

M E M O R A N D U M

September 29, 2022

TO: Transportation & Environment (T&E) Committee

FROM: Livhu Ndou, Legislative Attorney

SUBJECT: Bill 12-22, Electricity – Board of Electrical Examiners – Licenses – Permit Requirements

PURPOSE: Worksession #1

EXPECTED ATTENDEES:

- Ehsan Motazedi, Deputy Director, Department of Permitting Services (DPS)
- Rick Merck, Chief of Commercial Division, Department of Permitting Services (DPS)
- Anthony Toussaint, Manager of Electrical Section, Department of Permitting Services (DPS)

INTRODUCTION

Bill 12-22, Electricity – Board of Electrical Examiners – Licenses – Permit Requirements, Lead Sponsor Council President Albornoz at the request of the County Executive, was introduced on June 14, 2022. Bill 12-22 reflects changes made by the State assumption of the electrical licensing process; will delete several license categories for electricians; and will create a new license category, the Low Voltage Electrician License, with a new permitting process.

PUBLIC HEARING

A public hearing was held on July 12, 2022. Two speakers testified from the International Brotherhood of Electrical Workers (IBEW) Local 26 and from Community Electricians. Both speakers testified in opposition to the creation of a low-voltage license because incorrect installation of fire alarms and cable systems can be dangerous.

The Council also received several pieces of written testimony. The majority of the letters were in opposition, expressing a concern that the low-voltage license would undercut the master electrician's license and could be unsafe. Council did receive one letter in support that asked for an expansion of the homeowner's exemption, to include communications systems and low voltage systems more generally.

SUMMARY OF IMPACT STATEMENTS

Fiscal Impact Statement

The Office of Management and Budget (OMB) completed a fiscal impact statement on June 22, 2022. OMB estimated that there could be a net loss of approximately \$200,000 a year from Bill 12-22, due to the State’s assumption of the electrical licensing process. However, OMB noted that while DPS staff will continue to verify State-issued electrician licenses as part of their plan review and permit issuing process, removal of the license workload will allow these staff members to focus on filling other workload gaps and expediting the review of other DPS issued licenses and permits.

Economic Impact Statement

The Office of Legislative Oversight (OLO) completed an economic impact statement on July 18, 2022. OLO found that Bill 12-22 would have a positive impact on economic conditions in the County in terms of certain economic indicators prioritized by the Council. Specifically, the bill would:

- 1) likely decrease the average time for residential solar permit review and completion timeline for residential solar projects, resulting in a net decrease in operating costs, which would reduce the price of residential solar installation if contractors pass on a portion of the savings to clients; and
- 2) help streamline County permitting for other projects, which could also give contractors a net decrease in operating costs.

Racial Equity and Social Justice Impact Statement

OLO also provided a racial equity and social justice (RESJ) impact statement on July 1, 2022. OLO found that “Bill 12-22 will have a little to no impact on racial equity and social justice (RESJ) in the County, as it does not make any fundamental changes that will affect the composition of electricians in the County.”

DISCUSSION

Background

The Maryland Electricians Act was passed in May 2021.¹ It went into effect in July 2021 and made many significant changes to the current licensure system for electricians at both the State and local level. The effect of this legislation is that electricians will no longer be required to carry numerous county, city, or other local licenses. Instead, much of licensure will be subsumed by the State. For example:

1. The State will be authorized to issue licenses for a licensed apprentice electrician and licensed journeyman electrician, in addition to a master electrician license.

¹ The text of the Act can be found here: [2021 Regular Session - Senate Bill 762 Enrolled \(maryland.gov\)](#).

2. Local authority to issue license master, journeyman, and apprentice electrician licenses was repealed. However, local jurisdictions may still adopt requirements to issue apprentice, journeyman, and master registrations.
3. Individuals will be required to hold a state apprentice, journeyman, or master electrician license to offer, provide, or assist in providing electrical services.
4. Electricians may obtain a licensing examination waiver if licensed by a local jurisdiction in which the individual passed a license examination.
5. Local jurisdictions will retain the authority to establish a local board and require permits, fees, and inspections. Local jurisdictions currently offering apprentice, journeyman, and master licenses may elect or be required to also issue registrations for individuals and to state-licensed electricians required for the provision of electrical services within that local jurisdiction.
6. A licensed or registered electrician will be required to display the State license number or the local registration number on each vehicle used on the job for the provision of electrical services.
7. Local jurisdictions that register apprentices, journeymen, or master electricians will be required to report to the Department of Labor on or before July 1, 2022, and each year thereafter, the number of apprentice, journeyman, and master electricians registered, and the number of journeyman and master electrician license examinations administered.²

Bill 12-22

Bill 12-22 is a rewrite of Chapter 17, Electricity, of the County Code that reflects many of the changes made by the Maryland Electricians Act. These changes include:

- The Montgomery County Board of Electrical Examiners will be eliminated since many of its previous functions will now be handled by the State.³
- Jurisdiction over appeals will be given to the County Board of Appeals.
- Several definitions and their corresponding provisions have been removed, since the only remaining local license will be the Low Voltage Electrician License. A definition of Low Voltage Electrician License is added, along with provisions on the licensure process for this license.
- The homeowner's license/permit was retained because a state license is required to provide service for compensation, and the homeowner's license does not fit this category.

Proposed Amendments

1) Removal of low-voltage license

As noted above, the Council received both verbal and written testimony requesting the low-voltage license be removed from Bill 12-22. Low-voltage electrical services include the installation, repair, or maintenance of systems such as fire alarm systems, cable tv systems, telephone systems, audio/video systems, computer network wiring, and all other systems operating at or below 50

² Additional information for electricians related to the Maryland Electricians Act can be found here: <https://www.dllr.state.md.us/license/elec/elecnamech.shtml>.

³ The Board's main function was administering examinations to candidates who met the minimum requirements for licensure.

volts. Testimony from IBEW Local 26, Community Electricians, the Maryland Chapter of the National Electrical Contractors Association (NECA), Aarow Electrical Solutions LLC, the Metropolitan Washington Council, AFL-CIO, and the Mid-Atlantic Pipe Trades and its United Association of Plumbers and Steamfitters Locals asked for this Council to not include the requirement of a low-voltage license in Bill 12-22.

As background, prior versions of the Maryland Electricians Act required the adoption of regulations for the licensing of low voltage electricians. That language read:

§ 6-104. If the State has not enacted legislation establishing a licensing program for individuals who provide or assist in providing low-voltage electrical services on or before July 1, 2024, the Department shall, on or before December 1, 2024, adopt regulations necessary for the regulation and licensing of low-voltage electricians.

This provision was ultimately struck from the bill before passage.

State law allows local jurisdictions to issue “limited electrician” or “low-voltage” licenses. DPS has advised Council Staff that whether this category of license is removed from Bill 12-22 or not, the safety concerns are minimal because a permit and subsequent inspection will still be required for any electrical work. All electrical work will still be subject to the National Electrical Code and all regulations adopted by the County.

A question was raised as to whether removing this language would mean that no license is required for low-voltage electrical services, or if it would mean a master electrician license from the State would be required. Under Bill 12-22, “no person may engage in the business of providing electrical services for compensation in the County unless properly licensed by the State Board of Electricians.” The Maryland Department of Labor website notes that the Maryland Electricians Act “[d]oes not apply to the low-voltage industry or the provision of limited energy services (they stay status-quo for the time being).”

Beginning July 1, 2021, the State Board of Electricians began accepting applications for apprentice and journeyman licenses, in addition to issuing master electrician licenses. The Maryland Electricians Act requires at least one licensed master electrician or journeyman electrician to be present at each job site in which electrical services are provided. However, the Maryland Electricians Act notes that “it is the intent of the General Assembly that Title 6 of the Business Occupations and Professions Article continue to be interpreted to not apply to the low-voltage industry or the provision of limited energy services.” Therefore, local jurisdictions are not preempted from issuing a “limited electrician” or “low voltage” license.

If the Council removes the low-voltage license requirements from Bill 12-22, the bill still requires state licensure to perform electrical services for compensation. Sec. 17-13(a) states: “Except as provided in subsection (c), no person may engage in the business of providing electrical services for compensation in the County unless properly licensed by the State Board of Electricians.” Section 17-13(b) states: “Except as provided in subsection (c), no person may provide low-voltage

electrical services in the County unless properly licensed by the State Board of Electricians.” Therefore, while the Maryland Electricians Act does not apply to low-voltage electrical services, County law would still require state licensure. In other words, even though the State does not require a license for low-voltage electrical services, the County would be requiring it. An effect of this is that contractors who under State law could have performed low-voltage electrical services without the State license would now need to meet that requirement.⁴ An alternative would be language that explicitly states that no licensure is required to perform low-voltage electrical services in the County.

2) *Expansion of homeowner exemption*

Council received a letter in support of Bill 12-22, that stated:

Allowing homeowners to perform electrical work under the supervision of the Department for Permitting Services, including the availability of inspections for such work, would encourage safe and informed home improvement work by homeowners. However, the current bill text further restricts homeowners to only allow work on branch circuits. I understand the desire to limit what work homeowners may perform, but I would also like to express my support for expanding this allowance to at minimum explicitly include Communications Systems or low voltage systems more generally.

Council Staff, in agreement with DPS, does not recommend this amendment. The current text of Bill 12-22 states:

Any person who installs, repairs, or maintains branch circuits as defined in the National Electric Code, in a detached single-family residence which that person or a member of the person’s immediate family owns, for the person’s or immediate family’s use, is not required to hold an electrical license, provided the electrical services are not performed for compensation. Before any electrical work is performed, the owner of the residence must apply to the Director for a permit if a permit is otherwise required by this Chapter.

This provision already allows a homeowner to conduct work on the wiring within their own home. As a safety precaution, both a permit and subsequent inspection are still required.

This packet contains:

| | |
|------------------------------|------|
| Bill 12-22, as introduced | © 1 |
| Bill 12-22, if amended | © 48 |
| Legislative Request Report | © 95 |
| County Executive Transmittal | © 96 |
| OCA Review of Bill | © 97 |
| Fiscal Impact Statement | © 98 |

⁴ To the best of Council Staff’s knowledge, this Council has not heard from any individuals or representatives who perform low-voltage electrical services. Council Staff has reached out to DPS to determine whether there are any organizations that represent these individuals in case the Committee or Council believe additional outreach is necessary.

| | |
|---|-------|
| Economic Impact Statement | © 100 |
| Racial Equity and Social Justice Impact Statement | © 106 |
| Written testimony | |
| William Yull | © 110 |
| Tom Clark | © 111 |
| Jason Ascher | © 112 |
| James Merriam | © 113 |
| Glenn Rivkees | © 114 |
| Déjah Désirée Williams | © 115 |
| Atticus Cosgrove | © 116 |

Bill No. 12-22
Concerning: Electricity – Board of
Electrical Examiners – Licenses –
Permit Requirements
Revised: 6/2/2022 Draft No. 1
Introduced: June 14, 2022
Expires: December 14, 2023
Enacted: [date]
Executive: [date signed]
Effective: [date takes effect]
Sunset Date: [date expires]
Ch. [#], Laws of Mont. Co. [year]

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the Request of the County Executive

AN ACT to:

- (1) amend the jurisdiction of the County Board of Appeals;
- (2) conform County law to the Maryland Electricians Act of 2021;
- (3) establish and authorize the issuance of a low-voltage electrician’s license;
- (4) authorize third-party plan review for photovoltaic system permitting; and
- (5) generally amend the County electricity law.

By amending

Montgomery County Code
Chapter 2, Administration
Section 2-112

Chapter 17, Electricity

Sections 17-1, 17-2, 17-3, 17-5, 17-6, 17-7, 17-8, 17-9, 17-10, 17-11, 17-12, 17-13, 17-14,
17-15, 17-16, 17-17, 17-18, 17-19, 17-20, 17-21, 17-22, 17-23, 17-24, 17-25, 17-26, 17-27,
17-28, 17-29, 17-30, 17-31, 17-32, 17-33, 17-35, 17-36, 17-37, and 17-38

Boldface

Heading or defined term.

Underlining

Added to existing law by original bill.

[Single boldface brackets]

Deleted from existing law by original bill.

Double underlining

Added by amendment.

[[Double boldface brackets]]

Deleted from existing law or the bill by amendment.

* * *

Existing law unaffected by bill.

The County Council for Montgomery County, Maryland approves the following Act:

- 19 (b) The provisions of this [chapter shall] Chapter do not apply to any
 20 electrical work or equipment installed by or for any electric company,
 21 telegraph or telephone company, where such electrical work or
 22 equipment is owned and maintained by such company and is an integral
 23 part of the plant or service used by such company in rendering its service
 24 to the public.
- 25 (c) The provisions of this [chapter shall] Chapter do not apply to installations
 26 in mines, ships or railway cars or to vehicular equipment.
- 27 (d) The provisions of this [chapter shall] Chapter do not apply to installations
 28 or equipment employed by the United States government.
- 29 (e) A permit is not required for any minor repair, as defined in this Chapter.

30 **17-2. Regulations.**

- 31 (a) The [director] Director may recommend [written] regulations for the
 32 administration of [the provisions of] this [chapter] Chapter, including a
 33 schedule of fees, and may, at [his] the Director's discretion, hold public
 34 hearings as part of this regulation-making process. Such regulations and
 35 amendments thereto [shall] must not conflict with nor waive any
 36 provisions of this [chapter] Chapter nor be less restrictive than its
 37 provisions and [shall] must be adopted [by the county executive] under
 38 [method] Method (2) of section 2A-15 of this Code.

39 (b) The [director shall] Director must hold a public [hearings] hearing, upon
40 adequate public notice, [with opportunity for full participation from
41 members of the board of electrical examiners and shall obtain the
42 recommendations of the board of electrical examiners prior to forwarding
43 his recommendations for] before proposing regulations setting forth the
44 standards and requirements for all installations of electrical equipment
45 within the [county] County. Such regulations [shall] must be based upon
46 a designated edition of the National Electrical Code and local
47 amendments thereto, including but not limited to those for the installation
48 of fire alarm systems. Such regulations and amendments [thereto shall]
49 must be adopted [by the county executive] under method (2) of section
50 2A-15 of this Code.

51 **17-3. Adoption of basic electrical code.**

52 All electrical installations and equipment [shall] must meet the standards and
53 requirements set forth in [accordance with procedures established in] section 17-2 of
54 this [chapter] Chapter. The edition of the National Electrical Code and any local
55 amendments thereto, which are adopted in accordance with procedures established in
56 section 17-2 of this [chapter] Chapter[, shall be] are known as the basic electrical code
57 for the [county] County.

58 **17-4. Administration and enforcement of chapter.**

59 This Chapter is administered and enforced by the Department of Permitting
60 Services.

61 **17-5. Right of entry of departmental personnel.**

62 The [director or his authorized representative] Director, upon exhibiting proper
63 credentials or proof of identity on request, [shall have the right to] may enter any non-
64 residential building, structure or premises, [except private residences,] without consent
65 of the occupants, at any time during business or operating hours, and at such other
66 times as may be necessary in an emergency that immediately endangers life, property
67 or public safety, for the purpose of performing duties under this [chapter] Chapter or
68 enforcing the provisions thereof. In the case of [multiple] multi-family dwellings, the
69 [director or his authorized representatives shall have the right to] Director may enter
70 without consent only those spaces to which the public is ordinarily admitted, such as
71 hallways, basements and similar spaces; provided, however, [that such authorities] the
72 Director may enter any private residence or dwelling for the purpose of enforcing this
73 [chapter] Chapter with the consent of the occupant thereof, or without such consent if
74 [they shall] the Director first [obtain] obtains a search warrant in accordance with
75 prescribed legal procedures, or if there is a present emergency such as a fire, explosion
76 or the like, or immediately following such emergency.

77 **17-6. Unlawful maintenance of installations.**

78 [In the case of any electrical installation for which] When a permit is required
 79 under this [chapter] Chapter, it [shall be] is unlawful for any person to maintain or
 80 allow to be maintained [such] an electrical installation without a permit [if it does not
 81 conform to the requirements hereof].

82 **17-7. Notice of electrical requirements to purchasers of air conditioners and**
 83 **major appliances.**

84 (a) It [shall be] is unlawful for any person in the business of selling air
 85 conditioners [and/or] or major appliances[, as defined herein,] to sell or
 86 offer these items for sale without attaching to each item or its sealed
 87 carton when sold in this manner so as to be readily observable by all
 88 purchasers, written notice of the electrical wiring requirements of each,
 89 all in conformity with standards of this electrical code.

90 (b) It [shall be] is unlawful for any person who engaged in such sales to fail
 91 to display at a prominent location on the premises of such sales the wiring
 92 requirement for such appliances as set forth in this chapter.

93 **17-8. Penalty for violations of chapter; injunctive action.**

94 [Any] A person has committed a Class A violation if the person violates [of]
 95 any [provisions] provision of this [chapter] Chapter or [regulations] any regulation
 96 promulgated hereunder [shall be punished as a Class A violation as set forth in section

97 1-19 of chapter 1 of the County Code]. Each day a violation continues to exist [shall
98 constitute] constitutes a separate offense.

99 **17-9. Emergency disconnections.**

100 In cases of emergency where any electrical equipment, whether installed before
101 or after the enactment of this [chapter] Chapter, is an immediate threat to the safety of
102 persons or property, or where it may interfere with the fire protection service of any
103 fire department in the [county] County, the [director shall have authority to] Director
104 may disconnect [cause such] the electrical equipment [to be disconnected] immediately
105 and without notice to the owner thereof.

106 **17-10. Fees.**

107 [Prior to the issuance of any] Before the Department issues a permit or license
108 as provided for in this [chapter] Chapter, the applicant [therefore shall] must pay to the
109 [county] County a fee in accordance with the schedule of fees established, and revised
110 from time to time, by the [county executive] County Executive, in an amount not to
111 exceed the cost of administering and enforcing [the chapter] this Chapter.

112 **17-11. Definitions.**

113 As used in this Chapter, the following words and phrases have the following
114 meanings:

115 [*Apprentice electrician*: A person at least sixteen (16) years of age who is
116 employed by an electrical contractor to work under the supervision of a master and/or

117 journeyman electrician and who has been issued an apprentice identification card by
118 the Department.]

119 [*Board*: The term "board" shall mean the board of electrical examiners created
120 by this Chapter.]

121 [*Business license*: The license granted by the County which authorizes the
122 licensee to engage in business as an electrical contractor in the County.]

123 *Department*[: The] means the Department of Permitting Services.

124 *Director*[: The] means the Director of the Department of Permitting Services,
125 or the Director's designee.

126 [*Electrical contractor*: A person, firm, company, corporation or partnership
127 principally engaged in the business of installing, repairing, maintaining, erecting and
128 designing electrical wiring, equipment, apparatus and systems designed for using or
129 conducting electrical current and coming within the purview of the electrical code, to
130 whom a valid business license has been issued.]

131 *Electrical equipment*[: The term "electrical equipment" shall include] includes
132 electrical conductors, raceways, wiring fittings, devices, appliances, fixtures,
133 apparatus, and any other equipment coming within the purview of the electrical code
134 of the County.

135 *Electrical code*[: The term "electrical code" shall include the electrical code of
 136 the County, which includes] means the designated edition of the National Electrical
 137 Code as adopted and amended [pursuant to] under this Chapter.

138 *Electrical services* means the definition given to “provide electrical services”
 139 by Section 6-101 of the Business Occupations and Professions Article of the Annotated
 140 Code of Maryland, as amended. The term “electrical services” does not include low-
 141 voltage electrical services.

142 [Engaged in business: A person, firm, company, corporation or partnership
 143 holding itself out to the public to furnish, install, repair or maintain under verbal or
 144 written contract, electrical equipment. One so engaged shall be considered an electrical
 145 contractor requiring a business license under this Chapter. Such a contractor, if licensed
 146 as a master electrician or master electrician limited, may perform such work himself
 147 or it may be performed by one or more of his employees under such supervision as
 148 may be required by the electrical code.]

149 *Install, repair or maintain*[: The term "install, repair or maintain" shall include]
 150 includes all installations, repairs or maintenance of any or all electrical equipment or
 151 circuits, or any parts thereof, including new work, alterations, renewals or extensions
 152 coming within the purview of this Chapter and the electrical code.

