

Introduced	<u>10-4-2021</u>
Public Hearing	<u>10-18-2021</u>
Council Action	<u>11-1-2021</u>
Executive Action	<u>11-3-2021</u>
Effective Date	<u>1-3-2022</u>

County Council of Howard County, Maryland

2021 Legislative Session

Legislative Day No. 16

Bill No. 74-2021

Introduced by the Chairperson at the request of the County Executive

AN ACT changing references to electrical licenses to be registrations in accordance with State Law; correcting certain cross references; making certain technical corrections; providing for the application of this Act; and generally relating to licensing provisions for electricians in Howard County.

Introduced and read first time October 4, 2021. Ordered posted and hearing scheduled.
 By order Michelle Harrod
 Michelle Harrod, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on October 18, 2021.
 By order Michelle Harrod
 Michelle Harrod, Administrator

This Bill was read the third time on Nov 1, 2021 and Passed , Passed with amendments _____, Failed _____.
 By order Michelle Harrod
 Michelle Harrod, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 2 day of Nov, 2021 at 4⁰⁰ a.m./p.m.
 By order Michelle Harrod
 Michelle Harrod, Administrator

Approved/Vetoed by the County Executive November 3, 2021
Calvin Ball
 Calvin Ball, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **Section 1. Be It Enacted** by the County Council of Howard County, Maryland, that the Howard
2 County Code is amended as follows:

3 By amending:

4 Title 3, Subtitle 2 "Electrical Regulations"

5 Section 3.200. Purpose.

6 Section 3.201. Definitions.

7 Section 3.202. Board of Electrical Examiners.

8 Section 3.203. License required to do electrical work.

9 Section 3.204. Qualification's for master electrician-general license.

10 Section 3.205. Qualification for master electrician-restricted license.

11 Section 3.206. Qualifications for master electrician-limited license.

12 Section 3.207. License application.

13 Section 3.208. License examinations.

14 Section 3.209. Duration of licenses.

15 Section 3.210. Fees for licenses.

16 Section 3.211. Refusal, suspension or revocation of licenses.

17 Section 3.212. Procedure for hearing to refuse, suspend, or revoke a license.

18 Section 3.213. Indemnity and insurance.

19 Section 3.217. Permit required.

20 Section 3.221. Inspections.

21 Section 3.225. Hazardous conditions and authority to disconnect.

22 Section 3.226. Notice of violation.

23
24 **Title 3. Buildings.**

25 **Subtitle 2. Electrical Regulations.**

26
27 **Section 3.200. Purpose.**

28 The purpose of this subtitle is to regulate electrical work in Howard County by:

- 29 (a) ~~[[Licensing]]~~REGISTERING electricians;

1 (b) Providing standards for electrical work; and

2 (c) Providing for inspection of electrical work.

3
4 **Section 3.201. Definitions.**

5 In this subtitle, the following words have the meanings indicated.

6 (a) *Building official* means the Director of the Department of Inspections, Licenses and Permits
7 or the Director's designee.

8 (b) *Board* means Board of Electrical Examiners.

9 (c) *Department* means the Howard County Department of Inspections, Licenses and Permits,
10 charged with enforcement of this subtitle.

11 (d) *Electrical application* means an application to do electrical work that has been filed with the
12 Department.

13 (e) *Electrical permit* means an electrical application that has been signed by an authorized
14 representative of the Department indicating the Department's approval for the Applicant to
15 proceed with the proposed electrical work.

16 (f) *Electrical work* means the installation, repair, alteration, addition, maintenance or erection
17 of all or part of any electrical wiring, fixture, appliance, apparatus, raceway or conduit that
18 generates, transmits, transforms or utilizes electrical energy for light, heat, power or
19 communication.

20 (g) *Master electrician-general* means an individual licensed REGISTERED BY HOWARD
21 COUNTY to PERFORM electrical work WHO ALSO HOLDS A STATE LICENSE ISSUED
22 PURSUANT TO THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE OF THE ANNOTATED
23 CODE OF MARYLAND.

24 (h) *Master electrician-restricted* means an individual REGISTERED BY THE COUNTY licensed
25 to PERFORM one or more of the following categories of electrical work as specified on
26 the REGISTRATION:

27 (1) Electrically operated heating, ventilation, and air-conditioning (HVAC) equipment,
28 and temperature control wiring;

29 (2) Electrically operated elevators, cranes, hoists and pumps;

30 (3) Electrical display signs;

31 (4) Alarm systems;

- 1 (5) Radio, television, television antennas, cable television;
- 2 (6) Household appliances; or
- 3 (7) Telephone and low-voltage communications systems.

4 A master electrician-restricted, except ~~[[licensees]]~~REGISTRANTS restricted to radio and
5 television, may install electrical wiring from the point of distribution to, and including, the
6 equipment or appliance being installed.

