SPONSOR: Rep. Q. Johnson & Rep. Schwartzkopf & Sen. McBride & Sen. Lopez
Reps. Brady, Briggs King, Collins, Dukes, Hensley, Jaques, D. Short, Wilson, Yearick; Sens. Hocker, Pettyjohn

HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

HOUSE BILL NO. 457
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO ELECTRICIANS.

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

Section 1. Amend §1402, Title 24 of the Delaware Code by making deletions as shown by strike through, insertions as shown by underline and be redesignating accordingly as follows:

§ 1402 Definitions.

( ) "Residential electrician" means a person who is qualified and skilled to perform residential electric work and who has met the requirements of §1408 of this title to be licensed as a residential electrician and who is subject to the restrictions imposed by § 1422A of this title.

Section 2. Amend § 1408, Title 24 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline and by redesignating accordingly as follows:

§ 1408 Qualifications of applicant.

(a) An applicant, who is applying for licensure as an electrician under this chapter, shall submit evidence, verified by oath and satisfactory to the Board, that such person:

(5) For licensure as a journeyperson electrician shall:

a. Be at least 20 years of age.

b. Shall either:

1. Successfully complete an apprenticeship program approved by the Board that includes passing a final exam for successful completion of such program; or

2. 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.

c. The exam required for a journeyperson license in paragraph ~~(a)(7)~~ (a)(8) of this section shall not be required for any person that has successfully met the requirement of paragraph (a)(5)b.1. of this section.

(6) For licensure as a residential electrician shall:

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a. Pass a residential electrician exam as determined by the Board, and which is approved by the Division; and

b. Have over 4,000 hours of full-time experience performing electrical work or have successfully completed a Residential Apprenticeship program approved by the Board. Work experience is applicable if acquired under the supervision of a licensed master electrician or limited electrician or while the applicant was individually licensed.

~~(6)~~(7) For licensure as an apprentice electrician shall:

a. Be at least 18 years of age unless enrolled in a Board approved vocational program at a vocational school.

b. Be enrolled in or have successfully completed an apprentice program approved by the Board.

c. Be enrolled in or have successfully completed a residential apprentice program approved by the Board.

d. Residential apprenticeship licensees shall be limited to the scope of work as defined in section 1422A of this Title.

~~(7)~~(8) 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.

~~(8)~~(9)Shall not have been the recipient of any administrative penalties regarding that person's practice as an electrician, including, but not limited, to fines, formal reprimands, license suspensions or revocation (except for license revocations for nonpayment of license renewal fees), probationary limitations, and/or has not entered into any "consent agreements" which contain conditions placed by a Board on that person's professional conduct and practice, including any voluntary surrender of a license. The Board may determine after a hearing whether such administrative penalty is grounds to deny licensure.

~~(9)~~(10) Shall not have any impairment related to drugs or alcohol that would limit the applicant's ability to act as an electrician in a manner consistent with the safety of the public.

~~(10)~~(11) Shall not have a criminal conviction record, nor pending criminal charge relating to an offense, the circumstances of which substantially relate to providing electrical services. Applicants who have criminal conviction records or pending criminal charges shall request appropriate authorities to provide information about the record or charge directly to the Board in sufficient specificity to enable the Board to make a determination whether the record or charge is substantially related to providing electrical services. After a hearing or review of documentation demonstrating that the applicant meets the specified criteria for a waiver, the Board, by an affirmative vote of a majority of the quorum, may waive this paragraph (a)~~(10)~~(11), if it finds all of the following:

~~(11)~~(12) Shall have no disciplinary proceedings or unresolved complaints pending against the person in any jurisdiction where the applicant has previously been or currently is licensed or registered.

Section 3. Amend § 1414(a)(6), Title 24 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline and by redesignating accordingly as follows:

§ 1414 Disciplinary sanctions.

(a) The Board may impose any of the following sanctions, singly or in combination, when it finds that 1 of the conditions or violations set forth in § 1412 of this title applies to a practitioner or licensee regulated by this chapter:

(6) Impose a monetary penalty not to exceed ~~$500~~ $1,500 for each violation.

Section 4. Amend Subchapter III, Chapter 14 of Title 24 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline and redesignating accordingly as follows:

§ 1422 Apprentice electricians.

(a) An apprentice electrician must work under the direct onsite supervision of a licensed master electrician, master electrician special, limited electrician, limited electrician special, residential electrician or journeyperson electrician.

(b) A licensed electrician supervising an apprentice electrician pursuant to subsection (a) of this section shall be responsible for the activities of the apprentice electrician performing work in the State.

§ 1422A. Residential electricians.

(a) A residential electrician license allows for a person to conduct residential electrical work without having to be under the direct onsite supervision of a licensed master electrician, master electrician special, limited electrician, limited electrician special or journeyperson electrician.

(b) Electricians with a residential electrician license are prohibited from performing any electrical work other than:

(1) electric work performed on or within a residential dwelling or building prior to the dwelling or building being connected to the electric grid, or

(2) work to or beyond the breaker panel or fuse box in a residential dwelling or building, or

§ 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~~ $1,500 for each offense. For a second or subsequent conviction, the fine shall be not less than ~~$1,000~~ $1,500 nor more than ~~$2,000~~ $2,300 for each offense. Justice of the Peace Courts shall have jurisdiction over all violations of this chapter.

Section 5. If a person applies for licensure as a residential electrician within 60 days of enactment of this bill into law and meets the requirements of § 1408(a)(6)b. such person shall not have to take and pass the exam required in § 1408(a)(6)a. to be licensed as a residential electrician.

Section 6. This Act shall be effective January 1, 2019.