 (b) Passes an examination provided for by the board and the  
24 department.

25 (c) Pays the license fee prescribed in section 27.

26 (d) Has not less than 8,000 hours of experience obtained  
27 over a period of not less than 4 years related to electrical

1 construction or maintenance of buildings or electrical equipment  
2 under the direct supervision of a person licensed under this  
3 act.

4 (2) Upon failure to pass the journey electrician examination  
5 more than 2 times within a period of 2 years, an applicant shall  
6 be ineligible to sit for another examination until a period of  
7 not less than 1 year from the date of failure of the second exam-  
8 ination, at which time he or she shall present to the board proof  
9 of the successful completion of a code course, approved by the  
10 board, in order to become eligible again to sit for an  
11 examination.

12 (3) As a condition of renewal of a journey electrician's  
13 license, the journey electrician shall demonstrate the successful  
14 completion of a course, approved by the board, concerning any  
15 update or change in the code within 12 months after the update or  
16 change in that code. This requirement applies only during or  
17 after those years that the code is updated or changed.

18 Sec. 19. (1) An individual employed as an apprentice elec-  
19 trician shall register with the board on a form provided by the  
20 board within 30 days after employment.

21 (2) The department shall issue a certificate of registration  
22 to a person seeking registration upon satisfactory proof of the  
23 person's participation in a bona fide apprenticeship training  
24 program approved by the board and the United States department of  
25 labor bureau of apprenticeship and training.

26 (3) The ratio of journey electricians to registered  
27 apprentice electricians shall be on the basis of 1 journey

1 electrician to 1 registered apprentice electrician for the first  
2 journey electrician, and thereafter on the basis of 3 journey  
3 electricians to 1 registered apprentice electrician. The depart-  
4 ment shall enforce the ratio on a jobsite basis.

5       Sec. 21. (1) A governmental subdivision may provide for  
6 standards equal to or stricter than those set by the board for  
7 the licensing of electrical contractors, master electricians, and  
8 journey electricians by the adoption of an ordinance providing  
9 for those standards. Ordinances in effect on the effective date  
10 of this act shall only be enforced if approved pursuant to sub-  
11 section (4).

12       (2) Except as provided in this subsection, this section  
13 shall not be construed as limiting the power of a governmental  
14 subdivision to adopt an ordinance to provide for the licensing  
15 and examination of electrical contractors who have a place of  
16 business located in that governmental subdivision, or to provide  
17 for the licensing and examination of master electricians and  
18 journey electricians who reside in that governmental  
19 subdivision. The ordinance shall not require the procurement of  
20 a license to execute the classes of work specified in section  
21 23(2) or (3).

22       (3) A governmental subdivision may require all electrical  
23 contractors performing work within that governmental subdivision  
24 to register pursuant to its ordinance. Registration requirements  
25 and fees shall be reciprocal between governmental subdivisions  
26 and the board.

1 (4) All ordinances in effect on the effective date of this  
2 act and all ordinances adopted by a governmental subdivision  
3 after the effective date of this act and pursuant to this section  
4 shall be submitted to the board for approval. Approval shall be  
5 granted by the board within 120 days after a certified copy of an  
6 ordinance is delivered to the board, unless the board determines,  
7 after a public hearing, that the ordinance does not contain stan-  
8 dards equal to or stricter than those prescribed by the board.

9 Sec. 23. (1) Except as provided in subsections (2) and (3),  
10 a person shall not perform installations, alterations, servicing,  
11 or inspection of electrical equipment, including fire alarm and  
12 other signaling systems of any voltage or configuration, within a  
13 building or structure regulated pursuant to the state construc-  
14 tion code act of 1972, Act No. 230 of the Public Acts of 1972,  
15 being sections 125.1501 to 125.1531 of the Michigan Compiled  
16 Laws, unless the person has received at least a journey  
17 electrician's license from the department or a governmental sub-  
18 division pursuant to section 21, the license has not been revoked  
19 or suspended, and an electrical contractor has secured the appro-  
20 priate permit from the enforcing agency charged with the respon-  
21 sibility for issuing permits.

