

CHAPTER 86
FORMERLY
HOUSE BILL NO. 172
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO ELECTRICIANS AND THE PERFORMANCE OF ELECTRICAL WORK BY AN UNLICENSED PERSON.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend §1408(a)(5), Title 24 of the Delaware Code by making insertions as shown by underlining and deletions as shown by strike through as follows:

(5) For licensure as a journeyperson electrician shall:

a. Be at least 20 years of age.

b. Shall either: Have 1. successfully complete an apprenticeship program approved by the Board that includes passing a final exam for successful completion of such program; or

2. c. Have over 8,000 hours of full-time experience performing electrical work under the supervision of a licensed master electrician, master electrician special, limited electrician or limited electrician special.

~~d.c. Any person who meets the requirement of paragraph (a)(5)c. of this section as of June 30, 2012, may have the requirements of paragraph (a)(5)b. of this section and the examination requirement of paragraph (a)(6) of this section waived by the Board. The exam required for a journeyperson license in subsection (a)(7) shall not be required for any person that has successfully met the requirement of subsection (a)(5)b.1.~~

Section 2. Amend §1408(a)(7), Title 24 of the Delaware Code by making insertions as shown by underlining and deletions as shown by strike through as follows:

(7) After fulfilling the applicable experience and/or training requirements of this section, a person applying for licensure as a master electrician, master electrician special, journeyperson electrician, limited electrician, and limited electrician special shall have achieved the passing score on the written, standardized examination for licensure, with a passing score as determined by the Board in rules and regulations, and which is approved by the Division.

Section 3. Amend §1419, Title 24 of the Delaware Code by making insertions as shown by underlining and deletions as shown by strike through as follows:

§ 1419. Exceptions.

(a) Nothing in this title shall be construed to prevent the performing of electrical work by:

(1) Any of the following individuals working in a manufacturing or industrial facility:

~~A professional engineer registered under Chapter 28 of this title to practice electrical engineering, employed by any manufacturing or industrial establishment, who has at least 6 years' experience in electrical planning and design. Such engineer may inspect the establishment's repairs, maintenance and electrical additions if that engineer is responsible for, and in continuing charge of, such work at the site; in addition such engineer shall be registered with the Board as the responsible person for such work, and shall file with the Board at least annually a certificate of inspection, authorized by a certified inspection agency; such engineer shall file a letter with the Board stating that all repairs, maintenance and additions for which that engineer is responsible meet the minimum standards of the National Electrical Code, or any revision thereof;~~

a. A electrical engineer who is recognized by their company as the person responsible for facility repairs, maintenance, or electrical additions, and who is registered with the Board, or a professional electrical engineer who is registered with the Board and who is licensed and listed on the Delaware Association of Professional Engineers;

b. an electrical engineer or electrical engineering technician, recognized by the manufacturing or industrial company as qualified, working in a laboratory environment conducting basic research and development;

c. an “in-house” electrical engineer, electrical engineering technician, or other person conducting research and development building and testing a custom panel designed by the company and not commercially available, provided that such exception shall not extend to the permanent installation of the equipment.

(2) The Department of Transportation, its agencies, offices and divisions, for all work performed by the Department, or under its supervision, and which is approved by the Department, for the installation, erection, construction, reconstruction and/or maintenance of drawbridges and traffic-control devices, including traffic signals, traffic signs and highway lighting;

(3) Persons working beyond the main breaker or fuse of 200 amps or less on structures used exclusively for agricultural purposes, except that the provisions of § 1420 of this title regarding certificates of inspection shall apply where new installations are involved.

(4) Any electric light or power company, electric railway company, steam railway company, diesel railway company, telegraph or telephone company, or any person performing the electrical work of such company, when such work is a part of the plant or services used by the company in rendering its authorized service to the public, as further defined in rules and regulations of the Board.

(5) Any homeowner or homeowners who comply with the mandates of § 1417 of this title.

(b) Nothing in this chapter shall restrict any person from servicing equipment in the fields of heating, air conditioning, refrigeration or appliances.

Section 4. Amend Title 24 of the Delaware Code by making insertions as shown by underlining and deletions as shown by strike through as follows:

§1423. Duty to Report.

(a) An owner, operator, manager, or supervisor of a business performing electrical services shall have a duty to report to the Board, if such owner, operator, manager, or supervisor has knowledge that a person working for or under their supervision is: 1) performing electrical work; and 2) does not have the proper license under subchapter II of this chapter.

(b) The report required pursuant to this section must be made in writing to the Board within 10 days of such owner, operator, manger, or supervisor having the required knowledge and shall contain the name of the person performing the electrical work without a license.

(c) An owner, operator, manager, or supervisor of a business performing electrical services must check to see if an employee or independent contractor has the proper license under subchapter II of this Chapter before allowing such employee or independent contractor to perform electrical work for such owner, operator, manager or supervisor.

§ ~~1423~~ 1424. Penalty.

A person, not currently licensed as an electrician or exempt from licensure under this chapter, when guilty of performing electrical work, or using in connection with that person's name, or otherwise assuming or using any title or description conveying, or tending to convey, the impression that the person is qualified to perform electrical work, such offender shall be guilty of a misdemeanor. Upon the first offense, the person shall be fined not less than \$500 nor more than \$1,000 for each offense. For a second or subsequent conviction, the fine shall be not less than \$1,000 nor more than \$2,000 for each offense. Justice of the Peace Courts shall have jurisdiction over all violations of this chapter.

Section 5. The provisions of this Act shall take effect 90 days after enactment.

Section 6. Any person who has a journeyperson license as of the enactment of this Act shall not have to meet any new requirements of this Act in order to maintain such journeyperson license.

Approved July 03, 2013