7 (i) *Master electrician-limited* means an individual ~~[[licensed]]~~REGISTERED BY THE COUNTY to
8 ~~[[do]]~~PERFORM electrical work only on the premises of the individual's employer that is not
9 engaged in the business of electrical work.

10
11 **Section 3.202. Board of Electrical Examiners.**

12 (a) *General Provisions.* General provisions applicable to this board are set forth in subtitle 3,
13 "Boards and Commissions," of title 6, "County Executive and the Executive Branch" of the
14 Howard County Code.

15 (b) *Number of Members.* There is a Board of Electrical Examiners consisting of seven
16 members.

17 (c) *Qualifications for Appointment:*

18 (1) All members shall be residents of Howard County.

19 (2) Four members shall be licensed BY THE STATE AND REGISTERED BY THE COUNTY
20 pursuant to this subtitle.

21 (3) One member shall be an electrical engineer.

22 (4) Two members shall be selected from the general public.

23 (d) *Executive Secretary.* The Director or the Director's designee shall serve as Executive
24 Secretary to the Board. The Executive Secretary shall attend all Board meetings.

25 (e) *Meetings.* The Board shall hold regular meetings at least twice a year. Special meetings may
26 be held at the call of the Chairperson or by vote of a majority of the Board.

27 (f) *Records; Rules.* The Board shall keep written minutes of its proceedings. The minutes shall
28 be filed with the Department and shall be a public record. The Board shall record and
29 transcribe any hearings held pursuant to section 3.211, "Refusal, Suspension or Revocation
30 of ~~[[Licenses]]~~REGISTRATIONS," of this subtitle.

31 (g) *Duties and Responsibilities:*

- 1 (1) The Board shall make recommendations to the Director, the County Executive, and
2 the County Council on all matters relating to electrical work in Howard County,
3 including the conduct of electrical business.
- 4 (2) The Board shall make recommendations concerning rules and regulations for the
5 issuance of ~~[[licenses]]~~REGISTRATIONS, the examination of Applicants, the issuance of
6 permits and the inspection of electrical work.
- 7 (3) The Board shall examine Applicants and qualify those Applicants entitled to receive a
8 ~~[[license]]~~REGISTRATION.
- 9 (4) The Board may refuse, suspend, revoke, or reinstate a ~~[[license]]~~REGISTRATION
10 pursuant to the provisions of section 3.211, "Refusal, Suspension or Revocation of
11 ~~[[Licenses]]~~REGISTRATIONS," and section 3.212, "Procedure for Hearing To Refuse,
12 Suspend or Revoke ~~[[License]]~~REGISTRATION," of this subtitle.
- 13 (5) TO REFER DISCIPLINARY MATTERS TO THE STATE ELECTRICAL BOARD, AS APPLICABLE.
- 14 ~~[[5]]~~6) The County Executive or the County Council, by resolution, may refer any matter
15 related to the Board's function to the Board for its review and recommendation.
- 16

17 **Section 3.203. ~~[[License]]~~ REGISTRATION required to do electrical work.**

- 18 (a) *Electrical Work Performed by an Individual.* Except as exempted by (c) of this section, an
19 individual may not do electrical work unless ~~[[licensed]]~~ REGISTERED to do so pursuant to
20 this subtitle or unless under the supervision of an individual ~~[[licensed]]~~REGISTERED to do
21 so pursuant to this subtitle.
- 22 (b) *Electrical Work Performed by a Firm or Corporation.* Except as exempted by (c) of this
23 section, a firm or corporation may not do electrical work unless its principal(s) are
24 ~~[[licensed]]~~ REGISTERED to perform electrical work under this subtitle or unless it employs
25 an individual ~~[[licensed]]~~ REGISTERED to perform electrical work under this subtitle.
- 26 (c) *Exemptions.* The following individuals, firms or corporations are exempt from the
27 ~~[[licensing]]~~ REGISTRATION requirements of this subtitle:
- 28 (1) *Utility Companies.* Utility companies regulated by the Public Service Commission of
29 Maryland or contractors working for utility companies when doing electrical work on
30 equipment owned and maintained by the utility company on its own premises or the
31 customer's premises.