153 *Inspector*[: The term "inspector" shall mean] means an authorized agent of the
 154 [department] Department.

155 [Journeyman electrician: A person licensed by Montgomery County as qualified
156 to install, repair, maintain and erect electrical wiring, equipment, apparatus and
157 systems, within the purview of the electrical code of the County, including but not
158 limited to, electrical raceways, conductors, fixtures, signs, motors, switchgears and
159 distribution systems, fixed electric heating systems or any other fixed or stationary
160 electrical equipment or apparatus which conducts or consumes electricity, all such
161 activity being performed while under the direction and supervision of a master
162 electrician.]

163 [Licensee: The term "licensee" shall mean any person, firm, company,
164 corporation or partnership to whom a license has been issued hereunder.]

165 Low-voltage electrical services means the installation, repair or maintenance of
166 electrical equipment, circuits, or systems, or any parts thereof, designed to operate at
167 or below 50 volts. Low-voltage electrical systems include fire alarm systems, cable tv
168 systems, telephone systems, audio/video systems, computer network wiring and all
169 other systems operating at or below 50 volts.

170 Major appliance[:] means [Laundry] laundry or kitchen appliances which are
171 permanently connected or occupy fifty (50) percent or more of the circuit.

172 [Master electrician: A person licensed by the County as qualified to install,
173 repair, maintain and erect electrical wiring, equipment, apparatus and systems, within
174 the purview of the electrical code of the County, including, but not limited to, electrical

175 raceways, conductors, fixtures, signs, motors, switchgears and distribution systems,
176 fixed electrical heating systems or any other fixed or stationary electrical equipment or
177 apparatus which conducts or consumes electricity.]

178 [Master electrician limited: A person licensed by the County as qualified to
179 install, repair and maintain a particular appliance, apparatus, device or fixture within
180 the purview of the Montgomery County electrical code and limited to a branch circuit
181 or feeder for elevators; gasoline pumps; automatic heating furnaces whose principal
182 operation is derived from fuel oil, gas, steam, solar panels or coal; lighting fixtures;
183 refrigeration and air conditioning equipment; illuminated signs and similar specialties;
184 or limited to equipment for a plant, factor, apartment complex or any other public
185 occupancy employing maintenance forces; fire alarm systems and electronic
186 equipment; or major appliances; all employing the use of the electrical current or
187 connections and such other classes designated in accordance with Section 17-22 of this
188 Chapter.]

189 Minor repair means the repair of portable electrical equipment or lighting
190 fixtures, the repair or replacement of receptacles, snap switches, or plugs with a rating
191 up to 20 amperes and 120 volts, or other minor repairs at existing outlets, or the repair
192 or replacement of motors with a rating 1/3 hp or less and 120 volts.

193 National Electrical Code: The currently designed] means the edition of the
194 National Electrical Code published by the National Fire Protection Association as [set

195 forth in regulations] adopted [by the County Executive and approved by the County
196 Council pursuant to provisions of] under this Chapter[, including appendices there
197 adopted by the National Fire Protection Association at annual meetings].

198 **17-12. Appeals.**

199 (a) (1) Any denial, revocation, or suspension of a low-voltage electrician
200 license may be appealed to the County Board of Appeals by the
201 applicant not later than ten (10) days after such notice is personally
202 served or received. Receipt by certified mail is presumed to be
203 complete on the third day after mailing.

204 (2) Any person aggrieved by the issuance, denial, renewal,
205 amendment, suspension, or revocation of a permit, or the issuance
206 or revocation of a stop work order, under this Chapter may appeal
207 to the County Board of Appeals within 30 days after the permit is
208 issued, denied, renewed, amended, suspended, or revoked or the
209 stop work order is issued or revoked. A person may not appeal any
210 other order of the Department and may not appeal an amendment
211 of a permit if the amendment does not make a material change to
212 the original permit. A person must not contest the validity of the
213 original permit in an appeal of an amendment or a stop work order.

214 (b) After notice and hearing, the Board may affirm, remand, modify, or
 215 reverse the action of the Department.

216 (c) Any party may seek judicial review of a decision of the Board under
 217 Section 2-114.

218 **[ARTICLE II. BOARD OF ELECTRICAL EXAMINERS.]**

219 **[Sec. 17-12. Created; composition.**

220 The County Executive must appoint, subject to confirmation by the Council, a
 221 Board of Electrical Examiners, composed of 5 voting members, who must be residents
 222 of the County.

223 (a) One member must hold a County master electrician’s license.

224 (b) Two members must be when appointed, or must have had previous
 225 experience as, an electrical contractor, electrical contractor limited, or
 226 must otherwise be technically qualified in electricity.

227 (c) One member must represent the general public.

228 (d) One member must be a professional engineer, licensed in Maryland and
 229 experienced in electrical engineering.

230 (e) The Executive may appoint a person who does not have any required
 231 professional qualifications under subsections (a), (b), or (d), but who is
 232 otherwise technically qualified to assess proficiency in electricity.

233 (f) The Director may designate one or more Department employees as ex
 234 officio, nonvoting members to promote coordination with the
 235 Department's fire inspection and prevention and electrical inspection
 236 activities.

237 (g) The Executive must designate one member of the Board as chair. If the
 238 Executive does not designate a chair, the Board must elect its own chair.
 239 The Board must select a vice- chair and any other officer it finds
 240 necessary. The vice-chair must assume the duties of the chair when the
 241 chair is absent.]

242 **[Sec. 17-13. Appointment and terms of members.**

243 Members of the board are appointed by the county executive, subject to the
 244 confirmation of the council, for 3-year terms, except that any member appointed to fill
 245 a vacancy occurring before the expiration of a term is appointed for the remainder of
 246 that term.]

247 **[Sec. 17-14. Reserved.]**

248 **[Sec. 17-15. Staff.**

249 The county executive shall make available to the board such services and
 250 facilities of the county as are necessary or appropriate for the proper performance of
 251 its duties, and the county attorney shall serve as counsel to the board.]

252 **[Sec. 17-16. Duties.**

253 (a) The board shall advise the director on the issuance of licenses for
 254 journeyman electricians, master electricians and master electricians
 255 limited and shall ascertain by appropriate examination the qualifications
 256 and capabilities of all persons who desire such licenses.

257 (b) In the case of examinations, the board shall have the authority to consult
 258 or obtain the services of a recognized expert in the field to prepare said
 259 examinations.

260 (c) The board shall advise the county executive on the adoption of proposed
 261 rules and regulations to govern the placement, installation and operation
 262 of electrical conductors, appliances, apparatus or construction upon or
 263 about buildings and structures of all types throughout the county.]

264 **[Sec. 17-17. Reciprocity.**

265 The board of electrical examiners shall certify to the director any applicant as
 266 qualified to be licensed, without examination by the board, if such applicant is
 267 currently licensed in another jurisdiction, which jurisdiction has examinations and
 268 qualification procedures which have been found by the board to be equivalent to those
 269 required for licensing in the county and which grants similar reciprocity to
 270 Montgomery County licensees.]

271 **ARTICLE [III] II. LICENSES.**

272 **[17-18] 17-13. Applicability of [article] Article; exceptions.**

273 [(a)] The [licensing] requirements of this Article apply [only] to all electrical
274 work covered by this Chapter, as specified in Section 17-1. [Each licensee must
275 perform all] All electrical work must be performed as required by this Chapter and the
276 electrical code and regulations adopted under it.

277 [(b)] Any person who installs, repairs, or maintains electrical equipment, in a
278 detached single-family residence which that person or a member of the
279 person's immediate family owns, for the person's or immediate family's
280 use, [need not obtain] a required to hold an electrical license under this
281 Article. Before any electrical work is performed under this subsection,
282 the owner of the residence must apply to the Director for a permit if a
283 permit is otherwise required by this Chapter.]

284 [(c)] Before issuing a permit under this subsection, the Director must require
285 the person who will perform the work to show that he or she is qualified
286 to perform the proposed electrical work in a capable manner so as not to
287 endanger the life and property of occupants or neighbors, or property
288 belonging to any public utility. If the Director finds that the designated
289 person is qualified to perform the proposed electrical work, the Director
290 must issue a permit for that work, subject to compliance with all
291 otherwise applicable requirements of this Chapter.]

292 [(d)] A permit is not required for any minor repair, as defined in this Chapter.]

293 **[17-19] 17-14. [Business licenses.] License required.**

294 (a) [It shall be unlawful for any person, firm, company, corporation or
295 partnership engaged in business as an electrical contractor to install,
296 repair or maintain any electrical circuit, electrical equipment or electrical
297 apparatus unless such person, firm, company, corporation or partnership
298 shall have first been granted by County a business license, entitling the
299 licensee to perform such work.] Except as provided in subsection (c), no
300 person may engage in the business of providing electrical services for
301 compensation in the County unless properly licensed by the State Board
302 of Electricians.

303 (b) [All installations, repairs, maintenance or other work done under a
304 business license issued pursuant to this Chapter shall be by, or under the
305 ultimate supervision of, the master electrician or master electrician
306 limited regularly and principally employed by said licensee and
307 designated on such business license as responsible for the work
308 performed thereunder whose active status, in accordance with Section 17-
309 25, has been certified by the Board. For the purpose of this Subsection,
310 the words "regularly and principally employed" shall mean that the
311 master electrician or the master electrician limited shall be available to
312 supervise the installation whenever such work is being performed by any

313 electrician under his supervision for whose work he is responsible and
314 that he is not employed by more than 3 licensees at one time. Non-
315 availability on the job for more than a two-hour period of any master
316 electrician, or master electrician limited, to supervise the performance of
317 any electrical work performed under the authority of an electrical permit
318 issued to him shall be cause for the suspension or revocation of this
319 license.] Except as provided in subsection (c), no person may provide
320 low-voltage electrical services in the County unless properly licensed by
321 the State Board of Electricians or the person holds a low-voltage electrical
322 license issued by the Director.

323 (c) [Nothing herein shall limit an electrical contractor from having more than
324 one master electrician or master electrician limited in his employ.] Any
325 person who installs, repairs, or maintains branch circuits as defined in the
326 National Electric Code, in a detached single-family residence which that
327 person or a member of the person's immediate family owns, for the
328 person's or immediate family's use, is not required to hold an electrical
329 license, provided the electrical services are not performed for
330 compensation. Before any electrical work is performed, the owner of the
331 residence must apply to the Director for a permit if a permit is otherwise
332 required by this Chapter.

333 [(d) An applicant for a business license shall furnish, on a form approved by
334 the Director, complete identification of the business, including principals,
335 partners or affiliated corporations; references; criminal violations or civil
336 judgments entered or causes of action pending against the business; name
337 and license number of the supervising master electrician or master
338 electrician limited and such other information as may be required as to
339 character references and financial responsibility.]

340 [(e) An applicant for a business license shall furnish a certificate from an
341 insurance company qualified to do business in the State of Maryland of
342 public liability insurance in the amount of three hundred thousand dollars
343 (\$300,000.00) coverage for death or personal injury of one (1) or more
344 individuals, and three hundred thousand dollars (\$300,000.00) coverage
345 for property damage, which insurance shall provide coverage for work
346 done under any permit issued hereunder by the County and shall include
347 coverage for both premises operations and completed operations. Such
348 liability insurance shall state that the coverage therein provided for shall
349 remain in full force and effect until thirty (30) days following the date
350 written notice of cancellation or failure to renew is given by the insurance
351 carrier or its authorized agent to the County, and any certificate of

352 insurance furnished pursuant to this Section shall provide for such
 353 coverage.]

354 [(f) Subject to the provisions contained in Section 17-24, each license and
 355 renewal of same shall be in force and effect only as long as the insurance
 356 certificates that have been filed with the Board, in accordance with the
 357 provisions of this Section, shall remain in full force and effect. Every such
 358 license or renewal of same shall become void and of no effect should any
 359 such insurance contract become inoperative, ineffective or canceled,
 360 regardless of the regular date of expiration of said license.]

361 [(g) It shall be the joint and several responsibility of the contractor and the
 362 master electrician responsible for any electrical construction to cause at
 363 least one (1) licensed County master or journeyman electrician to be
 364 present on every job site at all times when any work is being performed.
 365 If there are one (1) or more persons on the job site performing electrical
 366 work, the contractor and/or the master electrician must provide at least
 367 one (1) licensed master or journeyman electrician on the job site for every
 368 three (3) or less unlicensed persons performing electrical work.]

369 **[17-20] 17-15. [Electricians' licenses.] Low-voltage Electrician License.**

370 (a) There [shall be three (3) classes of] is a [electricians' licenses:

371 (1) Master electrician;

- 372 (2) Master electrician limited; and
- 373 (3) Journeyman electrician.] low-voltage
- 374 electricians' license.
- 375 (b) Before the [department shall] Director may issue or renew [an] a low-
- 376 voltage electrician's license, [it shall] the Director must require the
- 377 applicant to:
- 378 (1) [Provide it] provide the Director with such current information as
- 379 [it] the Director must require as to character references, experience,
- 380 education and training in or related to the construction,
- 381 maintenance, installation or repair of [all types] of low-voltage
- 382 electrical equipment and apparatus[, or in the case of an application
- 383 for a limited license, such information as it relates to the particular
- 384 type of installation applied for];
- 385 (2) [As determined by the Board, pass a written or oral examination
- 386 conducted by the Board predicated upon the standards of the
- 387 Montgomery County electrical code and rules and regulations
- 388 adopted pursuant thereto] provide proof of eligibility for a low-
- 389 voltage electrician license;
- 390 (3) provide a certificate from an insurance company qualified to do
- 391 business in the State of Maryland of public liability insurance in

392 the amount of three hundred thousand dollars (\$300,000.00)
 393 coverage for death or personal injury of one (1) or more
 394 individuals, and three hundred thousand dollars (\$300,000.00)
 395 coverage for property damage, which insurance must provide
 396 coverage for work done under any permit issued hereunder by the
 397 County and must include coverage for both premises operations
 398 and completed operations. Such liability insurance must state that
 399 the coverage therein provided will remain in full force and effect
 400 until thirty (30) days following the date written notice of
 401 cancellation or failure to renew is given by the insurance carrier or
 402 its authorized agent to the County, and any certificate of insurance
 403 furnished under this Section must provide for such coverage; and
 404 (4) [Pay] pay to the County, at the time of filing the application, a
 405 nonrefundable fee in the amount as set forth in regulation
 406 promulgated pursuant to this Chapter.

407 (c) [If the Board requests, the Director must investigate the character,
 408 experience, training and education of an electrician's license applicant
 409 and provide the results of the investigation to the Board.] Before a low-
 410 voltage electrician license is issued, the Director must obtain from
 411 reliable sources the applicant's record of compliance with state and

412 County laws and record of complaint actions with the Office of Consumer
 413 Protection and the State Attorney General’s Consumer Protection
 414 Division.

415 (d) [It shall be the duty of the Board to certify to the Director within sixty
 416 (60) days after the date of the applicant’s examination whether the
 417 applicant is qualified for the license applied for, on the basis of said
 418 examination and the information provided it by the Director.]

419 [(e) In the case of applications for renewals] When an applicant requests the
 420 renewal of an existing County low-voltage electrician’s license, [it shall
 421 be the duty of] the Director [to] must withhold issuance of such license
 422 upon a finding [by the Board] that [said] the licensee has committed acts
 423 which are in violation of the provisions of this Chapter[, as set forth in
 424 Section 17-28]. A license or renewal may be withheld if the applicant [or
 425 its predecessor] is found to have committed a deceptive or
 426 unconscionable trade practice in violation of Chapter 11, Section 11-4, of
 427 the Montgomery County Code, as amended.

428 [(f)] (e) All application approvals or denials [of said applications shall] must be
 429 personally served or mailed by certified mail to the address on the
 430 application. [Any denial may be appealed to the County Board of Appeals

431 by the applicant not later than ten (10) days after such notice is personally
 432 served or received.]

433 [(g) If an applicant for any license or examination has been employed by the
 434 federal, state or local government in a military or nonmilitary capacity,
 435 the applicant may submit to the Board of Electrical Examiners an
 436 affidavit from the section chief or division chief to whom the applicant
 437 was directly responsible, specifying:

- 438 (1) The section or division chief's qualifications in the field of
 439 electrical construction, and any licenses he may hold pertinent
 440 thereto;
- 441 (2) The grade and title of the section or division chief, and the grade
 442 and title of the applicant;
- 443 (3) The official job description of the applicant's position(s);
- 444 (4) The time in this position(s); and
- 445 (5) A specific description of the type of work performed by the
 446 applicant and the time periods thereof.

447 The board of electrical examiners shall review the information supplied
 448 by the applicant as to training and experience and shall determine its credibility and
 449 may allow up to a maximum of four (4) years' experience toward the requirements set
 450 forth in this Chapter for the examination applied for. For the purposes of this section,

451 a "sworn statement" shall mean any statement which the maker thereof certifies as
 452 being true to the best of his information, knowledge and belief, under the penalties of
 453 perjury.]

454 **[17-21] 17-16. Eligibility for [examination-Master] Low-voltage electrician**
 455 **license.**

456 (a) Any person who desires to [install, repair, maintain or erect electrical
 457 equipment as a master electrician] perform low-voltage electrical
 458 services, as defined by the [chapter] Chapter, may at any time make
 459 application to the [director to be examined and the director shall] Director
 460 who must provide the applicant with the prescribed forms.

461 (b) An applicant for [examination for] a [master] low-voltage electrician
 462 license [shall] must:

463 (1) hold a Master Electrician license issued by the State Board of
 464 Electricians;

465 (2) hold a current Master Electrician or Master Electrician Limited
 466 license issued by the Director; or

467 (3) have been regularly and principally employed or engaged in
 468 performing low-voltage electrical [construction, maintenance,
 469 installation and repair of all types of electrical equipment and
 470 apparatus, all coming within the purview of and subject to all

471 provisions of] services, as defined by this [chapter] Chapter, for a
 472 period of not less than [~~eight (8)~~] four (4) years preceding the date
 473 of [his] the application, under the directions and supervision of a
 474 master electrician, and pass the current version of the International
 475 Code Council's low-voltage electrician Exam G21 with a grade
 476 constituting at least seventy (70) percent of the total possible point
 477 credits in the examination. [The board may credit maximum of
 478 four (4) years of formal course study or training in electrical
 479 installation completed at a trade school or other educational
 480 institution which in the opinion of the board provided comparable
 481 experience and training otherwise attainable under the supervision
 482 of a master electrician or while employed by a government
 483 agency.]

484 **[Sec. 17-22. Same-Master electrician limited.**

485 (a) Any person who desires to install, repair, maintain or erect electrical
 486 equipment as a master electrician limited, as defined in this chapter, may at any time
 487 make application to the director to be examined and the director shall provide the
 488 applicant with the prescribed forms.

489 (b) An applicant may be licensed hereunder for a particular type of electrical
 490 installation or may be licensed for all types or as many types of limited electrical

491 installations as defined herein and for which he shall be found qualified by the board.
492 He shall have been regularly and principally employed for four (4) years preceding
493 application in the area of limitation, under the direction of a master electrician, or
494 master electrician limited, where the limitation is in the same area as requested. The
495 type of limited licenses shall be set forth in regulations adopted under method (3) of
496 section 2A-15 of this Code by the county executive upon recommendation of the board.
497 Particular license classifications shall include, without limiting, licenses for electrical
498 connections and circuits to air conditioning, elevators, gasoline pumps, automatic
499 heating furnaces whose principal operation is derived from fuel oil, gas, steam, solar
500 panels, or coal, lighting, illuminated signs, and similar specialties, and electrical repair
501 and maintenance work, in plants, factories, apartment complexes and any public
502 occupancy employing maintenance forces, fire alarm systems and electronic
503 equipment, or major appliances, all employing the use of electrical current or
504 connections. The conditions of the license shall appear plainly on the license.

505 (c) Those persons who are employed by a plant, factory, apartment,
506 condominium, office building or other facility employing maintenance personnel are
507 encouraged to obtain a master electrician's limited license for maintenance in order to
508 be able to obtain permits for electrical maintenance work. In addition to the
509 requirements in section 17-22(a) and (b), the owner or agent for the building or

510 buildings must certify that the applicant is a full-time employee and is covered by
511 liability insurance in the amount established by section 17-19(c).]