22 (2) The owner of a single family dwelling which is, or upon  
23 completion becomes, the owner's place of residence, may person-  
24 ally install electrical equipment in the dwelling and adjacent  
25 outbuildings. The homeowner shall apply for and secure the  
26 required permits from the enforcing agency and shall obtain the  
27 required inspections.

1 (3) A person may perform the following without being  
2 licensed under this act:

3 (a) Minor repair work.

4 (b) The installation, alteration, repairing, rebuilding, or  
5 remodeling of elevators, dumbwaiters, escalators, or man lifts if  
6 done under a permit issued by an elevator inspection agency of  
7 this state or a governmental subdivision.

8 (c) The installation, alteration, or repair of electric  
9 wiring for the generation and primary distribution of electric  
10 current or the secondary distribution system up to and including  
11 the meters, if the work is an integral part of the system owned  
12 and operated by an electrical utility in rendering its authorized  
13 service.

14 (d) The operation of signals or transmission of intelligence  
15 and associated wiring installed to the premises of consumers or  
16 subscribers by or for electrical energy supply, if the work is an  
17 integral part of the system owned and operated by an electrical  
18 utility in rendering its authorized service.

19 (e) The use, maintenance, operation, dismantling, or reas-  
20 sembling of motion picture and theatrical equipment used in a  
21 building with approved facilities for entertainment or educa-  
22 tional use and which has the necessary permanent wiring, floor,  
23 and wall receptacle outlets designed for the proper and safe use  
24 of theatrical equipment, but not including permanent wiring.

25 (f) The testing or repair of electrical equipment if done in  
26 a repair shop.

1 (g) The manufacture of electrical equipment requiring a  
2 certification of a testing laboratory.

3 (h) Installations in ships, watercraft other than those  
4 defined as buildings or structures pursuant to Act No. 230 of the  
5 Public Acts of 1972, railway rolling stock, aircraft, automotive  
6 vehicles, or mobile homes during manufacture.

7 (i) Installations in underground mines.

8 (j) Installations of railways used exclusively for the oper-  
9 ation of rolling stock, or installations used exclusively for  
10 signaling and communication purposes.

11 (k) Installations of communication circuits or equipment to  
12 building interface for transmission of intelligence under the  
13 exclusive control of communication utilities.

14 (l) Installations of coaxial cable distribution of radio  
15 frequency signals typically employed in communication antenna  
16 television (CATV) systems to building interface. These installa-  
17 tions shall comply with the applicable code.

18 (m) The alteration or repair of electrical equipment for the  
19 metering, control, and utilization of natural gas by a natural  
20 gas utility regulated by the Michigan public service commission  
21 while rendering its authorized service.

22 Sec. 25. (1) The licensing provisions of this act shall be  
23 enforced by the board and the department.

24 (2) The board, not later than 12 months after the effective  
25 date of this act, shall promulgate rules pursuant to the adminis-  
26 trative procedures act of 1969, Act No. 306 of the Public Acts of

1 1969, being sections 24.201 to 24.328 of the Michigan Compiled  
2 Laws, doing all of the following:

3 (a) Defining minor violations.

4 (b) Outlining a fine schedule for minor violations of this  
5 act.

6 (c) Establishing a citation system for minor violations of  
7 this act.

8 (3) The board shall provide for the issuance of a card  
9 designed for use as identification of a person licensed under  
10 this act. The card shall indicate the class and year of licen-  
11 sure and shall be not larger than 3-1/2 inches by 2 inches in  
12 size.

13 (4) An individual licensed under this act shall carry the  
14 identification card described in subsection (3) at all times  
15 while engaged in activity that is subject to licensure under this  
16 act and shall also carry not less than 1 piece of identification  
17 containing the individual's picture.

18 (5) A vehicle used during the course of activity regulated  
19 under this act by a person engaged in activity regulated by this  
20 act shall be identified by company name, address, telephone  
21 number in letters not less than 1 inch in height, and contractor  
22 number with contrasting letters not less than 3 inches in  
23 height.