- 1 (2) *Radio and TV.* Radio and television transmitting stations, licensed and commissioned
2 by the Federal Communications Commission's regulations.
- 3 (3) *Federal or State employees or their agents.* Employees of the United States
4 Government or employees of the State of Maryland only when engaged in the
5 performance of their official duties. Contractors or servicemen engaged by the United
6 States government or by the State of Maryland to do electrical work on Federal or
7 State-owned premises or equipment.
- 8 (4) *Homeowners, minor repairs:* Single-family homeowners engaged in the repair or
9 replacement of portable appliances, lighting fixtures, fuses, lamps or sockets or the
10 making of other minor repairs at existing outlets in the homeowner's residence.
- 11 (5) *Homeowners, changes to wiring:* Single-family homeowners making changes to wiring
12 in the homeowner's residence only if performing work on a 120 volt, 15 and 20 amp
13 branch circuit as follows:
- 14 (i) A homeowner may perform work after:
- 15 a. Passing, with a score of 70 percent or greater, a written exam administered
16 by the Howard County Chief Electrical Inspector; and
- 17 b. Obtaining a Howard County electrical permit;
- 18 (ii) In order to obtain a Howard County electrical permit, a homeowner shall provide,
19 at or before the exam:
- 20 a. A written narrative explanation of work the homeowner wishes to perform
21 themselves; and
- 22 b. A drawing on 8.5 × 11 paper detailing wire type, wire location, the number
23 of devices, the type of devices, and the location of devices; and
- 24 (iii) A change to wiring performed by a homeowner is subject to inspection by the
25 Building Official.
- 26 (6) *Manufacture or assembly of electrical equipment:* An individual, firm or corporation
27 engaged in the manufacture or assembly of electrical equipment made by that
28 individual, firm or corporation or made for that individual, firm or corporation.

1
2 **Section 3.204. Qualification's for master electrician-general [[license]]REGISTRATION.**

3 (a) To qualify for a master electrician-general [[license]]REGISTRATION, an Applicant shall be
4 an individual who meets the requirements of this section.

5 (b) The Applicant shall pay the applicable fees.

6 (c) [[Except as provided in subsection (d) of this section, the]]THE Applicant shall hold an
7 active master electrician's license issued by the State of Maryland.

8 [[(d)Unless the Applicant holds an active master electrician's license issued by the State of
9 Maryland, the Applicant shall:

10 (1) Certify under penalty of perjury to having insurance as required by section 3.213 of
11 this subtitle;

12 (2) Be at least 21 years of age; and

13 (3) (i) Hold a current active master electrician-general license from a Maryland jurisdiction
14 that:

15 1. Has equivalent examination and qualifying procedures to those required in
16 Howard County; and

17 2. Grants reciprocity to Howard County licensees;

18 a. Have no license related violations outstanding for more than 30
19 days in that jurisdiction; and

20 b. 1. If the Applicant obtained the license by examination, have held it for at least
21 one year; or

22 2. If the Applicant obtained the license without examination, have
23 held it for at least two years; or

24 (ii) a. Have been regularly and principally engaged in electrical work for at least seven
25 years under the direction and supervision of a master electrician-general or
26 similarly qualified individual;

27 b. 1. An Applicant with a four-year certificate from a Maryland apprenticeship
28 school approved by the Maryland Apprenticeship Training Council may be
29 credited with up to six months of practical experience;

30 2. An Applicant with a bachelors degree in engineering may be
31 credited with up to two years of practical experience; and

1 3. An Applicant with a master's degree in professional engineering
2 may be credited with up to three years of practical experience;

3 c. Have correctly answered at least 70 percent of the questions on the
4 examination given by the Board to determine the individual's knowledge and
5 skill in electrical work; and

6 d. Satisfy the Board as to character, experience, and training.]]
7

8 **Section 3.205. Qualification for master electrician-restricted [[license]]REGISTRATION.**

9 (a) To qualify for a master electrician-restricted [[license]]REGISTRATION, an Applicant shall be
10 an individual who meets the requirements of this section.

11 (b) The Applicant shall be at least 21 years of age.

12 (c) The Applicant shall certify under penalty of perjury to having insurance as required by
13 section 3.213 of this subtitle.

14 (d) The Applicant shall pay the applicable fee.

15 (e) Except as provided in subsection (f) of this section, the Applicant shall:

16 (1) Hold a current active master electrician-restricted [[license]]REGISTRATION from a
17 Maryland jurisdiction that:

18 (i) Has equivalent examination and qualifying procedures to those required in
19 Howard County; and

20 (ii) Grants reciprocity to Howard County [[licenses]]REGISTRATIONS;

21 (2) Have no [[license]]REGISTRATION -related violations outstanding for more than 30 days
22 in that jurisdiction; and

23 (3) (i) If the Applicant obtained the [[license]] REGISTRATION by examination, have held it
24 for at least one year; or

25 (ii) If the Applicant obtained the [[license]]REGISTRATION without examination, have
26 held it for at least two years.