512 **[Sec. 17-23. Same-Journeyman electrician.**

513 (a) Any person who desires to install, repair, maintain or erect electrical
514 equipment as a journeyman electrician, as defined by this chapter, may at any time
515 make application to the director to be examined; and the director shall provide the
516 applicant with the prescribed forms.

517 (b) An applicant for examination for a journeyman electrician license shall
518 have been regularly and principally employed or engaged in electrical construction,
519 maintenance, installation and repair of all types of electrical equipment and apparatus,
520 all coming

521 within the purview of and subject to all provisions of this chapter, for a period
522 of not less than four (4) years preceding the date of his application, under the
523 supervision of a master electrician.]

524 **[Sec. 17-24. Examinations.**

525 (a) The written and/or oral examination conducted by the board for either the
526 master electricians', master electricians' limited, or journeyman electricians' license
527 shall be based upon standards of the county electrical code.

528 (b) In order to qualify as having passed said examination, the applicant shall
 529 receive a grade constituting at least seventy (70) percent of the total possible point
 530 credits in the examination.

531 (c) The use of any unauthorized material or other misbehavior by an
 532 applicant during his examination shall cause the immediate rejection of his application
 533 and bar him from reexamination for six (6) months.

534 (d) Examination periods shall be held at least six (6) times each year at
 535 intervals of not greater than two (2) months. Written notice of the date, hour and place
 536 of examination shall be mailed to each eligible applicant at least ten (10) days prior to
 537 the date of the examination.

538 (e) Any applicant who fails to pass any examination or re-examination may
 539 take a re-examination. The applicant must apply to the director for re-examination and
 540 pay a fee determined by Executive regulation.

541 (f) All written examinations and applicant records pertaining thereto shall be
 542 stored under secured conditions within the department and shall be available for
 543 inspection upon request made to the board by an applicant for a period of six (6) months
 544 after the date of the examination.]

545 **[17-25] 17-17. Term of [licenses] low-voltage electrician license; renewal.**

546 (a) [All licenses issued under this Chapter after the effective date of this
 547 legislation shall be] A low-voltage electrician license is valid for two (2)

548 years from the date of issuance and may be renewed upon application to
549 the Director. Applicants for licenses and renewals [thereof shall pay to
550 the County a fee for a business license, master electrician's license,
551 master electrician's limited license and journeyman electrician's license]
552 must pay a fee as provided for by regulations adopted under method (3)
553 of Section 2A-15 of this Code by the County Executive.

554 (b) [No person, firm, company, corporation, partnership, owner, lessee or
555 agent shall be denied the privilege of continuing a contracting business
556 or maintenance or repair work in the event of death, illness or other
557 physical disability of the master electrician or master electrician limited
558 who qualified the person, firm, company, corporation or partnership for
559 such license, for a period not exceeding one hundred twenty (120) days
560 following the date of such death, illness or physical disability, provided
561 said business, maintenance or repair work is conducted under such
562 qualified supervision as the board deems adequate; and provided that all
563 requirements concerning bonds and business insurance are first complied
564 with and the department is notified promptly by the licensee upon such
565 death, illness or physical disability.]

566 [(c) A person, firm, company, corporation or partnership shall be allowed to
567 continue a business or to perform maintenance and repair work for a

568 period not exceeding ninety (90) days should the master electrician or
 569 master electrician limited who qualified the person, firm, company,
 570 corporation or partnership for such license terminate his services
 571 therefrom, provided such business, maintenance or repair work is
 572 conducted under such qualified supervision as the Board deems adequate
 573 and provided that both of the following requirements are met:

- 574 (1) Insurance requirements are complied with;
- 575 (2) The master electrician or master electrician limited who qualified
 576 the person, firm, company, corporation or partnership shall notify
 577 the Board in writing within five (5) days after terminating his
 578 services therewith; and the person, firm, company, corporation or
 579 partnership also shall notify the Board in writing within five (5)
 580 days after the master electrician or master electrician limited has
 581 terminated his services.]

582 [(d) No] A license issued under this Chapter [shall] may not be assigned or
 583 transferred.

584 [(e)] (c) [No] A license [shall] must not be renewed [for any person, firm,
 585 company, corporation or partnership] until all of the requirements of this
 586 Chapter have been complied with.

587 [(f) Subject to provisions in Section 17-28 of this Chapter, the Department
 588 may renew licenses under this Chapter to any applicant who at the
 589 effective date of this Chapter held an existing County electrical
 590 contractor’s license or electrical contractor’s limited license.]

591 [(g)] (d) Late renewals for [all classes of] a low-voltage electrical [licenses]
 592 license must be accepted without late filing fee for 10 days after the
 593 expiration date. If the County receives an application for renewal within
 594 6 months after a license expires, the license [must] may be renewed upon
 595 payment of a late filing fee [set by the Director of Permitting Services].
 596 A renewal application received more than 6 months after an expiration
 597 date must not be accepted.

598 **[17-26] 17-18. Display; duplicates.**

599 (a) All holders of licenses issued by the State Board of Electricians and under
 600 this [chapter] Chapter [shall] must display the license in a prominent
 601 place at their business location and upon demand [shall] must give the
 602 number of the license to any [inspector of the department] Inspector.

603 (b) [All holders of master electrician, master electrician limited and
 604 journeyman electrician licenses shall have identification cards issued by
 605 the department in their possession at all times while performing electrical

606 work within the county and shall display same, upon request, to
 607 authorized department personnel.]

608 [(c)] If a low-voltage electrician license issued under this Chapter is lost,
 609 defaced or destroyed, a licensee in good standing may obtain a duplicate
 610 upon filing an application to the [director] Director and payment of the
 611 cost of replacement.

612 **[Sec. 17-27. Apprentice identification card.**

613 (a) Any person who desires to be registered with the county as being engaged
 614 in a program of apprenticeship in connection with his employment with
 615 a licensed electrical contractor, as defined by this chapter, may at any
 616 time make application to the director on forms provided by the
 617 department.

618 (b) The department, upon payment of a nonrefundable fee as set forth in
 619 regulations promulgated pursuant to this chapter, shall issue to the
 620 applicant an apprentice identification card, renewable annually, and shall
 621 require that records be kept regarding the nature of the electrical work
 622 being performed by the apprentice electrician.]

623 **[17-28] 17-19. Revocation or suspension of low-voltage electrician [licenses;**
 624 **appeals] license.**

625 [(a)] The [director] Director may suspend, revoke or refuse to renew [any] a
626 low-voltage electrician license if the holder has secured such license by
627 misrepresentation; has failed to correct violations of any provisions of the electrical
628 code and laws of the county or State of Maryland; failed to maintain the qualifications
629 required by this subtitle; demonstrated a lack of competence inconsistent with retention
630 of the license; engaged in fraudulent business activities or in misleadingly advertising
631 products or services; has been found to have committed as deceptive or unconscionable
632 trade practice in violation of chapter 11, section 11-4, of the Montgomery County
633 Code, as amended; violated the provisions of this chapter requiring permits; committed
634 an act of gross negligence or condoned such an act by an employee; or permitted any
635 unlicensed or unauthorized person, firm, company, corporation or partnership to obtain
636 a [certificate card or] permit or perform low-voltage electrical [work] services under
637 the authority of [his] the holder's license[]; or if where applicable, the holder of a
638 business license failed to notify any person employed by said licensee for more than
639 one (1) week of his right to secure an apprentice identification card pursuant to
640 provisions set forth in section 17-27; or if the holder of a master electrician or master
641 electrician limited license has failed to be available to supervise electrical work in
642 accordance with section 17-19(b) of this chapter. In the case of electricians' licenses,
643 the director shall obtain the concurrence of the board before proceeding with such

644 actions. In the case of business licenses, the director shall consider the advice and
645 recommendations of the board, if any].

646 [(b) Before recommending the revocation or suspension of an existing
647 electrician's license or the disapproval of any application to renew such license, the
648 board shall afford the licensee an opportunity for a hearing before the board to show
649 cause why the license should not be suspended or revoked or renewal denied. The
650 board shall give at least ten (10) days' written notice to the licensee by certified mail
651 or personal service at the last address on file with the director and such notice shall
652 state the complaint and alleged violation.]

653 [(c) The board may require at any time that a master electrician, master
654 electrician limited or journeyman electrician be reexamined for good cause and if such
655 licensee fails to pass the reexamination, his license or licenses may be revoked. A
656 person whose electrician's license has been revoked in this manner shall become
657 eligible after ninety (90) days has elapsed from the date of revocation to apply for a
658 new license. Such application shall be considered a new application and shall be
659 submitted pursuant to the provisions of this chapter.]

660 [(d) Any person, firm, company, corporation or partnership to whom a license
661 has been denied or whose license has been revoked or suspended or any such person,
662 firm, company, corporation or partnership who believes himself aggrieved by any
663 action of the board or director may appeal to the county board of appeals by filing a

664 notice of such appeal to the county board of appeals by filing a notice of such appeal
 665 with the clerk of the appeals board within ten (10) days from the date of receipt of
 666 notice of the action of the board or director. Notice of action of the board or director
 667 shall be personally served or be mailed by certified mail to the last address on file with
 668 the board.]

669 **ARTICLE [IV] III. PERMITS.**

670 **[17-29] 17-20. General requirements.**

671 (a) *Required.* Except as provided in section 17-1 of this [chapter] Chapter,
 672 no electrical equipment which is subject to the provisions of this [chapter]
 673 Chapter [shall] may be installed, repaired or maintained until a permit
 674 therefor has been issued by the [department] Department.

675 (b) *Application generally.* Except as provided in subsection (c), [All] all
 676 applications for permits [shall] must be in writing and in such form as
 677 may be prescribed by the [department] Department. All applications
 678 [shall] must be signed by a master electrician licensed by the State Board
 679 of Electricians or [master] a low-voltage electrician [limited] licensed
 680 under this Chapter, except those signed by homeowners [pursuant to]
 681 under section 17-13(c) [and those signed by an officer of the company
 682 pursuant to section 17-25(b) and (c)]. Each application [shall] must
 683 describe the work to be done and the location thereof and [shall] must be

684 accompanied by such plans, specifications and schedules as [shall] may
685 be necessary to determine whether the installation [will be in conformity]
686 conforms with the provisions of this [chapter] Chapter and, if necessary,
687 the provisions of [chapter] Chapter 8 of this Code.

688 (c) Application for installation of photovoltaic systems. The Director may
689 accept reports and recommendations from qualified and approved
690 photovoltaic system plan review service providers that have
691 demonstrated that the photovoltaic system plans reviewed reliably
692 conform to all requirements of this Chapter. Under this subsection,
693 photovoltaic system includes or incorporates one or more of the
694 following: photovoltaic panels, energy storage, or residential electric
695 vehicle charging systems, and any of their related systems or components.

696 (d) Action on application. The Director must examine or cause to be
697 examined each application, or report and recommendation, for an
698 electrical permit or an amendment to a permit within a reasonable time
699 after the application is filed. If the application or the plans do not conform
700 to all requirements of this Chapter, the Director must reject the
701 application in writing and specify the reasons for rejecting it. If the
702 proposed work conforms to all requirements of this Chapter and all other
703 applicable laws and regulations, the Director must issue a permit for the

704 work as soon as practicable. Before issuing a permit, the person who will
705 perform the work must demonstrate that he or she is qualified to perform
706 the proposed electrical work in a capable manner so as not to endanger
707 the life and property of occupants or neighbors, or property belonging to
708 any public utility.

709 ~~[(c)]~~(e)*Contents; conformity with permits; conditions; expiration upon non-*
710 *commencement of work, etc.* Each permit [shall] must describe with
711 particularity the installation to be done thereunder, and no person [shall]
712 may install any electrical equipment other than in accordance with the
713 permit. The permit is a license to proceed with the work and may not be
714 construed as authority to violate, cancel or set aside any of the provisions
715 of this Chapter. Each permittee must perform all electrical services and
716 low-voltage electrical services as required by this Chapter and the
717 electrical code and regulations adopted under it. The issuance of a permit
718 does not prevent the Department from thereafter requiring a correction of
719 errors in plans or in installation or of violations of this Chapter and all
720 other applicable laws or ordinances specifically referring thereto. The
721 issuance of any permit is expressly conditioned upon the applicant's
722 prompt compliance with all stop work orders issued by the Director. All
723 permits [shall] expire and [be] are null and void unless the work

724 authorized thereunder is commenced within [six (6) months] 180 days
 725 from the date of issuance or after commencement of work if more than
 726 180 days pass between inspections; provided, that the [department]
 727 Department may upon good cause shown extend a permit one or more
 728 times [from] for a [periods] period not [exceeding] to exceed sixty (60)
 729 days.

730 [(d)](f)Repairs exempted. No permit shall be required to repair portable
 731 electrical equipment or lighting fixtures, or to repair or replace sockets,
 732 receptacles or snap switches, or to make other minor repairs at existing
 733 outlets, or to repair motors, or to replace motors with motors of the same
 734 nameplate rating.

735 [(e)](g)Supervision. It shall be unlawful for any licensee to allow the
 736 installation, repair or maintenance of any electrical equipment requiring
 737 a permit from the department unless under the immediate and personal
 738 supervision of either a licensed master or journeyman.

739 **[17-30] 17-21. Emergency work.**

740 When necessary to make emergency repairs or replacements to electrical
 741 installations, or to make branch circuit extensions for switches, receptacles or the like,
 742 incidental to such emergency work, such work may be done without a permit;
 743 provided, that the person doing the same [shall] must possess all licenses required

744 under Article III of this Chapter and first inform the [department] Department either
745 orally or in writing if the [department's] Department's office is open at the time of such
746 emergency giving [his] the person's name and address and the address where the work
747 is to be done, the nature thereof and when it is to be started. Such person shall file an
748 application for a permit covering such emergency work on the first business day
749 following the performance thereof.

750 **[17-31] 17-22. Temporary installations.**

751 A temporary permit [shall be] is required in connection with electrical
752 equipment installed for a temporary use for a period not to exceed [six (6) months] 180
753 days. Such permit may be extended for an additional period of [six (6) months] 180
754 days by the [department] Department.

755 **17-23. Stop work order.**

756 (a) In addition to the other provisions set forth in this Chapter, whenever the
757 Director determines that electrical services or low-voltage electrical
758 services are being prosecuted in violation of the provisions of this
759 Chapter, including those conditions upon which the permit has been
760 issued or in a manner which threatens the safety, health and welfare of
761 the public, the Director may order the work to be immediately stopped.

762 (b) The stop work order described herein must be in writing and served upon
 763 the owner of the property involved or the owner's agent or to the person
 764 doing the work.

765 (c) It is unlawful for any person to continue or permit the continuance of
 766 work after having been served with a stop work order, except such work
 767 as the person is directed to perform to remove a violation or unsafe
 768 condition.

769 **17-24. Revocation of permit.**

770 The Director may revoke a permit or approval issued under this Chapter in case
 771 of any false statement or misrepresentation of fact in the application or on the plans on
 772 which the permit or approval was based or in case of any violation of the conditions
 773 upon which such permit was issued.

774 **ARTICLE [V] IV. INSPECTIONS.**

775 **[17-32] 17-25. Notice upon completion; inspection of installations generally.**

776 It [shall be] is unlawful for the holder of a permit issued hereunder to fail to
 777 notify the [department] Department within five (5) days of the completion of an
 778 installation regulated by this [chapter] Chapter. The [department] Department [shall
 779 cause] must inspect the installation [to be inspected] within forty-eight (48) hours of
 780 such notice, exclusive of Saturdays, Sundays, and holidays, or as soon thereafter as
 781 practicable.

782 **[17-33] 17-26. Inspection of covered installations.**

783 (a) When any part of an installation regulated by this [chapter] Chapter is to
784 be hidden from view by the permanent placement of part of a building,
785 the holder of the permit [shall] must notify the [department] Department
786 and such installation [shall] must not be concealed until it has been
787 inspected and approved by the [department] Department; provided, that
788 on large installations where the concealment of electrical equipment
789 proceeds continuously, the holder of the permit shall give the
790 [department] Department notice thereof so that inspections may be made
791 periodically during the progress of the work.

792 (b) The [department] Department [shall have the authority to] may remove
793 or require the removal of any structure or materials that prevent proper
794 inspection of any electrical equipment.

795 **[Sec. 17-34.]**

796 **[17-35] 17-27. Authorization to supply power.**

797 (a) No electric light or power company [shall] may supply electricity or
798 power to any electrical equipment, for the installation of which a permit
799 is required under this [chapter] Chapter, and no person shall connect any
800 such electrical equipment to a supply of electricity or power, except
801 where authorized by the [department] Department.

802 (b) If after the inspection the [department] Department finds the installation
 803 to be in conformity with the provisions of this [chapter] Chapter, it [shall]
 804 must approve the installation and authorize the use of the installation and
 805 connection to the supply of electricity and power, and [shall] must give
 806 notification to the electric light or power company supplying the same.
 807 Such notification may be issued for an entire installation or part thereof.

808 (c) Authorization may be issued for temporary installations authorized
 809 [pursuant to] under section [17-30] 17-21 of this [chapter] Chapter.
 810 Temporary installations may be canceled by the [director] Director at any
 811 time if the installation is not maintained as required by this [chapter]
 812 Chapter.

813 **[17-36] 17-28. Defective installations and equipment.**

814 (a) If upon inspection any installation for which a permit is required under
 815 this [chapter] Chapter is found to be in violation of the provisions of this
 816 [chapter] Chapter, the [department] Department [shall] must notify the
 817 holder of the permit of the nature of such violation in writing and the same
 818 [shall] must be corrected within ten (10) days after such notice or such
 819 other period of time as may be specified by the [department] Department.

820 (b) If the [director] Director finds that any electrical equipment installed
 821 before or after the enactment of this [chapter] Chapter is dangerous to

822 persons or property because defective or improperly used or installed,
823 [he] the Director [shall] must notify the owner or lessee of the property
824 in writing, setting forth the nature of such dangerous condition; and such
825 person [shall] must make such changes or repairs as are necessary to put
826 such equipment in a safe condition within such period as may be specified
827 by the [director] Director.

828 (c) Upon failure of any person to comply with a notice issued pursuant to this
829 section, the [director] Director [shall] must revoke any permit which has
830 been issued for the installation of such equipment, [shall] must not
831 authorize the electrical light or power company to supply electricity, or
832 [shall] must revoke any such authorization which previously has been
833 issued.

834 (d) If the equipment or installation is connected to a supply of electricity or
835 power, the [director] Director [shall] must have the authority to
836 disconnect the same and [shall] must send notice to the electric light or
837 power companies to discontinue its supply of electricity or power to such
838 equipment or installation, and such supply of electricity or power [shall]
839 must be terminated within twenty-four (24) hours of the receipt of such
840 notice, without liability therefor on the part of such electric light or power
841 company.

**ARTICLE [VI] V. STANDARDS AND REQUIREMENTS FOR FIRE AND
BURGLAR ALARM SYSTEMS.***

[17-37] 17-29. General Requirements.

(a) It [shall be] is the duty of the owner, agent, lessee, occupant, or any other person entitled to the beneficial use, rental or control of any building which is required under this Code to have a fire alarm system to provide, install and maintain therein a fire alarm system with sufficient alarm bells, striking stations or automatic detectors, of such type and character as contained in regulations adopted by the [county executive] County Executive under method (2) of section [2-15] 2A-15 of this Code.

(b) All apparatus, materials, equipment and systems used in connection with an alarm system, except the wiring thereof, to be installed under the provisions of these regulations [shall] must be designed and of a type suitable for the voltage and current available and be specifically approved for the purpose by the [department] Department before installation. They [shall] must be tested and listed by the Underwriters' Laboratories, Inc., for fire alarm services before submission to the [department] Department.

(c) It [shall be] is the duty of the owner, agent, lessee, occupant or any other person entitled to the beneficial use, rental or control of any building who desires a burglar alarm system to install and maintain such a system in

863 accordance with provisions of the National Electrical Code as adopted by
 864 section 17-3 of this [chapter] Chapter.