24 Sec. 27. (1) The examination fees are as follows:

25 (a) Electrical contractor.....\$25.00

26 (b) Master electrician.....25.00



1 (c) Journey electrician.....25.00

2 (2) The fee for initial licensure under this act shall be as  
3 follows:

4 (a) Electrical contractor.....\$75.00

5 (b) Master electrician.....25.00

6 (c) Journey electrician.....20.00

7 (3) A license issued under this act shall expire on  
8 December 31 of the year in which it was issued.

9 (4) The registration fee for an electrical contractor  
10 license issued by a governmental subdivision shall be at the same  
11 rate as charged by the board.

12 (5) An expired license shall be renewable within 60 days  
13 after the expiration date upon payment of the fee as specified in  
14 this subsection for the class of license to be renewed:

15 (a) Electrical contractor license.....\$150.00

16 (b) Master electrician license.....50.00

17 (c) Journey electrician license.....40.00

18 (6) After March 1 of each year, all licenses not renewed  
19 shall be void and may be reinstated only upon application for  
20 reinstatement and the payment of the fee specified in  
21 subsection (5).

22 (7) A person requesting renewal of a license within 3 years  
23 after the license is voided pursuant to subsection (6) shall not  
24 be subject to reexamination for the license, but shall be  
25 required to pay the reinstatement fee and the annual license fee  
26 for each year not renewed. A person requesting renewal of a  
27 license more than 3 years after the license is voided pursuant to

1 subsection (6) shall be required to pass an examination and pay  
2 the licensing fee before being relicensed.

3 (8) The apprentice electrician registration fee is \$10.00.  
4 A registration will expire on August 31 of each year and shall be  
5 renewable within 30 days after that date upon payment of a \$10.00  
6 renewal fee.

7 (9) All revenue received by the department under this act  
8 shall be paid into the state construction code fund created by  
9 section 22 of the state construction code act of 1972, Act  
10 No. 230 of the Public Acts of 1972, being section 125.1522 of the  
11 Michigan Compiled Laws.

12 Sec. 29. (1) The department shall provide a number of  
13 inspectors that the board considers sufficient to enforce this  
14 act and to conduct inspections in the number and frequency that  
15 will safeguard the public.

16 (2) The department shall appoint as an inspector an individ-  
17 ual who shall be licensed as a master electrician.

18 (3) An inspector shall not engage in the business of being  
19 an electrical contractor during the term of his or her employment  
20 as an inspector.

21 (4) An inspector shall request the production of the identi-  
22 fication card described in section 25 and not less than 1 piece  
23 of identification containing the individual's picture from any  
24 person engaged in an activity regulated by this act.

25 (5) An inspector shall issue a citation for a minor viola-  
26 tion under the rules promulgated pursuant to section 25(2) and  
27 may initiate an action for a violation of this act.

1       Sec. 31: (1) The department shall investigate the  
2 activities of a person licensed under this act which are related  
3 to the person's activities as an electrical contractor, master  
4 electrician, journey electrician, or apprentice electrician. The  
5 department may hold hearings, administer oaths, and order rele-  
6 vant testimony to be taken and shall report its findings to the  
7 board. The board shall proceed under section 33 against a person  
8 if the board finds that 1 or more of the following grounds for  
9 board action exist:

10       (a) Fraud or deceit in obtaining a license under this act.

11       (b) The willful violation of a code.

12       (c) False advertising.

13       (d) An act which demonstrates incompetence.

14       (e) In the case of an electrical contractor, failure to  
15 maintain insurance coverage as required by section 13(3).

16       (f) A violation of this act or rules promulgated under this  
17 act.

18       (2) The board, upon recommendation of the department, shall  
19 suspend or revoke the license of a person whose failure to pay a  
20 lien claimant results in a payment being made from the homeowner  
21 construction lien recovery fund pursuant to the construction lien  
22 act, Act No. 497 of the Public Acts of 1980, being sections  
23 570.1101 to 570.1305 of the Michigan Compiled Laws. The license  
24 shall not be renewed, nor shall a new license be issued until  
25 that person has made full restitution to the fund, including the  
26 costs of litigation and interest at the rate set by section 6013  
27 of the revised judicature act of 1961, Act No. 236 of the Public

1 Acts of 1961, being section 600.6013 of the Michigan Compiled  
2 Laws.

3 (3) A revocation, suspension, or other sanction set forth in  
4 section 33 shall be imposed only after a hearing has been con-  
5 ducted pursuant to the administrative procedures act of 1969, Act  
6 No. 306 of the Public Acts of 1969, being sections 24.201 to  
7 24.328 of the Michigan Compiled Laws.