27 (f) Unless the Applicant meets the requirements of subsection (e) of this section, the Applicant
28 shall:

29 (1) (i) Have been regularly and principally engaged in the category of electrical work to
30 which the [[license]]REGISTRATION is restricted for at least two years under the

1 direction and supervision of a master electrician-general, master electrician-restricted,
2 qualified company agent, or similarly qualified individual; and

3 (ii) A month of full-time study or training shall equal one month of practical
4 experience if the Applicant received up to six months:

5 a. Full-time study in electrical engineering at an accredited college or
6 university; or

7 b. Full-time training in electrical work at a trade school recognized by the State
8 board of electrical examiners;

9 (2) Have correctly answered at least 70 percent of the questions on the examination given
10 by the Board to determine the individual's knowledge and skill in one or two restricted
11 types of electrical work; and

12 (3) Satisfy the Board as to character, experience, and training.

13
14 **Section 3.206. Qualifications for master electrician-limited [[license]]REGISTRATION.**

15 (a) To qualify for a master electrician-limited [[license]]REGISTRATION, an Applicant shall be
16 an individual who meets the requirements of this section.

17 (b) The Applicant shall pay the applicable fees.

18 (c) The Applicant shall certify that work will be performed only on the premises of an
19 employer that is not engaged in the business of electrical work.

20 (d) Except as provided in subsection (e) of this section, the Applicant shall hold an active
21 master electrician's license issued by the State of Maryland.

22 (e) Unless the Applicant holds an active master electrician's license issued by the State of
23 Maryland, the Applicant shall:

24 (1) Certify under penalty of perjury to having insurance as required by section 3.213 of
25 this subtitle;

26 (2) Be at least 21 years of age; and

27 (3) (i) Hold a current active master electrician-limited [[license]] REGISTRATION from a
28 Maryland jurisdiction that:

29 1. Has equivalent examination and qualifying procedures to those required in
30 Howard County; and

31 2. Grants reciprocity to Howard County [[licenses]]REGISTRATIONS:

- 1 a. Have no **[[license]]REGISTRATION**-related violations outstanding for
2 more than 30 days in that jurisdiction; and
- 3 b. 1. If the Applicant obtained the **[[license]]REGISTRATION** by
4 examination, has held it for at least one year; or
5 2. If the Applicant obtained the **[[license]]REGISTRATION** without
6 examination, has held it for at least two years; or
- 7 (ii) a. Have been regularly and principally engaged in electrical work for at least two
8 years under the direction and supervision of a master electrician-general, master
9 electrician-limited, or similarly qualified individual and a month of full-time study
10 or training shall equal one month of practical experience if the Applicant received
11 up to six months:
 - 12 1. Full-time study in electrical engineering at an accredited college or
13 university; or
 - 14 2. Up to six months of full-time training in electrical work at a trade
15 school recognized by the State Board of Electrical Examiners;
- 16 b. Have correctly answered at least 75 percent of the questions on the
17 examination given by the Board to determine the individual's knowledge and
18 skill in electrical work; and
- 19 c. Satisfy the Board as to character, experience, and training.

20
21 **Section 3.207. **[[License]]REGISTRATION application.****

22 Individuals shall apply for **[[license]]REGISTRATION** issuance, renewal, reactivation or
23 reinstatement to the Board of Electrical Examiners using an application form prescribed by the
24 Board.

25 This application shall contain, if applicable:

- 26 (a) Applicable fees, including the application fee; and
- 27 (b) Evidence of any current and valid **[[licenses]]REGISTRATIONS** required for the granting,
28 renewal or reinstatement of a **[[license]]REGISTRATION**; and
- 29 (c) Certification under penalty of perjury to having insurance pursuant to section 3.213,
30 "Indemnity and Insurance", of this subtitle; and
- 31 (d) Name and address of individual to be **[[licensed]]REGISTERED**; and

- 1 (e) Name, address and telephone number of firm or corporation for which
- 2 [[licensee]]REGISTRANT works; and
- 3 (f) Evidence of experience; and
- 4 (g) Character references, if required; and
- 5 (h) Evidence of successful study or training in electrical work, if required.