865 **ARTICLE [VII] VI. STANDARDS AND REQUIREMENTS FOR**
 866 **ELECTRICAL INSTALLATIONS.**

867 **[17-38] 17-30. Standards.**

868 (a) A person must not sell or install electrical equipment which does not
 869 contain the certification of an inspection authority approved by the
 870 Department.

871 (b) The standards and requirements of this [chapter] Chapter [shall] must be
 872 based upon the currently designated edition of the National Electrical
 873 Code and amendments thereto as specified in regulations adopted by the
 874 [county executive] County Executive under method (2) of section 2A-15
 875 of this Code and are hereby declared to be minimum standards and
 876 requirements. Any electrical equipment or installation which is equal or
 877 superior to such standards and requirements [shall] must be deemed to be
 878 in compliance therewith.

879 (c) Except as otherwise provided in this [chapter] Chapter, conformity of
 880 installations of electrical equipment with such regulations adopted
 881 pursuant to section 17-2(b) [shall be] is prima facie evidence that such
 882 installations are reasonably safe to persons and property.

883 (d) A person must not occupy or offer to sell for occupancy any mobile home,
884 prefabricated or modular dwelling, industrialized building, or similar
885 structure as defined in the National Electrical Code, without having first
886 obtained from the manufacturer a certification by the State of Maryland
887 that the structure [has met] meets the standards contained in regulations
888 adopted under Sections 12-301 through 12-313 of the Public Safety
889 Article of the Maryland Code.

890 (e) All electrical installations, including outlets, panel boxes, heat panels and
891 fixtures subject to damage from flooding must be located, built, and
892 floodproofed to eliminate or minimize flood damage.

893 **Sec. 17-39. Reserved.**

Bill No. 12-22
Concerning: Electricity – Board of
Electrical Examiners – Licenses –
Permit Requirements
Revised: 9/26/2022 Draft No. 2
Introduced: June 14, 2022
Expires: December 14, 2023
Enacted: [date]
Executive: [date signed]
Effective: [date takes effect]
Sunset Date: [date expires]
Ch. [#], Laws of Mont. Co. [year]

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the Request of the County Executive

AN ACT to:

- (1) amend the jurisdiction of the County Board of Appeals;
- (2) conform County law to the Maryland Electricians Act of 2021;
- (3) establish and authorize the issuance of a low-voltage electrician’s license;
- (4) authorize third-party plan review for photovoltaic system permitting; and
- (5) generally amend the County electricity law.

By amending

Montgomery County Code
Chapter 2, Administration
Section 2-112

Chapter 17, Electricity

Sections 17-1, 17-2, 17-3, 17-5, 17-6, 17-7, 17-8, 17-9, 17-10, 17-11, 17-12, 17-13, 17-14,
17-15, 17-16, 17-17, 17-18, 17-19, 17-20, 17-21, 17-22, 17-23, 17-24, 17-25, 17-26, 17-27,
17-28, 17-29, 17-30, 17-31, 17-32, 17-33, 17-35, 17-36, 17-37, and 17-38

Boldface

Heading or defined term.

Underlining

Added to existing law by original bill.

[Single boldface brackets]

Deleted from existing law by original bill.

Double underlining

Added by amendment.

[[Double boldface brackets]]

Deleted from existing law or the bill by amendment.

* * *

Existing law unaffected by bill.

The County Council for Montgomery County, Maryland approves the following Act:

- 19 (b) The provisions of this [chapter shall] Chapter do not apply to any
 20 electrical work or equipment installed by or for any electric company,
 21 telegraph or telephone company, where such electrical work or
 22 equipment is owned and maintained by such company and is an integral
 23 part of the plant or service used by such company in rendering its service
 24 to the public.
- 25 (c) The provisions of this [chapter shall] Chapter do not apply to installations
 26 in mines, ships or railway cars or to vehicular equipment.
- 27 (d) The provisions of this [chapter shall] Chapter do not apply to installations
 28 or equipment employed by the United States government.
- 29 (e) A permit is not required for any minor repair, as defined in this Chapter.

30 **17-2. Regulations.**

- 31 (a) The [director] Director may recommend [written] regulations for the
 32 administration of [the provisions of] this [chapter] Chapter, including a
 33 schedule of fees, and may, at [his] the Director's discretion, hold public
 34 hearings as part of this regulation-making process. Such regulations and
 35 amendments thereto [shall] must not conflict with nor waive any
 36 provisions of this [chapter] Chapter nor be less restrictive than its
 37 provisions and [shall] must be adopted [by the county executive] under
 38 [method] Method (2) of section 2A-15 of this Code.

39 (b) The [director shall] Director must hold a public [hearings] hearing, upon
 40 adequate public notice, [with opportunity for full participation from
 41 members of the board of electrical examiners and shall obtain the
 42 recommendations of the board of electrical examiners prior to forwarding
 43 his recommendations for] before proposing regulations setting forth the
 44 standards and requirements for all installations of electrical equipment
 45 within the [county] County. Such regulations [shall] must be based upon
 46 a designated edition of the National Electrical Code and local
 47 amendments thereto, including but not limited to those for the installation
 48 of fire alarm systems. Such regulations and amendments [thereto shall]
 49 must be adopted [by the county executive] under method (2) of section
 50 2A-15 of this Code.

51 **17-3. Adoption of basic electrical code.**

52 All electrical installations and equipment [shall] must meet the standards and
 53 requirements set forth in [accordance with procedures established in] section 17-2 of
 54 this [chapter] Chapter. The edition of the National Electrical Code and any local
 55 amendments thereto, which are adopted in accordance with procedures established in
 56 section 17-2 of this [chapter] Chapter[, shall be] are known as the basic electrical code
 57 for the [county] County.

58 **17-4. Administration and enforcement of chapter.**

59 This Chapter is administered and enforced by the Department of Permitting
60 Services.

61 **17-5. Right of entry of departmental personnel.**

62 The [director or his authorized representative] Director, upon exhibiting proper
63 credentials or proof of identity on request, [shall have the right to] may enter any non-
64 residential building, structure or premises, [except private residences,] without consent
65 of the occupants, at any time during business or operating hours, and at such other
66 times as may be necessary in an emergency that immediately endangers life, property
67 or public safety, for the purpose of performing duties under this [chapter] Chapter or
68 enforcing the provisions thereof. In the case of [multiple] multi-family dwellings, the
69 [director or his authorized representatives shall have the right to] Director may enter
70 without consent only those spaces to which the public is ordinarily admitted, such as
71 hallways, basements and similar spaces; provided, however, [that such authorities] the
72 Director may enter any private residence or dwelling for the purpose of enforcing this
73 [chapter] Chapter with the consent of the occupant thereof, or without such consent if
74 [they shall] the Director first [obtain] obtains a search warrant in accordance with
75 prescribed legal procedures, or if there is a present emergency such as a fire, explosion
76 or the like, or immediately following such emergency.

77 **17-6. Unlawful maintenance of installations.**

78 [In the case of any electrical installation for which] When a permit is required
 79 under this [chapter] Chapter, it [shall be] is unlawful for any person to maintain or
 80 allow to be maintained [such] an electrical installation without a permit [if it does not
 81 conform to the requirements hereof].

82 **17-7. Notice of electrical requirements to purchasers of air conditioners and**
 83 **major appliances.**

84 (a) It [shall be] is unlawful for any person in the business of selling air
 85 conditioners [and/or] or major appliances[, as defined herein,] to sell or
 86 offer these items for sale without attaching to each item or its sealed
 87 carton when sold in this manner so as to be readily observable by all
 88 purchasers, written notice of the electrical wiring requirements of each,
 89 all in conformity with standards of this electrical code.

90 (b) It [shall be] is unlawful for any person who engaged in such sales to fail
 91 to display at a prominent location on the premises of such sales the wiring
 92 requirement for such appliances as set forth in this chapter.

93 **17-8. Penalty for violations of chapter; injunctive action.**

94 [Any] A person has committed a Class A violation if the person violates [of]
 95 any [provisions] provision of this [chapter] Chapter or [regulations] any regulation
 96 promulgated hereunder [shall be punished as a Class A violation as set forth in section

97 1-19 of chapter 1 of the County Code]. Each day a violation continues to exist [shall
 98 constitute] constitutes a separate offense.

99 **17-9. Emergency disconnections.**

100 In cases of emergency where any electrical equipment, whether installed before
 101 or after the enactment of this [chapter] Chapter, is an immediate threat to the safety of
 102 persons or property, or where it may interfere with the fire protection service of any
 103 fire department in the [county] County, the [director shall have authority to] Director
 104 may disconnect [cause such] the electrical equipment [to be disconnected] immediately
 105 and without notice to the owner thereof.

106 **17-10. Fees.**

107 [Prior to the issuance of any] Before the Department issues a permit or license
 108 as provided for in this [chapter] Chapter, the applicant [therefore shall] must pay to the
 109 [county] County a fee in accordance with the schedule of fees established, and revised
 110 from time to time, by the [county executive] County Executive, in an amount not to
 111 exceed the cost of administering and enforcing [the chapter] this Chapter.

112 **17-11. Definitions.**

113 As used in this Chapter, the following words and phrases have the following
 114 meanings:

115 [*Apprentice electrician*: A person at least sixteen (16) years of age who is
 116 employed by an electrical contractor to work under the supervision of a master and/or

117 journeyman electrician and who has been issued an apprentice identification card by
 118 the Department.]

119 [*Board*: The term "board" shall mean the board of electrical examiners created
 120 by this Chapter.]

121 [*Business license*: The license granted by the County which authorizes the
 122 licensee to engage in business as an electrical contractor in the County.]

123 *Department*[: The] means the Department of Permitting Services.

124 *Director*[: The] means the Director of the Department of Permitting Services,
 125 or the Director's designee.

126 [*Electrical contractor*: A person, firm, company, corporation or partnership
 127 principally engaged in the business of installing, repairing, maintaining, erecting and
 128 designing electrical wiring, equipment, apparatus and systems designed for using or
 129 conducting electrical current and coming within the purview of the electrical code, to
 130 whom a valid business license has been issued.]

131 *Electrical equipment*[: The term "electrical equipment" shall include] includes
 132 electrical conductors, raceways, wiring fittings, devices, appliances, fixtures,
 133 apparatus, and any other equipment coming within the purview of the electrical code
 134 of the County.

135 *Electrical code*[: The term "electrical code" shall include the electrical code of
 136 the County, which includes] means the designated edition of the National Electrical
 137 Code as adopted and amended [pursuant to] under this Chapter.

138 *Electrical services* means the definition given to “provide electrical services”
 139 by Section 6-101 of the Business Occupations and Professions Article of the Annotated
 140 Code of Maryland, as amended. [[The term “electrical services” does not include low-
 141 voltage electrical services.]]

142 [Engaged in business: A person, firm, company, corporation or partnership
 143 holding itself out to the public to furnish, install, repair or maintain under verbal or
 144 written contract, electrical equipment. One so engaged shall be considered an electrical
 145 contractor requiring a business license under this Chapter. Such a contractor, if licensed
 146 as a master electrician or master electrician limited, may perform such work himself
 147 or it may be performed by one or more of his employees under such supervision as
 148 may be required by the electrical code.]

149 *Install, repair or maintain*[: The term "install, repair or maintain" shall include]
 150 includes all installations, repairs or maintenance of any or all electrical equipment or
 151 circuits, or any parts thereof, including new work, alterations, renewals or extensions
 152 coming within the purview of this Chapter and the electrical code.

153 *Inspector*[: The term "inspector" shall mean] means an authorized agent of the
 154 [department] Department.

155 [Journeyman electrician: A person licensed by Montgomery County as qualified
156 to install, repair, maintain and erect electrical wiring, equipment, apparatus and
157 systems, within the purview of the electrical code of the County, including but not
158 limited to, electrical raceways, conductors, fixtures, signs, motors, switchgears and
159 distribution systems, fixed electric heating systems or any other fixed or stationary
160 electrical equipment or apparatus which conducts or consumes electricity, all such
161 activity being performed while under the direction and supervision of a master
162 electrician.]

163 [Licensee: The term "licensee" shall mean any person, firm, company,
164 corporation or partnership to whom a license has been issued hereunder.]

165 Low-voltage electrical services means the installation, repair or maintenance of
166 electrical equipment, circuits, or systems, or any parts thereof, designed to operate at
167 or below 50 volts. Low-voltage electrical systems include fire alarm systems, cable tv
168 systems, telephone systems, audio/video systems, computer network wiring and all
169 other systems operating at or below 50 volts.

170 Major appliance[:] means [Laundry] laundry or kitchen appliances which are
171 permanently connected or occupy fifty (50) percent or more of the circuit.

172 [Master electrician: A person licensed by the County as qualified to install,
173 repair, maintain and erect electrical wiring, equipment, apparatus and systems, within
174 the purview of the electrical code of the County, including, but not limited to, electrical

175 raceways, conductors, fixtures, signs, motors, switchgears and distribution systems,
 176 fixed electrical heating systems or any other fixed or stationary electrical equipment or
 177 apparatus which conducts or consumes electricity.]

178 [Master electrician limited: A person licensed by the County as qualified to
 179 install, repair and maintain a particular appliance, apparatus, device or fixture within
 180 the purview of the Montgomery County electrical code and limited to a branch circuit
 181 or feeder for elevators; gasoline pumps; automatic heating furnaces whose principal
 182 operation is derived from fuel oil, gas, steam, solar panels or coal; lighting fixtures;
 183 refrigeration and air conditioning equipment; illuminated signs and similar specialties;
 184 or limited to equipment for a plant, factor, apartment complex or any other public
 185 occupancy employing maintenance forces; fire alarm systems and electronic
 186 equipment; or major appliances; all employing the use of the electrical current or
 187 connections and such other classes designated in accordance with Section 17-22 of this
 188 Chapter.]

189 Minor repair means the repair of portable electrical equipment or lighting
 190 fixtures, the repair or replacement of receptacles, snap switches, or plugs with a rating
 191 up to 20 amperes and 120 volts, or other minor repairs at existing outlets, or the repair
 192 or replacement of motors with a rating 1/3 hp or less and 120 volts.

193 National Electrical Code: The currently designed] means the edition of the
 194 National Electrical Code published by the National Fire Protection Association as [set

195 forth in regulations] adopted [by the County Executive and approved by the County
 196 Council pursuant to provisions of] under this Chapter[, including appendices there
 197 adopted by the National Fire Protection Association at annual meetings].

198 **[[17-12. Appeals.**

199 (a) (1) Any denial, revocation, or suspension of a low-voltage electrician
 200 license may be appealed to the County Board of Appeals by the
 201 applicant not later than ten (10) days after such notice is personally
 202 served or received. Receipt by certified mail is presumed to be
 203 complete on the third day after mailing.

204 (2) Any person aggrieved by the issuance, denial, renewal,
 205 amendment, suspension, or revocation of a permit, or the issuance
 206 or revocation of a stop work order, under this Chapter may appeal
 207 to the County Board of Appeals within 30 days after the permit is
 208 issued, denied, renewed, amended, suspended, or revoked or the
 209 stop work order is issued or revoked. A person may not appeal any
 210 other order of the Department and may not appeal an amendment
 211 of a permit if the amendment does not make a material change to
 212 the original permit. A person must not contest the validity of the
 213 original permit in an appeal of an amendment or a stop work order.

214 (b) After notice and hearing, the Board may affirm, remand, modify, or
215 reverse the action of the Department.

216 (c) Any party may seek judicial review of a decision of the Board under
217 Section 2-114.]]

218 **[ARTICLE II. BOARD OF ELECTRICAL EXAMINERS.]**

219 **[Sec. 17-12. Created; composition.**

220 The County Executive must appoint, subject to confirmation by the Council, a
221 Board of Electrical Examiners, composed of 5 voting members, who must be residents
222 of the County.

223 (a) One member must hold a County master electrician's license.

224 (b) Two members must be when appointed, or must have had previous
225 experience as, an electrical contractor, electrical contractor limited, or
226 must otherwise be technically qualified in electricity.

227 (c) One member must represent the general public.

228 (d) One member must be a professional engineer, licensed in Maryland and
229 experienced in electrical engineering.

230 (e) The Executive may appoint a person who does not have any required
231 professional qualifications under subsections (a), (b), or (d), but who is
232 otherwise technically qualified to assess proficiency in electricity.

233 (f) The Director may designate one or more Department employees as ex
234 officio, nonvoting members to promote coordination with the
235 Department's fire inspection and prevention and electrical inspection
236 activities.

237 (g) The Executive must designate one member of the Board as chair. If the
238 Executive does not designate a chair, the Board must elect its own chair.
239 The Board must select a vice- chair and any other officer it finds
240 necessary. The vice-chair must assume the duties of the chair when the
241 chair is absent.]

242 **[Sec. 17-13. Appointment and terms of members.**

243 Members of the board are appointed by the county executive, subject to the
244 confirmation of the council, for 3-year terms, except that any member appointed to fill
245 a vacancy occurring before the expiration of a term is appointed for the remainder of
246 that term.]

247 **[Sec. 17-14. Reserved.]**

248 **[Sec. 17-15. Staff.**

249 The county executive shall make available to the board such services and
250 facilities of the county as are necessary or appropriate for the proper performance of
251 its duties, and the county attorney shall serve as counsel to the board.]

252 **[Sec. 17-16. Duties.**

253 (a) The board shall advise the director on the issuance of licenses for
 254 journeyman electricians, master electricians and master electricians
 255 limited and shall ascertain by appropriate examination the qualifications
 256 and capabilities of all persons who desire such licenses.

257 (b) In the case of examinations, the board shall have the authority to consult
 258 or obtain the services of a recognized expert in the field to prepare said
 259 examinations.

260 (c) The board shall advise the county executive on the adoption of proposed
 261 rules and regulations to govern the placement, installation and operation
 262 of electrical conductors, appliances, apparatus or construction upon or
 263 about buildings and structures of all types throughout the county.]

264 **[Sec. 17-17. Reciprocity.**

265 The board of electrical examiners shall certify to the director any applicant as
 266 qualified to be licensed, without examination by the board, if such applicant is
 267 currently licensed in another jurisdiction, which jurisdiction has examinations and
 268 qualification procedures which have been found by the board to be equivalent to those
 269 required for licensing in the county and which grants similar reciprocity to
 270 Montgomery County licensees.]

271 **ARTICLE [III] II. LICENSES.**

272 **[17-18] [[17-13]]17-12. Applicability of [article] Article[; exceptions]].**

273 [(a)] The [licensing] requirements of this Article apply [only] to all electrical
274 work covered by this Chapter, as specified in Section 17-1. [Each licensee must
275 perform all] All electrical work must be performed as required by this Chapter and the
276 electrical code and regulations adopted under it.

277 [(b)] Any person who installs, repairs, or maintains electrical equipment, in a
278 detached single-family residence which that person or a member of the
279 person's immediate family owns, for the person's or immediate family's
280 use, [need not obtain] a required to hold an electrical license under this
281 Article. Before any electrical work is performed under this subsection,
282 the owner of the residence must apply to the Director for a permit if a
283 permit is otherwise required by this Chapter.]

284 [(c)] Before issuing a permit under this subsection, the Director must require
285 the person who will perform the work to show that he or she is qualified
286 to perform the proposed electrical work in a capable manner so as not to
287 endanger the life and property of occupants or neighbors, or property
288 belonging to any public utility. If the Director finds that the designated
289 person is qualified to perform the proposed electrical work, the Director
290 must issue a permit for that work, subject to compliance with all
291 otherwise applicable requirements of this Chapter.]

292 [(d)] A permit is not required for any minor repair, as defined in this Chapter.]

293 **[17-19] [~~17-14~~]17-13. [Business licenses.] License required.**

294 (a) [It shall be unlawful for any person, firm, company, corporation or
295 partnership engaged in business as an electrical contractor to install,
296 repair or maintain any electrical circuit, electrical equipment or electrical
297 apparatus unless such person, firm, company, corporation or partnership
298 shall have first been granted by County a business license, entitling the
299 licensee to perform such work.] Except as provided in subsection (c), no
300 person may engage in the business of providing electrical services for
301 compensation in the County unless properly licensed by the State Board
302 of Electricians.