8 (4) The board, after a hearing pursuant to subsection (3)  
9 and with concurrence of 2/3 of its members, shall recommend to a  
10 governmental subdivision licensing authority that it revoke or  
11 suspend the license issued by it to a person.

12 (5) Activity regulated under this act shall not be performed  
13 by a person whose license has been suspended, revoked, or whose  
14 license has expired.

15 (6) The board shall promulgate rules setting up a fine  
16 schedule for a violation of this act that is not a minor viola-  
17 tion as described in section 25.

18 Sec. 33. A person licensed under this act who violates this  
19 act or a person not licensed under this act who is performing any  
20 activity regulated under this act and is not exempt from licen-  
21 sure under section 23 is guilty of a civil infraction, punishable  
22 by a fine of not less than \$1,000.00 per day for each day the  
23 violation occurs. A second or subsequent violation is punishable  
24 by a fine of not less than \$2,000.00 per day for each day the  
25 violation occurs.

26 Sec. 35. (1) After finding the existence of a violation  
27 described in section 31(1) and after an opportunity for a

1 hearing, the board, except as otherwise provided in section  
2 31(2), shall impose 1 or more of the following sanctions for a  
3 violation:

4 (a) Suspension of the license issued under this act.

5 (b) Denial of the license required under this act.

6 (c) Revocation of the license issued under this act.

7 (d) Restitution.

8 (2) The department shall immediately suspend the license of  
9 an electrical contractor upon proof that the electrical contrac-  
10 tor failed to maintain the insurance coverage required by  
11 section 13(3). The board shall also assess a civil fine of  
12 \$1,000.00 per day for each day the electrical contractor failed  
13 to maintain insurance coverage while involved in activity regu-  
14 lated by this act.

15 (3) After finding the existence of 2 violations of this act  
16 within a period of 2 years, the board may double the fine imposed  
17 pursuant to section 31(6).

18 (4) After finding the existence of 3 violations of this act  
19 within a period of 3 years, the board shall revoke the person's  
20 license and permanently deny the person's reapplication for a  
21 license of the class revoked.

22 (5) For purposes of this section, 1 or more violations  
23 occurring or reported on the same date on the same jobsite shall  
24 be considered 1 violation.

25 (6) If restitution is required to be made under this sec-  
26 tion, the license of the person required to make the restitution  
27 may be suspended until restitution is made.

1       Sec. 37. The attorney general or local prosecuting attorney  
2 may initiate an action to enforce this act or rules promulgated  
3 under this act.

4       Sec. 39. On the effective date of this act, a proceeding  
5 pending before the electrical administrative board under the  
6 authority of former Act No. 217 of the Public Acts of 1956 shall  
7 be continued, and shall be conducted and determined under the  
8 former act.

9       Sec. 41. A person licensed by the electrical administrative  
10 board or a municipality under former Act No. 217 of the Public  
11 Acts of 1956, on the day immediately preceding the effective date  
12 of this act, shall be considered licensed or registered until the  
13 expiration of the licensure of registration under former Act  
14 No. 217 of the Public Acts of 1956.

15       Sec. 43. Any provision of this act which is inconsistent or  
16 in conflict with the state construction code act of 1972, Act  
17 No. 230 of the Public Acts of 1972, being sections 125.1501 to  
18 125.1531 of the Michigan Compiled Laws, is superseded to the  
19 extent of the inconsistency or conflict.

20       Sec. 45. The electrical administrative act, Act No. 217 of  
21 the Public Acts of 1956, being sections 338.881 to 338.892 of the  
22 Michigan Compiled Laws, is repealed.