6

7 **Section 3.208. REGISTRATION[[License]] examinations.**

- 8 (a) *When examinations are given.* The Board shall set the date for all public scheduled
- 9 examinations. Individual examinations may be given at any time by the Director of
- 10 [[The]]THE Department [[of Inspections, Licenses, and Permits]] or the Director's
- 11 Authorized Designee.
- 12 (b) *Notice of Examinations.* The Board shall give public notice of the date of regularly
- 13 scheduled examinations by advertisement at least once in a newspaper of general circulation
- 14 in the County, at least 60 days prior to the date of examination.
- 15 (c) *Application for Examination.* Applications for [[licenses]]A REGISTRATION shall be filed
- 16 with the Board 45 days preceding the date of examination. The Applicant shall pay the
- 17 application/examination fee.
- 18 (d) *Board Decision.* Promptly after an examination and, in no event, longer than 45 days after
- 19 an examination, the Board shall make a decision as to:
 - 20 (1) The qualifications of the Applicant; and
 - 21 (2) Whether the [[license]]REGISTRATION will be granted.
- 22 (e) *Notice of Board Decision.* The Board shall mail the Applicant notice of its decision whether
- 23 or not to grant a [[license]]REGISTRATION.
- 24 (f) *Appeal.* An individual whose application has been rejected or who has been refused a
- 25 [[license]]REGISTRATION for failure to obtain a passing grade may appeal the decision to the
- 26 Board of Appeals.
- 27 (g) *Reexamination.* An Applicant who fails to pass an examination may take a reexamination at
- 28 the next regularly scheduled examination. The Applicant shall pay an additional
- 29 examination fee and submit a completed application at least 45 days prior to the
- 30 examination.

1 **Section 3.209. Duration of [[licenses]]REGISTRATIONS**

2 (a) *Master Electrician-General* [[Licenses]]REGISTRATION: Master electrician-general
3 [[licenses]]REGISTRATIONS expire on November 30 in each odd-numbered year and are
4 renewable for two years upon payment of the [[license]]REGISTRATION renewal fee and
5 completions of the renewal application form.

6 (b) *Master Electrician-Restricted and Master Electrician-Limited* [[Licenses]]REGISTRATIONS:
7 Master electrician-restricted and master electrician-limited [[licenses]]REGISTRATIONS
8 expire on November 30 in each even-numbered year and are renewable for two years upon
9 payment of the [[license]]REGISTRATION renewal fee and completion of the renewal
10 application form.

11 (c) *Restoration of Expired Master-Electrician* [[License]]REGISTRATION:

12 (1) [[This subsection applies only to licensees who do not hold a license issued by the
13 State of Maryland.

14 (2)]][F A REGISTRATION ISSUED UNDER THIS SUBTITLE]][f a master electrician-general,
15 master electrician-restricted, or master-electrician limited license]] expires because of
16 failure to renew, the REGISTRATION [[license]] may be restored upon payment of the
17 [[license]]renewal fee plus a restoration fee.

18 ([[3]]2)]][Master electrician-general licenses, master electrician-restricted licenses and
19 master electrician-limited licenses]]A REGISTRATION ISSUED UNDER THIS SUBTITLE may
20 be restored within a 90-day period after expiration.

21 ([[4]]3) If an expired [[license]]REGISTRATION is not renewed within the restoration
22 period, the individual holding the expired [[license]]REGISTRATION may be issued a
23 [[license]]REGISTRATION IF

24]][(i) If the individual demonstrates to the Board just cause why reinstatement should be
25 granted, and pays the required renewal and restoration fees; or

26 (ii) If]] the individual provides documentation to the Board that the original
27 [[license]]REGISTRATION was obtained after the individual passed an examination
28 that is equivalent to the examination required to obtain the type of [[license]]
29 REGISTRATION sought to be reinstated, and the individual pays the required
30 renewal and restoration fees.

31 (d) *Inactive* [[licenses]]REGISTRATIONS:

1 (1) *Active to inactive at request of THE REGISTRANT* *[[licensee]]*. A *[[licensee]]* REGISTRANT
2 who holds an active *[[license]]*REGISTRATION may at any time during the
3 *[[license]]*REGISTRATION period submit a written request to the Board to place the
4 *[[license]]*REGISTRATION on an inactive status, during which time the REGISTRANT
5 *[[licensee]]* is not required to carry insurance and may not do electrical work.

6 (2) *Automatic active to inactive*. An active *[[license of a licensee]]*REGISTRATION shall
7 automatically become inactive whenever notification of expired or canceled insurance
8 is received by the Board.

9 (3) *Reactivation*. If the REGISTRANT *[[licensee]]* elects to return to an active status at any
10 time during the two-year *[[licensing]]*REGISTRATION period, the
11 *[[license]]*REGISTRATION may be reactivated when the Board receives:

12 (i) A written request from the *[[license]]*REGISTRATION holder to activate the
13 *[[license]]*REGISTRATION; and

14 (ii) Certification, under penalty of perjury, to having insurance pursuant to section
15 3.213 "indemnity and insurance" of this subtitle.

16 (iii) The completed form, if applicable.

17 (e) *Notification When [[Licensee]]REGISTRANT Changes Employer or Address*: In order to
18 ensure receipt of *[[licensing]]*REGISTRATION information, fee changes or changes in the
19 Electrical Code, a *[[licensee]]*REGISTRANT shall notify the Board in writing whenever the
20 *[[licensee]]*REGISTRANT changes employer, company name or address. A company or firm
21 operating on a *[[license]]*REGISTRATION held by an employee or principal shall notify the
22 Board if the employee or principal leaves.