303 (b) [All installations, repairs, maintenance or other work done under a
304 business license issued pursuant to this Chapter shall be by, or under the
305 ultimate supervision of, the master electrician or master electrician
306 limited regularly and principally employed by said licensee and
307 designated on such business license as responsible for the work
308 performed thereunder whose active status, in accordance with Section 17-
309 25, has been certified by the Board. For the purpose of this Subsection,
310 the words "regularly and principally employed" shall mean that the
311 master electrician or the master electrician limited shall be available to
312 supervise the installation whenever such work is being performed by any

313 electrician under his supervision for whose work he is responsible and
314 that he is not employed by more than 3 licensees at one time. Non-
315 availability on the job for more than a two-hour period of any master
316 electrician, or master electrician limited, to supervise the performance of
317 any electrical work performed under the authority of an electrical permit
318 issued to him shall be cause for the suspension or revocation of this
319 license.] Except as provided in subsection (c), no person may provide
320 low-voltage electrical services in the County unless properly licensed by
321 the State Board of Electricians [[or the person holds a low-voltage
322 electrical license issued by the Director]].

323 (c) [Nothing herein shall limit an electrical contractor from having more than
324 one master electrician or master electrician limited in his employ.] Any
325 person who installs, repairs, or maintains branch circuits as defined in the
326 National Electric Code, in a detached single-family residence which that
327 person or a member of the person's immediate family owns, for the
328 person's or immediate family's use, is not required to hold an electrical
329 license, provided the electrical services are not performed for
330 compensation. Before any electrical work is performed, the owner of the
331 residence must apply to the Director for a permit if a permit is otherwise
332 required by this Chapter.

333 [(d) An applicant for a business license shall furnish, on a form approved by
334 the Director, complete identification of the business, including principals,
335 partners or affiliated corporations; references; criminal violations or civil
336 judgments entered or causes of action pending against the business; name
337 and license number of the supervising master electrician or master
338 electrician limited and such other information as may be required as to
339 character references and financial responsibility.]

340 [(e) An applicant for a business license shall furnish a certificate from an
341 insurance company qualified to do business in the State of Maryland of
342 public liability insurance in the amount of three hundred thousand dollars
343 (\$300,000.00) coverage for death or personal injury of one (1) or more
344 individuals, and three hundred thousand dollars (\$300,000.00) coverage
345 for property damage, which insurance shall provide coverage for work
346 done under any permit issued hereunder by the County and shall include
347 coverage for both premises operations and completed operations. Such
348 liability insurance shall state that the coverage therein provided for shall
349 remain in full force and effect until thirty (30) days following the date
350 written notice of cancellation or failure to renew is given by the insurance
351 carrier or its authorized agent to the County, and any certificate of

352 insurance furnished pursuant to this Section shall provide for such
 353 coverage.]

354 [(f) Subject to the provisions contained in Section 17-24, each license and
 355 renewal of same shall be in force and effect only as long as the insurance
 356 certificates that have been filed with the Board, in accordance with the
 357 provisions of this Section, shall remain in full force and effect. Every such
 358 license or renewal of same shall become void and of no effect should any
 359 such insurance contract become inoperative, ineffective or canceled,
 360 regardless of the regular date of expiration of said license.]

361 [(g) It shall be the joint and several responsibility of the contractor and the
 362 master electrician responsible for any electrical construction to cause at
 363 least one (1) licensed County master or journeyman electrician to be
 364 present on every job site at all times when any work is being performed.
 365 If there are one (1) or more persons on the job site performing electrical
 366 work, the contractor and/or the master electrician must provide at least
 367 one (1) licensed master or journeyman electrician on the job site for every
 368 three (3) or less unlicensed persons performing electrical work.]

369 **[17-20] [[17-15. [Electricians' licenses.] Low-voltage Electrician License.]]**

370 [(a) There [shall be three (3) classes of] is a [electricians' licenses:

- 371 (1) Master electrician;

- 372 (2) Master electrician limited; and
- 373 (3) Journeyman electrician.] low-voltage
- 374 electricians' license.]]

375 [(b) Before the [department shall] Director may issue or renew [an] a low-

376 voltage electrician's license, [it shall] the Director must require the

377 applicant to:

- 378 (1) [Provide it] provide the Director with such current information as
- 379 [it] the Director must require as to character references, experience,
- 380 education and training in or related to the construction,
- 381 maintenance, installation or repair of [all types] of low-voltage
- 382 electrical equipment and apparatus[, or in the case of an application
- 383 for a limited license, such information as it relates to the particular
- 384 type of installation applied for];
- 385 (2) [As determined by the Board, pass a written or oral examination
- 386 conducted by the Board predicated upon the standards of the
- 387 Montgomery County electrical code and rules and regulations
- 388 adopted pursuant thereto] provide proof of eligibility for a low-
- 389 voltage electrician license;
- 390 (3) provide a certificate from an insurance company qualified to do
- 391 business in the State of Maryland of public liability insurance in

392 the amount of three hundred thousand dollars (\$300,000.00)
 393 coverage for death or personal injury of one (1) or more
 394 individuals, and three hundred thousand dollars (\$300,000.00)
 395 coverage for property damage, which insurance must provide
 396 coverage for work done under any permit issued hereunder by the
 397 County and must include coverage for both premises operations
 398 and completed operations. Such liability insurance must state that
 399 the coverage therein provided will remain in full force and effect
 400 until thirty (30) days following the date written notice of
 401 cancellation or failure to renew is given by the insurance carrier or
 402 its authorized agent to the County, and any certificate of insurance
 403 furnished under this Section must provide for such coverage; and
 404 (4) [Pay] pay to the County, at the time of filing the application, a
 405 nonrefundable fee in the amount as set forth in regulation
 406 promulgated pursuant to this Chapter.]]

407 [[c) [If the Board requests, the Director must investigate the character,
 408 experience, training and education of an electrician’s license applicant
 409 and provide the results of the investigation to the Board.] Before a low-
 410 voltage electrician license is issued, the Director must obtain from
 411 reliable sources the applicant’s record of compliance with state and

412 County laws and record of complaint actions with the Office of Consumer
 413 Protection and the State Attorney General's Consumer Protection
 414 Division.]]

415 ~~[(d)]~~ [It shall be the duty of the Board to certify to the Director within sixty
 416 (60) days after the date of the applicant's examination whether the
 417 applicant is qualified for the license applied for, on the basis of said
 418 examination and the information provided it by the Director.]

419 [(e) In the case of applications for renewals] ~~[[When an applicant requests the~~
 420 ~~renewal~~ of an existing County low-voltage electrician's license, [it shall
 421 be the duty of] the Director [to] must withhold issuance of such license
 422 upon a finding [by the Board] that [said] the licensee has committed acts
 423 which are in violation of the provisions of this Chapter[, as set forth in
 424 Section 17-28]. A license or renewal may be withheld if the applicant [or
 425 its predecessor] is found to have committed a deceptive or
 426 unconscionable trade practice in violation of Chapter 11, Section 11-4, of
 427 the Montgomery County Code, as amended.]]

428 [(f)] ~~[(e) All application~~ approvals or denials [of said applications shall] must
 429 be personally served or mailed by certified mail to the address on the
 430 application.]] [Any denial may be appealed to the County Board of

431 Appeals by the applicant not later than ten (10) days after such notice is
432 personally served or received.]

433 [(g) If an applicant for any license or examination has been employed by the
434 federal, state or local government in a military or nonmilitary capacity,
435 the applicant may submit to the Board of Electrical Examiners an
436 affidavit from the section chief or division chief to whom the applicant
437 was directly responsible, specifying:

438 (1) The section or division chief's qualifications in the field of
439 electrical construction, and any licenses he may hold pertinent
440 thereto;

441 (2) The grade and title of the section or division chief, and the grade
442 and title of the applicant;

443 (3) The official job description of the applicant's position(s);

444 (4) The time in this position(s); and

445 (5) A specific description of the type of work performed by the
446 applicant and the time periods thereof.

447 The board of electrical examiners shall review the information supplied
448 by the applicant as to training and experience and shall determine its credibility and
449 may allow up to a maximum of four (4) years' experience toward the requirements set
450 forth in this Chapter for the examination applied for. For the purposes of this section,

451 a "sworn statement" shall mean any statement which the maker thereof certifies as
 452 being true to the best of his information, knowledge and belief, under the penalties of
 453 perjury.]

454 **[17-21] [[17-16. Eligibility for [examination-Master] Low-voltage electrician**
 455 **license.]]**

456 [(a) Any person who desires to [install, repair, maintain or erect electrical
 457 equipment as a master electrician] perform low-voltage electrical
 458 services, as defined by the [chapter] Chapter, may at any time make
 459 application to the [director to be examined and the director shall] Director
 460 who must provide the applicant with the prescribed forms.]]

461 [(b) An applicant for [examination for] a [master] low-voltage electrician
 462 license [shall] must:

463 (1) hold a Master Electrician license issued by the State Board of
 464 Electricians;

465 (2) hold a current Master Electrician or Master Electrician Limited
 466 license issued by the Director; or

467 (3) have been regularly and principally employed or engaged in
 468 performing low-voltage electrical [construction, maintenance,
 469 installation and repair of all types of electrical equipment and
 470 apparatus, all coming within the purview of and subject to all

471 provisions of] services, as defined by this [chapter] Chapter, for a
 472 period of not less than [eight (8)] four (4) years preceding the date
 473 of [his] the application, under the directions and supervision of a
 474 master electrician, and pass the current version of the International
 475 Code Council's low-voltage electrician Exam G21 with a grade
 476 constituting at least seventy (70) percent of the total possible point
 477 credits in the examination.]] [The board may credit maximum of
 478 four (4) years of formal course study or training in electrical
 479 installation completed at a trade school or other educational
 480 institution which in the opinion of the board provided comparable
 481 experience and training otherwise attainable under the supervision
 482 of a master electrician or while employed by a government
 483 agency.]

484 **[Sec. 17-22. Same-Master electrician limited.**

485 (a) Any person who desires to install, repair, maintain or erect electrical
 486 equipment as a master electrician limited, as defined in this chapter, may at any time
 487 make application to the director to be examined and the director shall provide the
 488 applicant with the prescribed forms.

489 (b) An applicant may be licensed hereunder for a particular type of electrical
 490 installation or may be licensed for all types or as many types of limited electrical

491 installations as defined herein and for which he shall be found qualified by the board.
492 He shall have been regularly and principally employed for four (4) years preceding
493 application in the area of limitation, under the direction of a master electrician, or
494 master electrician limited, where the limitation is in the same area as requested. The
495 type of limited licenses shall be set forth in regulations adopted under method (3) of
496 section 2A-15 of this Code by the county executive upon recommendation of the board.
497 Particular license classifications shall include, without limiting, licenses for electrical
498 connections and circuits to air conditioning, elevators, gasoline pumps, automatic
499 heating furnaces whose principal operation is derived from fuel oil, gas, steam, solar
500 panels, or coal, lighting, illuminated signs, and similar specialties, and electrical repair
501 and maintenance work, in plants, factories, apartment complexes and any public
502 occupancy employing maintenance forces, fire alarm systems and electronic
503 equipment, or major appliances, all employing the use of electrical current or
504 connections. The conditions of the license shall appear plainly on the license.

505 (c) Those persons who are employed by a plant, factory, apartment,
506 condominium, office building or other facility employing maintenance personnel are
507 encouraged to obtain a master electrician's limited license for maintenance in order to
508 be able to obtain permits for electrical maintenance work. In addition to the
509 requirements in section 17-22(a) and (b), the owner or agent for the building or

510 buildings must certify that the applicant is a full-time employee and is covered by
511 liability insurance in the amount established by section 17-19(c).]

512 **[Sec. 17-23. Same-Journeyman electrician.**

513 (a) Any person who desires to install, repair, maintain or erect electrical
514 equipment as a journeyman electrician, as defined by this chapter, may at any time
515 make application to the director to be examined; and the director shall provide the
516 applicant with the prescribed forms.

517 (b) An applicant for examination for a journeyman electrician license shall
518 have been regularly and principally employed or engaged in electrical construction,
519 maintenance, installation and repair of all types of electrical equipment and apparatus,
520 all coming

521 within the purview of and subject to all provisions of this chapter, for a period
522 of not less than four (4) years preceding the date of his application, under the
523 supervision of a master electrician.]

524 **[Sec. 17-24. Examinations.**

525 (a) The written and/or oral examination conducted by the board for either the
526 master electricians', master electricians' limited, or journeyman electricians' license
527 shall be based upon standards of the county electrical code.

528 (b) In order to qualify as having passed said examination, the applicant shall
 529 receive a grade constituting at least seventy (70) percent of the total possible point
 530 credits in the examination.

531 (c) The use of any unauthorized material or other misbehavior by an
 532 applicant during his examination shall cause the immediate rejection of his application
 533 and bar him from reexamination for six (6) months.

534 (d) Examination periods shall be held at least six (6) times each year at
 535 intervals of not greater than two (2) months. Written notice of the date, hour and place
 536 of examination shall be mailed to each eligible applicant at least ten (10) days prior to
 537 the date of the examination.

538 (e) Any applicant who fails to pass any examination or re-examination may
 539 take a re-examination. The applicant must apply to the director for re-examination and
 540 pay a fee determined by Executive regulation.

541 (f) All written examinations and applicant records pertaining thereto shall be
 542 stored under secured conditions within the department and shall be available for
 543 inspection upon request made to the board by an applicant for a period of six (6) months
 544 after the date of the examination.]

545 **[17-25] [[17-17. Term of [licenses] low-voltage electrician license; renewal.]]**

546 [(a) [All licenses issued under this Chapter after the effective date of this
 547 legislation shall be] A low-voltage electrician license is valid for two (2)

548 years from the date of issuance and may be renewed upon application to
549 the Director. Applicants for licenses and renewals [thereof shall pay to
550 the County a fee for a business license, master electrician's license,
551 master electrician's limited license and journeyman electrician's license]
552 must pay a fee as provided for by regulations adopted under method (3)
553 of Section 2A-15 of this Code by the County Executive.]]

554 ~~[(b)]~~ [No person, firm, company, corporation, partnership, owner, lessee or
555 agent shall be denied the privilege of continuing a contracting business
556 or maintenance or repair work in the event of death, illness or other
557 physical disability of the master electrician or master electrician limited
558 who qualified the person, firm, company, corporation or partnership for
559 such license, for a period not exceeding one hundred twenty (120) days
560 following the date of such death, illness or physical disability, provided
561 said business, maintenance or repair work is conducted under such
562 qualified supervision as the board deems adequate; and provided that all
563 requirements concerning bonds and business insurance are first complied
564 with and the department is notified promptly by the licensee upon such
565 death, illness or physical disability.]

566 [(c) A person, firm, company, corporation or partnership shall be allowed to
567 continue a business or to perform maintenance and repair work for a

568 period not exceeding ninety (90) days should the master electrician or
 569 master electrician limited who qualified the person, firm, company,
 570 corporation or partnership for such license terminate his services
 571 therefrom, provided such business, maintenance or repair work is
 572 conducted under such qualified supervision as the Board deems adequate
 573 and provided that both of the following requirements are met:

- 574 (1) Insurance requirements are complied with;
- 575 (2) The master electrician or master electrician limited who qualified
 576 the person, firm, company, corporation or partnership shall notify
 577 the Board in writing within five (5) days after terminating his
 578 services therewith; and the person, firm, company, corporation or
 579 partnership also shall notify the Board in writing within five (5)
 580 days after the master electrician or master electrician limited has
 581 terminated his services.]

582 [(d) No] [[A license issued under this Chapter [shall] may not be assigned or
 583 transferred.]]

584 [(e) [[(c)]] [No] [[A license [shall] must not be renewed [for any person, firm,
 585 company, corporation or partnership] until all of the requirements of this
 586 Chapter have been complied with.]]

587 [(f) Subject to provisions in Section 17-28 of this Chapter, the Department
 588 may renew licenses under this Chapter to any applicant who at the
 589 effective date of this Chapter held an existing County electrical
 590 contractor’s license or electrical contractor’s limited license.]

591 [(g) ~~[(d)~~ Late renewals for [all classes of] a low-voltage electrical [licenses]
 592 license must be accepted without late filing fee for 10 days after the
 593 expiration date. If the County receives an application for renewal within
 594 6 months after a license expires, the license [must] may be renewed upon
 595 payment of a late filing fee [set by the Director of Permitting Services].
 596 A renewal application received more than 6 months after an expiration
 597 date must not be accepted.]]

598 **[17-26] ~~[[17-18]]17-14. Display; duplicates.~~**

599 (a) All holders of licenses issued by the State Board of Electricians and under
 600 this [chapter] Chapter [shall] must display the license in a prominent
 601 place at their business location and upon demand [shall] must give the
 602 number of the license to any [inspector of the department] Inspector.

603 (b) [All holders of master electrician, master electrician limited and
 604 journeyman electrician licenses shall have identification cards issued by
 605 the department in their possession at all times while performing electrical

606 work within the county and shall display same, upon request, to
 607 authorized department personnel.]

608 [(c)] [[If a low-voltage electrician license issued under this Chapter is lost,
 609 defaced or destroyed, a licensee in good standing may obtain a duplicate
 610 upon filing an application to the [director] Director and payment of the
 611 cost of replacement.]]

612 **[Sec. 17-27. Apprentice identification card.**

613 (a) Any person who desires to be registered with the county as being engaged
 614 in a program of apprenticeship in connection with his employment with
 615 a licensed electrical contractor, as defined by this chapter, may at any
 616 time make application to the director on forms provided by the
 617 department.

618 (b) The department, upon payment of a nonrefundable fee as set forth in
 619 regulations promulgated pursuant to this chapter, shall issue to the
 620 applicant an apprentice identification card, renewable annually, and shall
 621 require that records be kept regarding the nature of the electrical work
 622 being performed by the apprentice electrician.]

623 **[17-28] [[17-19. Revocation or suspension of low-voltage electrician [licenses;
 624 appeals] license.]]**

625 [(a)] [[The [director] Director may suspend, revoke or refuse to renew [any] a
626 low-voltage electrician license if the holder has secured such license by
627 misrepresentation; has failed to correct violations of any provisions of the electrical
628 code and laws of the county or State of Maryland; failed to maintain the qualifications
629 required by this subtitle; demonstrated a lack of competence inconsistent with retention
630 of the license; engaged in fraudulent business activities or in misleadingly advertising
631 products or services; has been found to have committed as deceptive or unconscionable
632 trade practice in violation of chapter 11, section 11-4, of the Montgomery County
633 Code, as amended; violated the provisions of this chapter requiring permits; committed
634 an act of gross negligence or condoned such an act by an employee; or permitted any
635 unlicensed or unauthorized person, firm, company, corporation or partnership to obtain
636 a [certificate card or] permit or perform low-voltage electrical [work] services under
637 the authority of [his] the holder's license]]]; or if where applicable, the holder of a
638 business license failed to notify any person employed by said licensee for more than
639 one (1) week of his right to secure an apprentice identification card pursuant to
640 provisions set forth in section 17-27; or if the holder of a master electrician or master
641 electrician limited license has failed to be available to supervise electrical work in
642 accordance with section 17-19(b) of this chapter. In the case of electricians' licenses,
643 the director shall obtain the concurrence of the board before proceeding with such

644 actions. In the case of business licenses, the director shall consider the advice and
645 recommendations of the board, if any].

646 [(b) Before recommending the revocation or suspension of an existing
647 electrician's license or the disapproval of any application to renew such license, the
648 board shall afford the licensee an opportunity for a hearing before the board to show
649 cause why the license should not be suspended or revoked or renewal denied. The
650 board shall give at least ten (10) days' written notice to the licensee by certified mail
651 or personal service at the last address on file with the director and such notice shall
652 state the complaint and alleged violation.]

653 [(c) The board may require at any time that a master electrician, master
654 electrician limited or journeyman electrician be reexamined for good cause and if such
655 licensee fails to pass the reexamination, his license or licenses may be revoked. A
656 person whose electrician's license has been revoked in this manner shall become
657 eligible after ninety (90) days has elapsed from the date of revocation to apply for a
658 new license. Such application shall be considered a new application and shall be
659 submitted pursuant to the provisions of this chapter.]