23
24 **Section 3.210. Fees for *[[licenses]]*REGISTRATIONS.**

25 The County Executive, upon recommendation of the Board, shall forward to the County
26 Council a recommendation for the fees to be charged for electrical *[[licenses]]*REGISTRATIONS
27 and *[[license]]*REGISTRATION examinations. The County Council shall adopt by resolution a
28 schedule of fees for *[[licenses]]*REGISTRATIONS. The schedule shall remain in effect until the
29 effective date of any revised schedule adopted by the County Council.

1
2 **Section 3.211. Refusal, suspension or revocation of [[licenses]]REGISTRATIONS.**

3 The Board may refuse, suspend or revoke a [[license]]REGISTRATION, after a hearing, for any of
4 the following causes:

- 5 (a) Obtaining a [[license]]REGISTRATION by false or fraudulent representation.
6 (b) Transferring the authority granted by the [[license]]REGISTRATION to another individual.
7 (c) Engaging in unfair or deceptive trade practices as defined in the Commercial Law article
8 of the Annotated Code of Maryland.
9 (d) Willfully or deliberately disregarding and violating the Building Code, Electrical Code or
10 laws of the County.
11 (e) Aiding or abetting an individual, firm or corporation to evade the provisions of this
12 subtitle.
13 (f) Failing to adequately train and control persons selling or estimating electrical work
14 performed under a [[licensee's]]REGISTRATION HOLDER'S supervision.
15 (g) Performing or permitting the performance of defective or dangerous work.
16 (h) Except as otherwise provided, failing to obtain an electrical permit prior to beginning any
17 electrical work.
18 (i) Failing to correct work in violation of this subtitle within 30 days.
19 (j) Violating any provision of this subtitle.

20
21 **Section 3.212. Procedure for hearing to refuse, suspend, or revoke a [[license]]**
22 **REGISTRATION.**

- 23 (a) *Notice to Applicant or [[Licensee]]REGISTRANT:* The Applicant or [[licensee]]REGISTRANT
24 shall be given written notice by certified mail, restricted delivery, that the Board proposes to
25 refuse, suspend or revoke the [[license]]REGISTRATION after a hearing. The notice shall give
26 the reasons for the proposed refusal, suspension or revocation. The notice shall give the
27 date, time and place of hearing.
28 (b) *Right to Hearing; Legal Representation; Witnesses.* The Applicant or
29 [[licensee]]REGISTRANT shall have the right to a hearing. The Applicant or
30 [[licensee]]REGISTRANT shall have the right to be represented by legal counsel. The
31 Applicant or [[licensee]]REGISTRANT shall have the right to call witnesses.

- 1 (c) *Record.* The Board shall record and transcribe the hearing and maintain it as part of the
2 record, pursuant to the provisions of the Administrative Procedure Act.
- 3 (d) *Decision.* The Board shall give the Applicant or [[licensee]]REGISTRANT written notice by
4 mail of its decision within 15 days of the hearing.
- 5 (e) *Right to Judicial Review.* The Applicant or [[licensee]]REGISTRANT shall have the right to
6 judicial review in accordance with the Administrative Procedure Act.

7

8 **Section 3.213. Indemnity and insurance.**

- 9 (a) *Indemnity.* Except a holder of an active master [[electrician's]] ELECTRICIAN-GENERAL
10 license issued by the State of Maryland, the holder of an electrical [[license]] RESTRICTED
11 OR LIMITED REGISTRATION shall indemnify and hold Howard County harmless from and
12 against all liability and expenses, including attorney fees, howsoever arising or incurred, for
13 damage to property or injury to or death of any person arising out of or attributable to the
14 performance of the [[licensee]]REGISTRANT in Howard County.
- 15 (b) *Requirement for Insurance.* Except a holder of an active master electrician's license issued
16 by the State of Maryland, an individual may not perform electrical work unless the
17 individual maintains insurance of the type and in the amount required under THE BUSINESS
18 OCCUPATIONS AND PROFESSIONS ARTICLE OF THE [[section 6-604 of the business
19 occupations and professions article,]] Annotated Code of Maryland. This insurance
20 provision does not relieve the individual doing electrical work of any of the responsibilities
21 assumed by an individual doing such work or for which an individual doing electrical work
22 may be liable by law or otherwise.
- 23 (c) *Insurance Required to Obtain [[License]]REGISTRATION.* The Board shall not issue, renew,
24 restore, or reactivate a [[license]]REGISTRATION unless the individual to be
25 [[licensed]]REGISTERED certifies under penalties of perjury to having the insurance required
26 pursuant to this section.
- 27 (d) *Notification.* Except a holder of an active master electrician's license issued by the State of
28 Maryland, the certificate of insurance shall provide that Howard County be given (with no
29 qualification) at least ten days' written notice prior to cancellation, intention not to renew, or
30 material change in provisions.