660 [(d) Any person, firm, company, corporation or partnership to whom a license
661 has been denied or whose license has been revoked or suspended or any such person,
662 firm, company, corporation or partnership who believes himself aggrieved by any
663 action of the board or director may appeal to the county board of appeals by filing a

664 notice of such appeal to the county board of appeals by filing a notice of such appeal
 665 with the clerk of the appeals board within ten (10) days from the date of receipt of
 666 notice of the action of the board or director. Notice of action of the board or director
 667 shall be personally served or be mailed by certified mail to the last address on file with
 668 the board.]

669 **ARTICLE [IV] III. PERMITS.**

670 **[17-29] [~~17-20~~]17-15. General requirements.**

671 (a) *Required.* Except as provided in section 17-1 of this [chapter] Chapter,
 672 no electrical equipment which is subject to the provisions of this [chapter]
 673 Chapter [shall] may be installed, repaired or maintained until a permit
 674 therefor has been issued by the [department] Department.

675 (b) *Application generally.* Except as provided in subsection (c), [All] all
 676 applications for permits [shall] must be in writing and in such form as
 677 may be prescribed by the [department] Department. All applications
 678 [shall] must be signed by a master electrician licensed by the State Board
 679 of Electricians [[or [master] a low-voltage electrician [limited] licensed
 680 under this Chapter,]] except those signed by homeowners [pursuant to]
 681 under section 17-13(c) [and those signed by an officer of the company
 682 pursuant to section 17-25(b) and (c)]. Each application [shall] must
 683 describe the work to be done and the location thereof and [shall] must be

684 accompanied by such plans, specifications and schedules as [shall] may
685 be necessary to determine whether the installation [will be in conformity]
686 conforms with the provisions of this [chapter] Chapter and, if necessary,
687 the provisions of [chapter] Chapter 8 of this Code.

688 (c) Application for installation of photovoltaic systems. The Director may
689 accept reports and recommendations from qualified and approved
690 photovoltaic system plan review service providers that have
691 demonstrated that the photovoltaic system plans reviewed reliably
692 conform to all requirements of this Chapter. Under this subsection,
693 photovoltaic system includes or incorporates one or more of the
694 following: photovoltaic panels, energy storage, or residential electric
695 vehicle charging systems, and any of their related systems or components.

696 (d) Action on application. The Director must examine or cause to be
697 examined each application, or report and recommendation, for an
698 electrical permit or an amendment to a permit within a reasonable time
699 after the application is filed. If the application or the plans do not conform
700 to all requirements of this Chapter, the Director must reject the
701 application in writing and specify the reasons for rejecting it. If the
702 proposed work conforms to all requirements of this Chapter and all other
703 applicable laws and regulations, the Director must issue a permit for the

704 work as soon as practicable. Before issuing a permit, the person who will
705 perform the work must demonstrate that he or she is qualified to perform
706 the proposed electrical work in a capable manner so as not to endanger
707 the life and property of occupants or neighbors, or property belonging to
708 any public utility.

709 ~~[(c)]~~(e)*Contents; conformity with permits; conditions; expiration upon non-*
710 *commencement of work, etc.* Each permit [shall] must describe with
711 particularity the installation to be done thereunder, and no person [shall]
712 may install any electrical equipment other than in accordance with the
713 permit. The permit is a license to proceed with the work and may not be
714 construed as authority to violate, cancel or set aside any of the provisions
715 of this Chapter. Each permittee must perform all electrical services [[and
716 low-voltage electrical services]] as required by this Chapter and the
717 electrical code and regulations adopted under it. The issuance of a permit
718 does not prevent the Department from thereafter requiring a correction of
719 errors in plans or in installation or of violations of this Chapter and all
720 other applicable laws or ordinances specifically referring thereto. The
721 issuance of any permit is expressly conditioned upon the applicant's
722 prompt compliance with all stop work orders issued by the Director. All
723 permits [shall] expire and [be] are null and void unless the work

724 authorized thereunder is commenced within [six (6) months] 180 days
 725 from the date of issuance or after commencement of work if more than
 726 180 days pass between inspections; provided, that the [department]
 727 Department may upon good cause shown extend a permit one or more
 728 times [from] for a [periods] period not [exceeding] to exceed sixty (60)
 729 days.

730 [(d)](f)Repairs exempted. No permit shall be required to repair portable
 731 electrical equipment or lighting fixtures, or to repair or replace sockets,
 732 receptacles or snap switches, or to make other minor repairs at existing
 733 outlets, or to repair motors, or to replace motors with motors of the same
 734 nameplate rating.

735 [(e)](g)Supervision. It shall be unlawful for any licensee to allow the
 736 installation, repair or maintenance of any electrical equipment requiring
 737 a permit from the department unless under the immediate and personal
 738 supervision of either a licensed master or journeyman.

739 **[17-30] [[17-21]]17-16. Emergency work.**

740 When necessary to make emergency repairs or replacements to electrical
 741 installations, or to make branch circuit extensions for switches, receptacles or the like,
 742 incidental to such emergency work, such work may be done without a permit;
 743 provided, that the person doing the same [shall] must possess all licenses required

744 under Article III of this Chapter and first inform the [department] Department either
 745 orally or in writing if the [department's] Department's office is open at the time of such
 746 emergency giving [his] the person's name and address and the address where the work
 747 is to be done, the nature thereof and when it is to be started. Such person shall file an
 748 application for a permit covering such emergency work on the first business day
 749 following the performance thereof.

750 **[17-31] [[17-22]]17-17. Temporary installations.**

751 A temporary permit [shall be] is required in connection with electrical
 752 equipment installed for a temporary use for a period not to exceed [six (6) months] 180
 753 days. Such permit may be extended for an additional period of [six (6) months] 180
 754 days by the [department] Department.

755 **[[17-23]]17-18. Stop work order.**

756 (a) In addition to the other provisions set forth in this Chapter, whenever the
 757 Director determines that electrical services [[or low-voltage electrical
 758 services]] are being prosecuted in violation of the provisions of this
 759 Chapter, including those conditions upon which the permit has been
 760 issued or in a manner which threatens the safety, health and welfare of
 761 the public, the Director may order the work to be immediately stopped.

762 (b) The stop work order described herein must be in writing and served upon
 763 the owner of the property involved or the owner's agent or to the person
 764 doing the work.

765 (c) It is unlawful for any person to continue or permit the continuance of
 766 work after having been served with a stop work order, except such work
 767 as the person is directed to perform to remove a violation or unsafe
 768 condition.

769 **[[17-24]]17-19. Revocation of permit.**

770 The Director may revoke a permit or approval issued under this Chapter in case
 771 of any false statement or misrepresentation of fact in the application or on the plans on
 772 which the permit or approval was based or in case of any violation of the conditions
 773 upon which such permit was issued.

774 **ARTICLE [V] IV. INSPECTIONS.**

775 **[17-32] [[17-25]]17-20. Notice upon completion; inspection of installations**
 776 **generally.**

777 It [shall be] is unlawful for the holder of a permit issued hereunder to fail to
 778 notify the [department] Department within five (5) days of the completion of an
 779 installation regulated by this [chapter] Chapter. The [department] Department [shall
 780 cause] must inspect the installation [to be inspected] within forty-eight (48) hours of

781 such notice, exclusive of Saturdays, Sundays, and holidays, or as soon thereafter as
782 practicable.

783 **[17-33] [~~17-26~~]17-21. Inspection of covered installations.**

784 (a) When any part of an installation regulated by this [chapter] Chapter is to
785 be hidden from view by the permanent placement of part of a building,
786 the holder of the permit [shall] must notify the [department] Department
787 and such installation [shall] must not be concealed until it has been
788 inspected and approved by the [department] Department; provided, that
789 on large installations where the concealment of electrical equipment
790 proceeds continuously, the holder of the permit shall give the
791 [department] Department notice thereof so that inspections may be made
792 periodically during the progress of the work.

793 (b) The [department] Department [shall have the authority to] may remove
794 or require the removal of any structure or materials that prevent proper
795 inspection of any electrical equipment.

796 **[Sec. 17-34.]**

797 **[17-35] [~~17-27~~]17-22. Authorization to supply power.**

798 (a) No electric light or power company [shall] may supply electricity or
799 power to any electrical equipment, for the installation of which a permit
800 is required under this [chapter] Chapter, and no person shall connect any

801 such electrical equipment to a supply of electricity or power, except
 802 where authorized by the [department] Department.

803 (b) If after the inspection the [department] Department finds the installation
 804 to be in conformity with the provisions of this [chapter] Chapter, it [shall]
 805 must approve the installation and authorize the use of the installation and
 806 connection to the supply of electricity and power, and [shall] must give
 807 notification to the electric light or power company supplying the same.
 808 Such notification may be issued for an entire installation or part thereof.

809 (c) Authorization may be issued for temporary installations authorized
 810 [pursuant to] under section [17-30] 17-21 of this [chapter] Chapter.
 811 Temporary installations may be canceled by the [director] Director at any
 812 time if the installation is not maintained as required by this [chapter]
 813 Chapter.

814 **[17-36] [~~17-28~~]17-23. Defective installations and equipment.**

815 (a) If upon inspection any installation for which a permit is required under
 816 this [chapter] Chapter is found to be in violation of the provisions of this
 817 [chapter] Chapter, the [department] Department [shall] must notify the
 818 holder of the permit of the nature of such violation in writing and the same
 819 [shall] must be corrected within ten (10) days after such notice or such
 820 other period of time as may be specified by the [department] Department.

- 821 (b) If the [director] Director finds that any electrical equipment installed
822 before or after the enactment of this [chapter] Chapter is dangerous to
823 persons or property because defective or improperly used or installed,
824 [he] the Director [shall] must notify the owner or lessee of the property
825 in writing, setting forth the nature of such dangerous condition; and such
826 person [shall] must make such changes or repairs as are necessary to put
827 such equipment in a safe condition within such period as may be specified
828 by the [director] Director.
- 829 (c) Upon failure of any person to comply with a notice issued pursuant to this
830 section, the [director] Director [shall] must revoke any permit which has
831 been issued for the installation of such equipment, [shall] must not
832 authorize the electrical light or power company to supply electricity, or
833 [shall] must revoke any such authorization which previously has been
834 issued.
- 835 (d) If the equipment or installation is connected to a supply of electricity or
836 power, the [director] Director [shall] must have the authority to
837 disconnect the same and [shall] must send notice to the electric light or
838 power companies to discontinue its supply or electricity or power to such
839 equipment or installation, and such supply of electricity or power [shall]
840 must be terminated within twenty-four (24) hours of the receipt of such

841 notice, without liability therefor on the part of such electric light or power
 842 company.

843 **ARTICLE [VI] V. STANDARDS AND REQUIREMENTS FOR FIRE AND**
 844 **BURGLAR ALARM SYSTEMS.***

845 **[17-37] [[17-29]]17-24. General Requirements.**

847 (a) It [shall be] is the duty of the owner, agent, lessee, occupant, or any other
 848 person entitled to the beneficial use, rental or control of any building
 849 which is required under this Code to have a fire alarm system to provide,
 850 install and maintain therein a fire alarm system with sufficient alarm
 851 bells, striking stations or automatic detectors, of such type and character
 852 as contained in regulations adopted by the [county executive] County
 853 Executive under method (2) of section [2-15] 2A-15 of this Code.

854 (b) All apparatus, materials, equipment and systems used in connection with
 855 an alarm system, except the wiring thereof, to be installed under the
 856 provisions of these regulations [shall] must be designed and of a type
 857 suitable for the voltage and current available and be specifically approved
 858 for the purpose by the [department] Department before installation. They
 859 [shall] must be tested and listed by the Underwriters' Laboratories, Inc.,
 860 for fire alarm services before submission to the [department] Department.

861 (c) It [shall be] is the duty of the owner, agent, lessee, occupant or any other
 862 person entitled to the beneficial use, rental or control of any building who

863 desires a burglar alarm system to install and maintain such a system in
 864 accordance with provisions of the National Electrical Code as adopted by
 865 section 17-3 of this [chapter] Chapter.

866 **ARTICLE [VII] VI. STANDARDS AND REQUIREMENTS FOR**
 867 **ELECTRICAL INSTALLATIONS.**

868 **[17-38] [[17-30]]17-25. Standards.**

869 (a) A person must not sell or install electrical equipment which does not
 870 contain the certification of an inspection authority approved by the
 871 Department.

872 (b) The standards and requirements of this [chapter] Chapter [shall] must be
 873 based upon the currently designated edition of the National Electrical
 874 Code and amendments thereto as specified in regulations adopted by the
 875 [county executive] County Executive under method (2) of section 2A-15
 876 of this Code and are hereby declared to be minimum standards and
 877 requirements. Any electrical equipment or installation which is equal or
 878 superior to such standards and requirements [shall] must be deemed to be
 879 in compliance therewith.

880 (c) Except as otherwise provided in this [chapter] Chapter, conformity of
 881 installations of electrical equipment with such regulations adopted
 882 pursuant to section 17-2(b) [shall be] is prima facie evidence that such
 883 installations are reasonably safe to persons and property.

884 (d) A person must not occupy or offer to sell for occupancy any mobile home,
885 prefabricated or modular dwelling, industrialized building, or similar
886 structure as defined in the National Electrical Code, without having first
887 obtained from the manufacturer a certification by the State of Maryland
888 that the structure [has met] meets the standards contained in regulations
889 adopted under Sections 12-301 through 12-313 of the Public Safety
890 Article of the Maryland Code.

891 (e) All electrical installations, including outlets, panel boxes, heat panels and
892 fixtures subject to damage from flooding must be located, built, and
893 floodproofed to eliminate or minimize flood damage.

894 **Sec. ~~[[17-39]]17-26. Reserved.~~**

LEGISLATIVE REQUEST REPORT

BILL: XX-XX
Electricity Law-Chapter 17

DESCRIPTION: This new rewrite of Chapter 17 captures the significant changes brought about by the recent State assumption of the electrical licensing process. The Department of Permitting Services has added a new stand-alone license for low voltage contractors which was not included in the new State regulations, creating a vacuum in Montgomery County low voltage industry. Effectively this rewrite of Chapter 17 deletes three license categories of master, master limited and journeyman and creates the new low voltage license category.

PROBLEM: The state does not provide licensing for low voltage contractors. This creates a situation where low voltage contractors in Montgomery County suddenly find themselves operating without a license.

GOALS AND OBJECTIVES:

1. To allow all state licensed electrical contractors to apply for electrical permits without any addition licensing requirements.
2. To dissolve the Montgomery County Board of Electrical Examiners and allow state control of examinations.
3. To create a Montgomery County low voltage license obtainable by an International Code Council (ICC) examination.

COORDINATION: The Office of the County Executive.

FISCAL IMPACT: N/A

ECONOMIC IMPACT: N/A

EVALUATION: N/A

EXPERIENCE ELSEWHERE: In the State of Virginia electrical licenses are controlled and issued by the state.

SOURCE OF INFORMATION: DPS

APPLICATION WITHIN MUNICIPALITIES: N/A

PENALTIES: N/A



OFFICES OF THE COUNTY EXECUTIVE

Marc Elrich
County Executive

MEMORANDUM

February 25, 2022

TO: Gabe Albornoz, President
Montgomery County Council

FROM: Marc Elrich, County Executive 

SUBJECT: Chapter 17 – Electricity

This rewrite of Chapter 17 captures the significant changes brought about by the recent State assumption of the electrical licensing process. Effectively this rewrite of Chapter 17 deletes three current electrician license categories of electricians (master, master limited, and journeyman) and creates new low voltage license category. The Department of Permitting Services has added this new stand-alone license for low voltage contractors as it was not included in the new State regulations.

These proposed regulations also eliminate the Montgomery County Board of Electrical Examiners, as its previous functions have been assumed by the state. The main function of the board was to administer examinations to candidates who met the minimum requirements for licensure. The only remaining local license will be the Low Voltage Electrician License and its exam will be administered by ICC (International Code Council); a code administration organization recognized by many jurisdictions across the United States including Montgomery County. Other updates have been made to reflect current practices. The apprentice permit is deleted as it has not been used for many years. A new permitting process is added as a result of the new licensing process. The homeowner's license/permit was retained. By strict definition, a state license is required to provide service for compensation, and the homeowner's license does not fit this category.



OFFICE OF THE COUNTY ATTORNEY

Marc Elrich
County Executive

John P. Markov
Acting County Attorney

MEMORANDUM

TO: Mitra Pedoeem, Director
Department of Permitting Services

VIA: Edward B. Lattner, Chief *Edward B. Lattner*
Division of Government Operations

FROM: Clifford Royalty, Chief *Clifford Royalty*
Division of Zoning, Land Use, and Economic Development

DATE: June 22, 2022

RE: **Bill 12-22, Electricity - Board of Electrical Examiners - Licenses - Permit Requirements (Draft 1)**

OCA has no legal objections to the Bill.

cc: Ken Hartman, Director of Strategic Partnerships
John Markovs, Acting County Attorney
Livhu Ndou, Legislative Attorney

22-004520

Fiscal Impact Statement

Bill 12-22, Electricity – Board of Electrical Examiners – Licenses – Permit Requirements

1. Legislative Summary.

Bill 12-22 conforms the County Code with the changes brought about by the recent State assumption of the electrical licensing process. The Bill deletes from the County Code three license categories for master, master-limited, and journeyman electricians. Furthermore, it creates a new low-voltage electrician license for low-voltage contractors which was not included in the new State regulations.

2. An estimate of changes in County revenues and expenditures regardless of whether the revenues or expenditures are assumed in the recommended or approved budget. Includes source of information, assumptions, and methodologies used.

Based on historical revenue averages from this source, it is estimated that there could be a net loss of approximately \$200,000 a year, even with some new revenue generated from the new low-voltage license. This estimated net revenue loss is 0.54 percent of DPS' FY22 Approved Revenue Budget of \$36.9 million.

3. Revenue and expenditure estimates covering at least the next 6 fiscal years.

| | <u>FY23</u> | <u>FY24</u> | <u>FY25</u> | <u>FY26</u> | <u>FY27</u> | <u>FY28</u> | <u>6-Year Total</u> |
|--------------|--------------|-------------|-------------|-------------|-------------|-------------|---------------------|
| Revenue Loss | \$ (200,000) | \$(200,000) | \$(200,000) | \$(200,000) | \$(200,000) | \$(200,000) | \$(1,200,000) |

4. An actuarial analysis through the entire amortization period for each bill that would affect retiree pension or group insurance costs.

The Bill is not expected to impact retiree pension or group insurance costs.

5. An estimate of expenditures related to County's information technology (IT) systems, including Enterprise Resource Planning (ERP) systems.

The Bill is not expected to increase County IT or ERP expenditures.

6. Later actions that may affect future revenue and expenditures if the bill authorizes future spending.

The Bill does not authorize future spending.

7. An estimate of the staff time needed to implement the bill.

Implementation of the Bill is not expected to materially impact staff time or resources, since a DPS position is not exclusively dedicated to issuing electrician licenses. Rather, this workload has been shared amongst several DPS staff. Removal of the license workload will allow these staff members to focus on filling other workload gaps and expediting the review of other DPS issued licenses and permits. DPS staff will continue to verify State issued electrician licenses as part of their plan review and permit issuing process.

8. An explanation of how the addition of new staff responsibilities would affect other duties.

See answer to Question 7.

9. An estimate of costs when an additional appropriation is needed.

Not applicable.

10. A description of any variable that could affect revenue and cost estimates.

Estimated revenue losses are based on historical trends and projections of low voltage licenses to be issued. There are not any expected variables that would cause these estimates to significantly increase or decrease.

11. Ranges of revenue or expenditures that are uncertain or difficult to project.

Not applicable.

12. If a bill is likely to have no fiscal impact, why that is the case.

Not applicable.

13. Other fiscal impacts or comments.

Not applicable.