1
2 **Section 3.217. Permit required.**

3 (a) (1) Except as provided in paragraph (2) of this subsection and subsection (c) and subsection
4 (d) of this section, a person shall not perform electrical work without a permit obtained
5 under this subtitle.

6 (2) A permit is not required for a homeowner to repair or replace a portable appliance,
7 lighting fixture, fuse, lamp, socket or to make other minor repairs at an existing outlet
8 in the homeowner's residence.

9 (b) If an electrical application accompanies a building permit issued with a contingency
10 construction start (CCS), then electrical work, including rough-in work:

11 (1) May begin prior to the issuance of an electrical permit:

12 (2) Is subject to inspection after the electrical permit is issued; and

13 (3) Is subject to all rules and limitations of the CCS.

14 (c) Instead of obtaining an individual electrical permit, the holder of a master electrician-
15 limited [[licensee]]REGISTRATION may obtain an annual electrical permit.

16 (d) (1) Instead of obtaining an electrical permit for each telephone communication wiring job, a
17 [[licensee]]REGISTRANT may obtain a blanket electrical permit to cover all telephone
18 communication wiring.

19 (2) A holder of a blanket electrical permit for telephone communication wiring shall file a
20 monthly list with the Building Official that includes:

21 (i) The address of each telephone wiring job performed during the prior month; and

22 (ii) The name of the owner and occupant of the premises.

23 (e) (1) Unless a permit is issued to a master electrician-general or master electrician-limited, a
24 service release shall not be issued to a public utility company.

25 (2) A service release will be issued only if there has been compliance with the
26 requirements of this subtitle.

27 (f) The Applicant shall keep a copy of the electrical permit at the site of the work until
28 completion.

29

1 **Section 3.221. Inspections.**

2 (a) An inspection is performed for the protection of the public safety, health, and welfare; is
3 purely governmental in nature; and is shall not be construed as providing a warranty of
4 construction to individual members of the public.

5 (b) Electrical work that requires a permit shall:

6 (1) Be subject to inspection by the Building Official;

7 (2) Remain accessible and exposed for the purpose of inspection; and

8 (3) Not be completed beyond the point indicated in each successive inspection without
9 prior approval of the Building Official.

10 (c) The Building Official may examine a building, structure, or site listed in the application in
11 order to inspect the electrical work:

12 (1) Prior to issuing a permit;

13 (2) During the performance of work to ensure compliance with the provisions of this
14 subtitle; and

15 (3) After all work required by the permit is completed.

16 (d) Except as provided in subsections (d) and (e) of this section, the holder of a building permit
17 shall:

18 (1) Notify the Building Official when work is ready for inspection; and

19 (2) Cause the work to remain accessible and exposed for the purpose of inspection.

20 (e) If electrical work is performed under an annual electrical permit, the holder of a master
21 electrician-limited ~~[[license]]~~REGISTRATION shall:

22 (1) Notify the Building Official when concealed work is complete and ready for
23 inspection; and

24 (2) Maintain a log of work for an annual permit.

25 (f) If electrical work is performed under a blanket electrical permit for telephone wiring, the
26 ~~[[licensee]]~~REGISTRANT shall notify the Building Official when work is complete and ready
27 for inspection unless:

28 (1) The rough wiring portion of the telephone communication wiring is complete and
29 ready for inspection at the same time the electrical contractor's rough wiring is
30 inspected;

31 (2) The electrical work meets all requirements of this subtitle; and

1 (3) The telephone communication wiring is tagged to identify the [[licensee]]REGISTRANT
2 who did the electrical work.

3 (g) The Building Official shall:

4 (1) Upon notification, make the requested inspection;

5 (2) Notify the permit holder that the electrical work:

6 (i) Is satisfactorily completed; or

7 (ii) Fails to comply with this subtitle; and

8 (3) Be identified by proper credentials.

9 (h) The Building Official may accept reports of approved inspection agencies if the agency
10 satisfies requirements as to qualifications and reliability.

11 (i) Electrical work that does not comply with this subtitle as determined upon inspection shall
12 be corrected and shall not be covered or concealed until authorized by the Building Official.

13 (j) Approval of electrical work as a result of an inspection is not considered approval of a
14 violation of this subtitle or any other provision of the Howard County Code.

15 (k) The Building Official or the County is not liable for any expenses incurred in the removal or
16 replacement of any material required to be moved to allow inspection.