14. The following contributed to and concurred with this analysis:

- Ehsan Motazed, Department of Permitting Services
- Rick Merck, Department of Permitting Services
- Simin Rasolee, Department of Permitting Services
- Rafael Pumarejo Murphy, Office of Management and Budget



Jennifer R. Bryant, Director
Office of Management and Budget

06/22/2022

Date

Economic Impact Statement

Office of Legislative Oversight

Bill 12-22 Electricity – Board of Electrical Examiners – Licenses – Permit Requirements

SUMMARY

The Office of Legislative Oversight (OLO) anticipates that enacting Bill 12-22 would have a positive impact on economic conditions in the County in terms of certain economic indicators prioritized by the Council. By authorizing third-parties to review permit applications for projects related to photovoltaic (i.e., solar) systems, the change in County electricity law likely would affect certain contractors and their clients in two ways: First, third-party review likely would decrease the average time for residential solar permit review and completion timeline for residential solar projects. As a result, contractors who use third-party review likely would experience a net decrease in operating costs, which would reduce the price of residential solar installation if contractors pass on a portion of the savings to clients. Second, third-party review could help streamline County permitting for other projects. If so, other contractors may also experience a net decrease in operating costs. The magnitude of the Bill's economic impacts could range from slight to significant depending on factors identified in this analysis.

BACKGROUND

Bill Description

With the passage of the Maryland Electricians Act in May 2021, electricians are no longer required to carry numerous County, City, or other local licenses to provide electrical services. Instead, the State has assumed much of the electrician licensing requirements.¹ The purpose of Bill 12-22 is to change County electricity law to conform with the significant changes brought about by the State's assumption of electrician licensing. The changes to County electricity law would include the following:

- Removing the electrician licensing categories assumed by the State, thereby removing County licensing requirements for state-licensed electricians. *This action is required by the Maryland Electricians Act, which repealed the authority of local governments to license master, journeyman, and apprentice electricians.*²
- Creating a County Low Voltage Electrician License since the State does not provide licensing for low voltage contractors.
- Eliminating the Montgomery County Board of Electrical Examiners since the State now handles many of its functions.

¹ Ndou, Livhu to County Council, [Memorandum](#).

² Maryland Department of Labor, [Maryland Electricians Act – Electricians](#).

Economic Impact Statement

Office of Legislative Oversight

- Authorizing third-party plan review for the permitting of photovoltaic systems—defined in the Bill as photovoltaic or “solar” panels, energy storage, or residential electric vehicle charging systems, and any of their related systems/components.³

Primary Economic Stakeholders

The provision in Bill 12-22 that OLO believes would be the most economically impactful to County stakeholders would be **authorizing third-parties to review permit applications for projects related to photovoltaic systems.**

Currently, the Department of Permitting Services (DPS) is responsible for reviewing permit applications for solar installation projects. DPS personnel informed OLO that the third-party permit reviewer would be Solar Automated Permit Processing (SolarAPP+), developed by the U.S. Department of Energy’s National Renewable Energy Laboratory.⁴ According to its website, SolarAPP+ is:

an online web portal that automates the plan review and process for issuing permits to qualified businesses or individuals to install code-compliant residential photovoltaic (PV) systems. Based on model building, electrical, and fire codes, SolarAPP automatically performs a compliance check based on inputs supplied by the contractor to ensure the proposed system is safe and code compliant.⁵

The goal of authorizing SolarAPP+ to review permit applications is to streamline the permitting process for residential solar panel installations.⁶

If this goal is achieved, **the primary economic stakeholders** of Bill 12-22 would be:

- residential solar contractors who use SolarAPP+ and their resident clients; and
- other contractors who benefit from the Bill’s potential to reduce bottlenecks in the DPS permitting process.

Beyond this provision of Bill 12-22, OLO does not believe the other changes to County electricity law would affect County-based economic stakeholders.

However, OLO notes that the State’s repeal of local authority to license certain categories of electricians has economically impacted electricians in the County. By amending County electricity law to conform with the State’s mandate, Bill 12-22 should not impact electricians beyond the legal requirements instituted in the Maryland Electricians Act. Electrical contractors based in the County therefore would be economically unaffected by the passage of the Bill. For this reason, OLO does not consider them a primary economic stakeholder.⁷

³ [Bill 12-22](#).

⁴ DPS personnel, interview with author, June 29, 2022.

⁵ Solarapp.nrel.gov, [What is SolarAPP+?](#)

⁶ DPS personnel, interview with author, June 29, 2022.

⁷ It is worth noting that the Maryland Electricians Act allows local jurisdictions to require master, journeyman, and apprentice electricians to register with the local government and collect a fee. Since Bill 12-22 would not institute (nor expressly forbid) registration requirement, this analysis does not address the economic impacts.

Economic Impact Statement

Office of Legislative Oversight

INFORMATION SOURCES, METHODOLOGIES, AND ASSUMPTIONS

Per Section 2-81B of the Montgomery County Code, the purpose of this Economic Impact Statement is to assess Bill 12-22's impacts on County-based private organizations and residents in terms of the Council's priority economic indicators.⁸ In subsequent sections of this statement, OLO focuses on how authorizing third-parties, specifically SolarAPP+, to review permit applications for projects related to photovoltaic systems likely would impact the primary economic stakeholders identified above in terms of operating costs and income.

To assess Bill 12-22's impacts on the Council's priority indicators, OLO performs a qualitative assessment based on two sources of information:

1. Interview with DPS personnel on June 29, 2022.

2. Nonrandomized control trial pilot of SolarAPP+: Using the Google Scholar database,⁹ OLO identified the following study on SolarAPP+ conducted by the National Renewable Energy Laboratory (NREL), a national laboratory of the U.S. Department of Energy:

Williams, Juliana, Jeffrey J. Cook, Jesse R. Cruce, Kaifeng Xu, Seth Crew, Minahil Qasim, and Matt Miccioli. "[SolarAPP+ Pilot Analysis: Performance and Impact of Instant, Online Solar Permitting.](#)" Golden, CO: National Renewable Energy Laboratory. NREL/TP-6A20-81603. 2022.

NREL conducted a nonrandomized control trial pilot to assess SolarAPP+ performance against traditional permit review processes. The trial was conducted from November 2020 through December 2021 in five jurisdictions—Menifee, California; Pima County, Arizona; Pleasant Hill, California; Stockton, California; and Tucson, Arizona. During the pilot, participating contractors were asked to submit eligible residential solar projects "alternately" through the traditional permitting process and the SolarAPP+ process. The study compared projects permitted through SolarAPP+ (treatment group) and projects permitted through traditional processes both during the trial (control group) and before the trial (historical baseline) in terms of the following outcomes:

- Permit application review time;
- Permit revisions;
- Inspection pass rates;
- Solar adoption timelines; and
- Total staff hours dedicated to residential solar permitting.

The NREL study was chosen for several reasons: First, it's the only impact evaluation performed on SolarAPP+ to OLO's knowledge. Second, despite the NREL study's methodological limitations (e.g., small number of control groups), OLO

⁸ Montgomery County Code, [Sec. 2-81B](#).

⁹ The article was identified using the following search term: "SolarAPP"

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Office of Legislative Oversight

believes the findings offer an adequate basis on which to infer potential impacts on the permitting process for residential solar panel installations should the County adopt SolarApp+ as its third-party permit reviewer.

VARIABLES

The primary variables that would affect the economic impacts of enacting Bill 12-22 are the following:

- number of contractors who use SolarAPP+;
- permit application review time;
- solar adoption timelines; and
- total staff hours dedicated to residential solar permitting.

IMPACTS

WORKFORCE ▪ TAXATION POLICY ▪ PROPERTY VALUES ▪ INCOMES ▪ OPERATING COSTS ▪ PRIVATE SECTOR CAPITAL INVESTMENT ▪ ECONOMIC DEVELOPMENT ▪ COMPETITIVENESS

Businesses, Non-Profits, Other Private Organizations

OLO anticipates that enacting Bill 12-22 likely would have positive impacts on certain residential solar installers and other contractors in the County in terms of operating costs and potentially business income. The County's use of SolarAPP+ likely would impact these indicators in two ways:

1. Achieve efficiency gains in completing residential solar projects for contractors who use SolarAPP+: In its nonrandomized control trial pilot of SolarAPP+'s performance against traditional permit review processes, the NREL study found projects submitted through the SolarAPP+ were:

- reviewed in less than one day across all jurisdictions;
- more likely to require revisions (37%) compared to projects using the traditional process (8%);
- comparable to projects using the traditional process in inspection pass rates; and
- completed (measured from the time of permit submittal to final inspection) an average of 12 days faster than projects using the traditional process.

Importantly, the findings should be interpreted as *suggestive*. First, due to small sample sizes, the results are not statistically significant. Second, the NREL study does not provide details on the characteristics of projects assigned (nonrandomly) to the SolarAPP+ treatment and the traditional permitting control. For this reason, OLO cannot rule out

Economic Impact Statement

Office of Legislative Oversight

that factors other than contractors' use of SolarAPP+ were partly responsible for the decreased completion times in the treatment relative to the control.¹⁰

Overall, the findings point to SolarAPP+'s *potential* to achieve efficiency gains in completing residential solar projects in the County. OLO is confident that through its automated platform, SolarAPP+ would reduce the average residential solar permit review time for projects that use the tool from DPS's current average to less than one day. Also, OLO believes it is possible SolarAPP+ would decrease the average timeline for completing residential solar projects. The magnitude of the average time savings likely would depend on (a) how many contractors decide to use SolarAPP+ over DPS's permitting system and (b) how well contractors and County inspectors learn how to efficiently use SolarAPP+.

If Bill 12-22 achieves efficiency gains for certain residential solar projects, then County-based contractors who use SolarAPP+ likely would benefit from a net decrease in operating costs related to permitting, inspecting, and/or completing these projects.¹¹ In addition, if the Bill reduces the average project completion time for these contractors, they may have the opportunity to take on more projects per year. If so, they likely would experience a net increase in business income. However, OLO is uncertain whether there is sufficient demand for residential solar projects to increase per year installations for affected contractors.

2. Potentially help streamline DPS permitting for other projects: In addition to the results presented above, the NREL study found that participating jurisdictions saved hours related to permitting for residential solar projects. Indeed, from November 2020 to December 2021, SolarAPP+ saved jurisdictions over 2,700 combined staff hours, in comparison to less than 400 spent for SolarAPP+ implementation.

If a substantial number of contractors use SolarAPP+, then there may be a reduction in DPS permitting bottlenecks. This outcome may decrease the average time required for other contractors to attain permits from DPS. If so, other contractors may benefit from the positive externality through reduced operating costs associated with permitting and inspection (i.e., number of workforce hours required to manage project permits).

Beyond these potential impacts, OLO does not expect Bill 12-22 to affect private organizations in terms of the Council's other priority indicators.

Residents

OLO anticipates that enacting Bill 12-22 may have positive impacts on certain residents who have residential solar installed on their homes in terms of discretionary income. If contractors who use SolarAPP+ experience a net decrease in operating costs related to permitting, inspecting, and/or completing residential solar projects, they may pass on some portion of the savings to their customers in the form of minor decreases in installation prices. Also, if the average timeline for completing residential solar projects decreases for contractors who use SolarAPP+, certain customers may experience a decrease in

¹⁰ To illustrate, if there were more small projects in the treatment group than the control group, then project simplicity may have contributed to faster completion times in the SolarAPP+ treatment.

¹¹ For more on the "soft costs" of residential solar, see Benda, "[The Soft Costs of Distributed Solar](#)."

Economic Impact Statement

Office of Legislative Oversight

costs associated with overseeing projects (e.g., taking unpaid leave from work). Holding all else equal, these factors may reduce the amount of discretionary income residents use for solar installation than they otherwise would in the absence of Bill 12-22.

Beyond these impacts, OLO does not expect the Bill to affect residents in terms of the Council's other priority indicators.

DISCUSSION ITEMS

Given the limited available evidence on SolarAPP+'s impacts in other jurisdictions, Councilmembers may want to consider requiring periodic reports from DPS that assess the tool's impacts on residential solar project completion timelines, DPS's permitting process, and other outcomes of interest.

WORKS CITED

Maryland Department of Labor. [Maryland Electricians Act – Electricians](#).

Montgomery County Code. [Sec. 2-81B, Economic Impact Statements](#).

Montgomery County Council. [Bill 12-22, Electricity – Board of Electrical Examiners – Licenses – Permit Requirements](#).

Introduced on June 14, 2022.

Ndou, Livhu to County Council. [Memorandum](#). Bill 12-22, Electricity – Board of Electrical Examiners – Licenses – Permit Requirements. June 9, 2022.

Solarapp.nrel.gov. [What is SolarAPP+?](#)

Williams, Juliana, Jeffrey J. Cook, Jesse R. Cruce, Kaifeng Xu, Seth Crew, Minahil Qasim, and Matt Miccioli. [“SolarAPP+ Pilot Analysis: Performance and Impact of Instant, Online Solar Permitting.”](#) Golden, CO: National Renewable Energy Laboratory. NREL/TP-6A20-81603. 2022.

CAVEATS

Two caveats to the economic analysis performed here should be noted. First, predicting the economic impacts of legislation is a challenging analytical endeavor due to data limitations, the multitude of causes of economic outcomes, economic shocks, uncertainty, and other factors. Second, the analysis performed here is intended to *inform* the legislative process, not determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the Bill under consideration.

CONTRIBUTIONS

Stephen Roblin (OLO) prepared this report.

Racial Equity and Social Justice (RESJ) Impact Statement

Office of Legislative Oversight

BILL 12-22: ELECTRICITY – BOARD OF ELECTRICAL EXAMINERS – LICENSES – PERMIT REQUIREMENTS

SUMMARY

The Office of Legislative Oversight (OLO) anticipates that Bill 12-22 will have a little to no impact on racial equity and social justice (RESJ) in the County, as it does not make any fundamental changes that will affect the composition of electricians in the County.

PURPOSE OF RESJ IMPACT STATEMENT

The purpose of racial equity and social justice (RESJ) impact statements is to evaluate the anticipated impact of legislation on racial equity and social justice in the County. Racial equity and social justice refer to a **process** that focuses on centering the needs, leadership, and power of communities of color and low-income communities with a **goal** of eliminating racial and social inequities.¹ Achieving racial equity and social justice usually requires seeing, thinking, and working differently to address the racial and social harms that have caused racial and social inequities.²

PURPOSE OF BILL 12-22

As described by the Occupational Outlook Handbook, “electricians install, maintain, and repair electrical power, communications, lighting, and control systems.”³ Electricians are among the construction skilled trades, along with occupations such as plumbers, carpenters, and bricklayers.⁴ Typically, electricians have at least a high school diploma or equivalent, and licensure can be obtained for the profession through apprenticeship or attending a technical school.⁵ In 2021, electricians earned a median pay of \$60,040 annually, higher than the median pay of \$45,760 for all workers.⁶

The purpose of Bill 12-22 is to rewrite ‘Chapter 17 – Electricity’ of the County Code to conform with changes in State law to the licensing process for electricians. The Maryland Electricians Act, enacted in July 2021, authorized the State to issue licenses for apprentice electrician, journeyman electrician, and master electrician. Among several changes, the Bill if enacted achieves the following:⁷

- Removes licensing categories that have been assumed by the state, effectively allowing the County to recognize state-licensed electricians in the permitting process without any additional licensing requirements.
- Creates a new Low Voltage Electrician License category in the County, which is not provided by the state.
- Eliminates the Montgomery County Board of Electrical Examiners since its primary function of administering licensure examinations has now been assumed by the state. Examinations for the Low Voltage Electrician License will be administered by the International Code Council (ICC).
- Allows for a third-party to review permit applications for simple residential rooftop solar projects to streamline the permitting process.

Bill 12-22 was introduced to the Council on June 14, 2022.

RESJ Impact Statement

Bill 12-22

SKILLED TRADES AND RACIAL EQUITY

Careers in skilled trades such as electricians can offer a pathway to financial security that does not require obtaining a college degree. However, a history of racism in apprenticeships established racial disparities that are present in skilled trade employment to this day. As described by Jobs for the Future (JFF):⁸

“The [National Apprenticeship Act of 1937] was created to provide protections for apprentices, and it established the labor standards, national certification standards, and safeguards for apprentices’ welfare that a work-based learning program must adopt in order to be considered a Registered Apprenticeship. However, Black workers were still subject to racist and exclusionary policies, such as Jim Crow laws, upheld by states and cities, employers, and labor unions, reflecting the racist views of the times. As a result, they were still significantly underrepresented in most apprenticeships after the Apprenticeship Act was passed. When a Black worker was admitted into an apprenticeship, it was most commonly for a low-wage, less-skilled position.”

Research suggests that Black workers are still generally underrepresented in skilled trades,⁹ a pattern that is evident in electrician occupations. Nationally, while 12.3 percent of the employed are Black, 6.7 percent of electricians are Black.¹⁰ White people are overrepresented as electricians (77.5 percent of employed and 88.3 percent of electricians), while Latinx people are proportionally represented as electricians (18.0 percent of employed and 22.9 percent of electricians). Local data summarized in Table 1 suggests that Latinx workers are overrepresented as electricians in the County. Conversely, Black and Asian workers are underrepresented as electricians, while White workers are proportionally represented.

Table 1: Percent of Residents 18 Years and Over and Percent of Electricians by Race and Ethnicity, Montgomery County, Maryland

| Race and ethnicity ¹¹ | Percent of Residents 18 Years and Over | Percent of Employees in Electrician Occupations |
|----------------------------------|--|---|
| Asian | 16.0 | 5.7 |
| Black | 18.1 | 9.8 |
| White | 45.6 | 46.7 |
| Latinx | 18.6 | 54.9 |

Source: 2020 Decennial Census (Table P3, P4), OLO Analysis of 2020 American Community Survey Public Use Microdata Sample (PUMS), Census Bureau.

Of note, skilled trades are also marked by a significant gender disparity. Nationally, women are 80% less likely to work a craft job than men.¹² A study examining the experiences of Black tradeswomen noted patterns of racial and gender microaggressions experienced throughout their careers.¹³ A 2021 report from the PBS NewsHour highlights the continuing discrimination experienced by Black Americans and women in skilled trades.¹⁴

RESJ Impact Statement

Bill 12-22

ANTICIPATED RESJ IMPACTS

Bill 12-22 primarily codifies changes made to the electrician licensing process at the state-level. One of the primary implications of the Bill is that it will eliminate the requirement for state-licensed electricians to reciprocate their license with the County, a practice that has been in place since state law became effective in July 2021. While the changes will generally make it easier for electricians to operate in the County, the Bill does not make any fundamental changes to electrician training or licensing, factors that would potentially have RESJ implications for the people currently employed as electricians or those potentially entering the profession. Additionally, while the Bill adds a new licensing category for Low Voltage Electrician, it is not clear that this addition will have any meaningful impact on the composition of electricians in the County. Thus, OLO anticipates that Bill 12-22 will have a little to no impact on RESJ in the County.

RECOMMENDED AMENDMENTS

The RESJ Act requires OLO to consider whether recommended amendments to bills aimed at narrowing racial and social inequities are warranted in developing RESJ impact statements.¹⁵ OLO does not offer recommended amendments for this Bill, as its limited scope would not address racial and social inequities in the County.

CAVEATS

Two caveats to this racial equity and social justice impact statement should be noted. First, predicting the impact of legislation on racial equity and social justice is a challenging, analytical endeavor due to data limitations, uncertainty, and other factors. Second, this RESJ impact statement is intended to inform the legislative process rather than determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the bill under consideration.

CONTRIBUTIONS

OLO staffer Janmarie Peña, Performance Management and Data Analyst, drafted this RESJ impact statement.