17
18 **Section 3.225. Hazardous conditions and authority to disconnect.**

19 (a) If the Building Official finds a dangerous installation, alteration, or repair of electrical work,
20 the Building Official shall provide notice that shall:

21 (1) Be served on the owner or occupant of the premises and the [[licensee]]REGISTRANT
22 by:

23 (i) Telephone;

24 (ii) Personal service;

25 (iii) First class mail; or

26 (iv) By posting the property as "unsafe"; and

27 (2) State that necessary repairs shall be made within [[five days of receipt of the
28 notification]]THE TIME PERIOD SPECIFIED IN THE NOTICE.

29 (b) (1) The Building Official may disconnect public utilities, including electrical supply, to a
30 building, structure, or system regulated by this subtitle if:

31 (i) Repairs are not made under this section; or

1 (ii) A hazardous condition exists that threatens or may threaten the public health and
2 safety.

3 (2) The Building Official shall notify:

4 (i) The serving utility; and

5 (ii) The owner and occupant of the building, structure, or service system of the
6 decision to disconnect:

7 a. Where possible, prior to disconnecting; or

8 b. As soon as practical, after disconnecting.

9
10 **Section 3.226. Notice of violation.**

11 (a) A person shall not perform or cause to be performed electrical work in violation of this
12 subtitle.

13 (b) The Building Official may serve a notice of violation on the owner or
14 [[licensee]]REGISTRANT for the erection, construction, alteration, extension, repair, moving,
15 removing, demolition, occupancy, or installation of electrical work that is in violation of a
16 provision of this subtitle or in violation of a permit or [[licensee]]REGISTRATION granted
17 under this subtitle.

18 (c) A notice of violation shall order that:

19 (1) The illegal action be terminated;

20 (2) The illegal condition be fixed; and

21 (3) The violation be abated.

22 (d) A notice of violation shall be served by:

23 (1) Personal service;

24 (2) Certified mail, restricted delivery, return receipt requested to the property owner and to
25 the [[licensee]]REGISTRANT;

26 (3) First class to the property owner's address as listed on the permit application;

27 (4) First class to the [[licensee's]]REGISTRANT's address as listed on the
28 [[licensee]]REGISTRATION application; or

29 (5) If service is not obtained in one of these methods, by posting in a conspicuous place on
30 the property.

1

2 **Section 2. And Be It Further Enacted** by the County Council of Howard County, Maryland,
3 *that any license in effect prior to the effective date of this Act shall remain valid under the*
4 *provisions that existed prior to the effective date of this Act and the provisions of this Act shall*
5 *apply upon the expiration of the license.*

6

7 **Section 3. And Be It Further Enacted** by the County Council of Howard County, Maryland, *that*
8 *this Act shall become effective 61 days after its enactment.*

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on
November 3, 2021.

Michelle Harrod
Michelle Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2021.

Michelle Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2021.

Michelle Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2021.

Michelle Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2021.

Michelle Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2021.

Michelle Harrod, Administrator to the County Council

Office of the County Auditor
Auditor's Analysis

Council Bill No. 74-2021

Introduced: October 4, 2021

Auditor: Owen Clark

Fiscal Impact:

There is no anticipated fiscal impact anticipated from this legislation.

Per the Administration, this is only a change in the County's practice of issuing "registrations" rather than "licenses". Revenues previously collected as an "electricians' license fee" will now be referred to as an "electricians' registration fee".

Purpose:

This legislation changes the County Code's references to County electrical "licenses" to become "registrations" in accordance with State law, which now requires the licensing of Master Electricians to be authorized by the State of Maryland Electrical Licensing Board.

Other Comments:

Our Office has noted that the FY 2022 fee schedule for the Department of Inspections, Licenses, and Permits, approved via CR72-2021, was updated appropriately for this legislation by changing its references to "electricians' licenses" to "electricians' licenses or registrations".

**HOWARD COUNTY DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS**

3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2433

Robert J. Frances, P.E., Director
bfrances@howardcountymd.govFAX 410-313-3298
TDD 410-313-2323

Date: September 18, 2021

To: Lonnie Robbins, Chief Administrative Officer
Department of County Administration

From: Robert Frances, P.E., Director
Department of Inspections, Licenses, & Permits

Subject: Testimony Regarding Changes to The Electrical Licensing Law

In the State of Maryland Legislative Session 2021, the State has taken over the licensing of all Master Electricians. That legislation allows the local jurisdictions to change from licensing electricians to registering them for any work performed within that jurisdiction. In order to comply with the State's imposed change, the proposed legislation eliminates the word 'license' and requires all previous licenses to be converted to registrations in all local jurisdictions.

The State of Maryland Electrical Licensing Board will now be the authority within the State that will license all Master Electricians. Howard County will no longer license Master Electricians and all licenses will be converted to registrations in order for them to apply for and perform electrical work within the County.

If you have any questions, I can be reached at extension x3946.

Copy: Don Mock, P.E., Chief of Plan Review
Jennifer Sager, County Administration