¹ Definition of racial equity and social justice adopted from “Applying a Racial Equity Lens into Federal Nutrition Programs” by Marlysa Gamblin, et.al. Bread for the World, and from Racial Equity Tools. <https://www.racialequitytools.org/glossary>

² Ibid

³ “Electricians,” Occupational Outlook Handbook, Bureau of Labor Statistics, U.S. Department of Labor Last Modified April 18, 2022. <https://www.bls.gov/ooh/construction-and-extraction/electricians.htm>

⁴ “Skilled Trades,” College and Career Access Center, Accessed June 30, 2022. <https://www.jcisid.org/domain/307>

⁵ “Electricians,” Occupational Outlook Handbook

⁶ Ibid

⁷ Bill 12-22, Electricity – Board of Electrical Examiners – Licenses – Permit Requirements, Montgomery County, Maryland, Introduced June 14, 2022. https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2022/20220614/20220614_3D.pdf

⁸ Eric M. Seleznow and Cassandra McGhee, “Together We Can Increase Black Participation in Apprenticeship,” Center for Apprenticeship & Work-Based Learning, Jobs for the Future, February 25, 2021. <https://www.jff.org/what-we-do/impact-stories/center-for-apprenticeship-and-work-based-learning/together-we-can-increase-black-participation-apprenticeship/>

RESJ Impact Statement

Bill 12-22

⁹ Eric Hoyt and J.D. Swerzenski, “Who’s Getting the Skilled Blue Collar Jobs? A Look Into the Top and Bottom 5 States,” Center for Employment Equity, University of Massachusetts Amherst, Accessed June 30, 2022.

<https://www.umass.edu/employmentequity/who%E2%80%99s-getting-skilled-blue-collar-jobs-look-top-and-bottom-5-states>

¹⁰ “Employed Persons by Detailed Occupation, Sex, Race, and Hispanic or Latino Ethnicity,” Bureau of Labor Statistics, U.S. Department of Labor, Last Modified January 20, 2022. <https://www.bls.gov/cps/cpsaat11.htm>

¹¹ Latinx is an ethnicity rather than a race. Therefore, Latinx people are included in multiple racial groups throughout this impact statement, unless where otherwise noted.

¹² Eric Hoyt and J.D. Swerzenski, “Who’s Getting the Skilled Blue Collar Jobs? A Look Into the Top and Bottom 5 States”

¹³ Roberta Suzette Hunte, “‘My Walk has Never been Average’: Black Tradeswomen Negotiating Intersections of Race and Gender in Long-Term Careers in the U.S. Building Trades,” Doctoral Thesis: Department of Peace and Conflict Studies, University of Manitoba, Winnipeg 2012. https://central.bac-lac.gc.ca/.item?id=TC-MWU-8860&op=pdf&app=Library&oclc_number=1032914121

¹⁴ “Black Americans and Women Continue to Face Discrimination in the Skilled Trades,” PBS NewsHour, March 12, 2021. <https://www.pbs.org/newshour/show/black-americans-and-women-continue-to-face-discrimination-in-skilled-trades>

¹⁵ Bill 27-19, Administration – Human Rights – Office of Racial Equity and Social Justice – Racial Equity and Social Justice Advisory Committee – Established, Montgomery County Council



Maryland Chapter
National Electrical Contractors Association



Phone: (410) 590-1189

1743 Dorsey Road, Suite 104-105
Hanover, MD 21076

Fax: (410) 590-1198

July 11, 2022

Dear Council President Albornoaz and distinguished members of the Council:

On behalf of the Maryland Chapter of the National Electrical Contractors Association (NECA), I write today to express our strong **opposition** to Bill 12-22, Board of Electrical Examiners – Licenses – Permit Requirements.

Maryland NECA represents over 75 electrical contractors throughout the state, who in turn, employ some 12,000 electricians between IBEW Local 24, Local 26, and Local 70. Our contractors pride themselves on employing the best trained and most experienced electricians whose craftsmanship has been entrusted to build our schools, hospitals, stadiums, government buildings, and much more.

Maryland NECA **opposes** Bill 12-22 because this bill allows for a carveout of the Maryland Electricians Act (MEA) that will create a separate license for “low voltage” technicians which undermines the integrity of the bill regarding public safety. One of the main reasons that the MEA was implemented was to reaffirm the importance of having a qualified and competent electrician performing **any** electrical work. Per the MEA, a licensed electrician would have to spend three years working under a master electrician, graduate from a four-year registered apprenticeship, and pass a statewide examination in order to perform electrical work; however, if Bill 12-22 were to pass, a “low voltage” technician would not have to meet any of those requirements and could perform work on essential aspects of a building such as the fire alarm system without proving competence or qualification.

Ultimately, Bill 12-22 is a workaround by a select few so as to lower the requirements for electricians to perform what they would sell as “more safe” or “less skilled” work; however, electrical work of any voltage can be hazardous and must be performed by qualified and capable electricians. It is for these reasons that Maryland NECA **opposes** Bill 12-22 and asks that you join in opposition.

Sincerely,

William Yull
Executive Director
Maryland Chapter, NECA



International Brotherhood of Electrical Workers

GEORGE C. HOGAN: Business Manager • THOMAS C. MYERS: President • RICHARD D. WILKINSON: Vice President
JOSEPH F. DABBS: Financial Secretary • RICHARD G. MURPHY: Recording Secretary • PAULO C. HENRIQUES: Treasurer



TESTIMONY IN OPPOSITION TO BILL 12-22 Electricity-Board of Electrical Examiners-Licenses-Permit Requirements

To: Council President Alborno and distinguished Members of the Council

From: Tom Clark, Political Director, International Brotherhood of Electrical Workers Local 26

Members of the Montgomery County Council, on behalf of the 10,000 members of IBEW Local 26, I strongly **oppose** Bill 12-22, Electricity-Board of Electrical Examiners-Licenses-Permit Requirements. This bill, intended to reflect the changes of the new “Maryland Electricians Act” passed by the General Assembly, goes astray and seeks to add a “low voltage” license. This “low voltage” license undercuts the intention of a licensed Electrician and will put the safety of your constituents and the buildings they live and work, in jeopardy. I respectfully ask that you also **oppose** this bill.

A licensed electrician and a “low voltage” worker, differ like apples and oranges. A licensed electrician is required to work under a master electrician for 3 years, required to have 4 years of classroom training and pass a statewide wide examination. The “low voltage” worker need not qualify for these requirements, yet this Bill will allow that person to work on Fire Alarm systems that are powered by 120- and 480-volt systems. The same Fire Alarm systems in schools and hospitals that contain your most vulnerable citizens. I believe, along with the General Assembly, that any life safety system should be installed and maintained by licensed electricians, period!

The history of attaching this low voltage language to an Electricians bill is unfortunately commonplace. The Maryland Electricians Act (which Bill 12-22 is supposed to reflect) took some 9 years to pass, simply because of the low voltage language. The sponsors (McCray and Hornberger) realized their efforts to have a statewide electricians license were being hampered by the low voltage lobby. The apples and oranges scenario was apparent. As soon as the low voltage language was removed, the bill passed, safety was ensured and a statewide license was born.

In conclusion, I ask that the Council consider the safety of the residents and buildings of Montgomery County and allow only qualified, licensed electricians to perform this “life safety” work. Please join me in **opposition to Bill 12-22**. Thank you





To: Gabe Alborno, President – Montgomery County Council, & Members of the Council.

From: Jason Ascher, Political Director – Mid-Atlantic Pipe Trades Association.

Testimony in Opposition to Council Bill 12-22

Electricity-Board of Electrical Examiners-Licenses-Permit Requirements

On behalf of the Mid-Atlantic Pipe Trades and our United Association of Plumbers and Steamfitters Locals and members in Montgomery County, I ask you to **OPPOSE** Council Bill 12-22.

Licensing in the construction industry is about two things, protecting the public and ensuring that all workers meet a minimum skill and training level in their craft to do their job safely. Construction is a dangerous job, and construction workers need the training and experience to help ensure that worksites are safe for them and the public or end-user after construction. Licensed workers are guaranteed a minimum level of safety training and work experience to ensure the completed project is safe for public use.

Even in the plumbing and pipefitting industry, we train our workers to do basic electrical work, so they know how to do it safely. Therefore, exempting low voltage systems from licensing would be a mistake. The systems that fall under low voltage are vital to most people's everyday life, and ensuring they get installed safely is a priority. These systems include fire alarms, which along with the fire sprinkler systems my members build and maintain, save lives when they work correctly. Other systems such as cable tv, telephones, and computer networking are things most people would use regularly, and we need to ensure they get installed safely, so people do not get hurt.

As I said, the minimum level of experience and safety training you need to receive a license will ensure public safety. Therefore, I ask that you please **OPPOSE** Council Bill 12-22.

Sincerely,

Jason Ascher
Political Director
Mid-Atlantic Pipe Trades Association

July 7th 2022

TESTIMONY IN OPPOSITION TO BILL 12-22
Electricity-Board of Electrical Examiners-Licenses-Permit Requirements

To: Council President Alborno and distinguished Members of the Council
From: Tom Clark, Political Director, International Brotherhood of Electrical Workers Local 26

Members of the Montgomery County Council, on behalf of the 10,000 members of IBEW Local 26, I strongly **oppose** Bill 12-22, Electricity-Board of Electrical Examiners-Licenses-Permit Requirements. This bill, intended to reflect the changes of the new "Maryland Electricians Act" passed by the General Assembly, goes astray and seeks to add a "low voltage" license. This "low voltage" license undercuts the intention of a licensed Electrician and will put the safety of your constituents and the buildings they live and work, in jeopardy. I respectfully ask that you also **oppose** this bill.

A licensed electrician and a "low voltage" worker, differ like apples and oranges. A licensed electrician is required to work under a master electrician for 3 years, required to have 4 years of classroom training and pass a statewide wide examination. The "low voltage" worker need not qualify for these requirements, yet this Bill will allow that person to work on Fire Alarm systems that are powered by 120- and 480-volt systems. The same Fire Alarm systems in schools and hospitals that contain your most vulnerable citizens. I believe, along with the General Assembly, that any life safety system should be installed and maintained by licensed electricians, period!

The history of attaching this low voltage language to an Electricians bill is unfortunately commonplace. The Maryland Electricians Act (which Bill 12-22 is supposed to reflect) took some 9 years to pass, simply because of the low voltage language. The sponsors (McCray and Hornberger) realized their efforts to have a statewide electricians license were being hampered by the low voltage lobby. The apples and oranges scenario was apparent. As soon as the low voltage language was removed, the bill passed, safety was ensured and a statewide license was born.

In conclusion, I ask that the Council consider the safety of the residents and buildings of Montgomery County and allow only qualified, licensed electricians to perform this "life safety" work. Please join me in **opposition to Bill 12-22**. Thank you

James Merriam



President
JKM Electric Inc.

July 11, 2022

TESTIMONY IN PARTIAL SUPPORT TO BILL 12-22

Electricity – Board of Electrical Examiners – Licenses – Permit Requirements

As a resident of Montgomery County, I would like to express my support for the continued allowance for homeowners to perform electrical work in their residences. Since the passage of the Maryland Electricians Act, the Department for Permitting Services has placed the Homeowners Electrical Exam on hold. Allowing homeowners to perform electrical work under the supervision of the Department for Permitting Services, including the availability of inspections for such work, would encourage safe and informed home improvement work by homeowners.

However, the current bill text further restricts homeowners to only allow work on branch circuits. I understand the desire to limit what work homeowners may perform, but I would also like to express my support for expanding this allowance to at minimum explicitly include Communications Systems or low voltage systems more generally.

Glenn

Rivkees



Metro Washington Labor Council, AFL-CIO

815 Black Lives Matter Plaza NW • Washington, DC 20006 • 202-974-8150 • 202-974-8152 fax
An AFL-CIO "Union City"

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- Tim Traylor (AFSCME 2250)
- Dave Richardson (AFGE 12)

12 July 2022

Montgomery County Council
Stella Werner Council Office Building,
100 Maryland Ave, Rockville, MD 20850

President Alborno and members of the Montgomery County Council,

On behalf of the Metropolitan Washington Council, AFL-CIO, and our 150,000 rank and file members who live throughout the Metropolitan Washington Area, we would like to stand in solidarity in supporting our brothers and sisters from IBEW Local 26 in **opposition** to Bill 12-22, Electricity – Board of Electrical Examiners – Licenses – Permit Requirements.

The knowledge and experience of a certified, licensed electrician are incomparable to that of a "low voltage" worker. To insinuate that these two are the same is to disregard the years of training our members must complete entering the profession. Furthermore, it threatens the livelihood of

Most importantly, this legislation risks you, me, and the general population. To allow someone who does not possess the proper knowledge or skills to operate on 120 - 480 volt fire systems is a critical error of judgment of this council. Several vulnerable populations would be exposed to increased risk should this legislation. Our children in schools and loved ones in hospitals should and need to be in facilities that have worked by licensed skilled labor. There is no substitute for safety or peace of mind.

In closing, this matter has already been deliberated in the House and Senate of the Maryland General Assembly. Therefore, I urge you to follow your fellow legislators' lead and keep Montgomery County Citizens' safety first. Consequently, I ask for an **unfavorable** report on this legislation.

In Solidarity,

Déjah Désirée Williams, MPP
Political and Legislative Director
Metropolitan Washington Council, AFL-CIO

Bringing Labor Together Since 1896
www.dclabor.org



FROM THE DESK OF

AAROW ELECTRICAL SOLUTIONS LLC

July 5, 2022

TESTIMONY IN OPPOSITION TO BILL 12-22 ELECTRICITY-BOARD OF ELECTRICAL-LICENSES-PERMIT REQUIREMENTS

TO: Council President Alborno and distinguished Members of the Council
From: Atticus Cosgrove, Fire Alarm Superintendent, Aarow Electrical Solutions LLC

Members of the Montgomery County Council, on behalf of the Fire Alarm System Installers of IBEW Local 26, I strongly oppose Bill 12-22: Electricity-Board of Electrical Examiners-License-Permit Requirements. This bill intended to reflect the changes of the new "Maryland Electrician Act" passed by the General Assembly. The bill goes in the wrong direction and seeks to add a "low voltage" license. This "low voltage" license does not fully comprehend the gravity and the intent of the licensed electrician and could ultimately allow unsafe installations with no oversight by properly trained/qualified individuals. I respectfully ask that you oppose this bill.

The work performed by a licensed electrician and a "low voltage worker" can fall under the same umbrella. However, the work can also be very different. A licensed electrician is a highly trained individual that must meet several benchmarks in their path to become fully licensed with the state. An licensed electrician is required to have 3 years of work experience under the supervision of a master electrician, along with 4 years of classroom training. A "low voltage" electrician must not meet any of these requirements, yet under this bill, they would be allowed to work on Fire Alarm Systems under 50 volts. Even for a licensed electrician to work on Fire Alarm Systems, it takes additional training to learn the codes required to install a county/state compliant system. Fire Alarm Systems are also one of the most complex building systems in that they interface with all other building systems. The fire alarm connects and directly controls elevators, HVAC systems, security systems, building emergency generators, nitrogen generators, fire pumps, sprinklers (wet/dry/ANSUL), and lighting controls. All of these components that the fire alarm tie into are considered Life Safety, and if any of these are not connected in accordance with local and national codes, it could mean building damage or loss of life. Many of these systems including the fire alarm system itself contain voltages of 120v -480v which would limit the ability of a "low voltage electrician" to install and stay within the parameters of the new guidelines. Even the speaker circuits used in fire alarm systems are generally 70 volts.

Due to the complex nature of Fire Alarm System installations it might be a better approach to follow the NICET requirements of Fire Alarm installers and inspections, in addition to the state wide electrician license. NICET is the National Institute for Certification in Engineering Technologies and provides certification through testing and work verification, which is based on years of experience in the fire alarm industry. This is the governing body that the federal government uses for assessments of an individual's ability to install a compliant fire alarm system. These credentials apply to residential construction as well as commercial construction. A fire alarm system is only functional if installed correctly and ethically. NICET provides levels of certification starting with a Level 1, which is equivalent to only three months of fire alarm experience up to Level IV, which is equivalent to over 10 years experience.

In conclusion, I ask that Council consider the safety of the residents and buildings of Montgomery County and allow only qualified electricians to perform the "life safety" work. Please join me in opposition to Bill 12-22.

Atticus Cosgrove, SET, CFPS
NICET #110380
Fire Alarm Systems, Level IV

AAROW ELECTRICAL SOLUTIONS, LLC
37333 Carpenter Lane, Charlotte Hall, MD 20622
Cell (240) 223-7163
Main (301) 290-0069 | Fax (301) 290-1456
Email: AtticusCosgrove@aarow-llc.com

MEMORANDUM

September 30, 2022

TO: Transportation & Environment Committee

FROM: Livhu Ndou, Legislative Attorney

SUBJECT: Bill 12-22, Electricity – Board of Electrical Examiners – Licenses – Permit Requirements

PURPOSE: Worksession #1 **Addendum**

We received the attached memorandum from the County Executive Office regarding Bill 12-22, in support of the amendment to remove “low voltage” contractors from the legislation. The memorandum is attached at © 1. Additionally, we received a joint industry letter in support of the legislation attached at © 2. This letter was provided by Telsa, SunPower and SunRun.

This packet contains:

County Executive Memorandum dated September 30, 2022
Joint Industry Letter

Circle #

1
2



OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich
County Executive

MEMORANDUM

September 30, 2022

TO: Gabe Albornoz, President
Montgomery County Council

FROM: Marc Elrich, County Executive *Marc Elrich*

SUBJECT: Bill 12-22, Electricity – Board of Electrical Examiners – Licenses – Permit Requirements

In the original rewrite draft of Chapter 17, the comprehensive draft captures the significant changes brought about by the recent State assumption of the electrical licensing process, including deleting three current electrician license categories (master, master limited, and journeyman). The original rewrite draft submitted to the Council also included a county license for low voltage contractors.

After discussing with stakeholders and hearing the testimony before Council, I request that the Council amend the legislation to remove the low voltage contractors. I am hopeful the State will address this issue. However, the County should not move forward outside of the already defined structure at this time.

I appreciate the Council's willingness to continue working on this issue. Please let me know if my office can answer any questions or be of assistance.

cc: Mitra Pedoeem, Director, Department of Permitting Services
Ehsan Motazed, Deputy Director, Department of Permitting Services



September 21, 2022

Tom Hucker
Chair, Transportation and Environment Committee
Montgomery County District 5 Councilmember

Evan Glass
Member, Transportation and Environment Committee
Montgomery County Councilmember At-Large

Hans Riemer
Member, Transportation and Environment Committee
Montgomery County Councilmember At-Large

Re: Bill 12-22, Electricity – Board of Electrical Examiners – Licenses – Permit Requirements

Dear Montgomery County Councilmembers:

The following comments are provided on behalf of Tesla, Sunrun, and SunPower, which strongly support the adoption of Bill 12-22, specifically the provision that would allow for a third-party to review permit applications for simple residential rooftop solar projects to streamline the permitting process.

This proposal is critical because it would enable Montgomery County to streamline the permitting processes for standard residential solar systems and solar + storage systems by providing the Department of Permitting Services the direction to adopt the third-party software, SolarAPP+, which automates the review of residential solar system plans to ensure they are up to code and then automatically issues the permit for construction to begin.

Montgomery County stands to reap significant benefits from more clean energy in its community. Automatic and online systems, such as SolarAPP+, can produce 14 times more solar permits than traditional over-the-counter processes¹. Jurisdictions across the country have already “gone instant” and are a model for the rest of Maryland². Supportive policies like automated permitting can boost the number of households installing solar and storage systems, reduce municipal administrative costs, increase community resilience and make better use of government resources — all while contributing to the County’s 2035 goal to reduce community-wide GHG emissions by 100%.

¹ Based on the National Renewable Energy Laboratory Solar TRACE tool, 2021. Dataset:
<https://solarapp.nrel.gov/solarTRACE>

² https://solarapp.nrel.gov/adoption_at_a_glance

Furthermore, Bill 12-22 would enable Montgomery County to act on the commitment made on July 22, 2021, when U.S. Secretary of Energy Jennifer Granholm, Montgomery County Councilmember Will Jawando and U.S. Senator Chris Van Hollen publicly announced the County would pilot SolarAPP+.

For all of these reasons, the signatories of this letter encourage the Transportation and Environment Committee to recommend the enactment of Bill 12-22 during its October 3, 2022 Work session. Thank you for the opportunity to submit these comments.

Respectfully submitted this 21st day of September 2022 by:

Tessa Sanchez
Senior Policy Advisor
Tesla, Inc.
tesanchez@tesla.com
415-940-4493

Jim J. Purekal
Manager, Policy and Strategy, Southeast States
SunPower
Jim.Purekal@sunpower.com
850-723-5859

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