

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

Introduced

House Bill 4358

BY DELEGATE PORTERFIELD AND FOSTER

[Introduced January 15, 2020; Referred to the
Committee on Industry and Labor then Government
Organization]

1 A BILL to amend and reenact §29-3B-2 and §29-3B-3 of the Code of West Virginia, 1931, as
 2 amended, all relating to the licensing of electricians; decreasing the number of years'
 3 experience necessary to become certain types of electricians; and permitting persons who
 4 perform work on a single or dual family dwelling where the total amount charged for the
 5 electrical work is under \$2,500 to be exempt from electrician licensing requirements.

Be it enacted by the Legislature of West Virginia:

ARTICLE 3B. SUPERVISION OF ELECTRICIANS.

§29-3B-2. Necessity of license; definitions.

1 (a) After the effective date of this article, no electrical work may be performed, offered or
 2 engaged in for compensation or hire within the State of West Virginia by any person, firm or
 3 corporation unless such person, firm or corporation possesses a license and a certificate issued
 4 by the State Fire Marshal in accordance with this article, and a copy of the license is posted on
 5 any job in which electrical work is being performed for hire.

6 (b) As used in this article:

7 ~~(a)~~ "Apprentice electrician" means a person with interest in and an aptitude for performing
 8 electrical work but who alone is not capable of performing electrical work unless directly
 9 supervised by a higher license classification.

10 ~~(b)~~ "Electrical contractor" means a person, firm or corporation who engages in the
 11 business of electrical work and employs master electricians, journeyman electricians, apprentice
 12 electricians or other related workers for the construction, alteration or repair of any electrical
 13 wiring, equipment or systems as defined in the scope of the national electric code.

14 ~~(c)~~ "Electrical work" means the installation of wires, conduits, apparatus, fixtures, other
 15 appliances, equipment or systems for transmitting, carrying, controlling or using electricity as
 16 defined in the scope of the national electric code.

17 ~~(d)~~ "Journeyman electrician" means a person qualified by at least ~~four~~ two years of
 18 electrical work experience to do any work installing wires, conduits, apparatus, equipment, fixtures

19 and other appliances, provided that this classification is not authorized to design electrical
20 systems.

21 ~~(e)~~ "License" means a valid and current certificate of competency issued by the State Fire
22 Marshal.

23 ~~(f)~~ "Master electrician" means a person with at least ~~five~~ three years of electrical work
24 experience, including experience in all phases of electrical wiring and installation, who is
25 competent to design electrical systems, and to instruct and supervise the electrical work of
26 journeyman electricians, apprentice electricians, and other related workers.

27 ~~(g)~~ "Specialty electrician" means a person qualified to perform electrical work in a limited
28 or specialized area.

**§29-3B-3. Exemptions; nonapplicability of license requirements; legislative rules for
limited reciprocity.**

1 (a) This article does not apply to and no license may be required for: (1) A person who
2 performs electrical work with respect to any property owned or leased by that person; (2) a person
3 who performs electrical work at any manufacturing plant or other industrial establishment as an
4 employee of the person, firm or corporation operating the plant or establishment; (3) a person
5 who performs electrical work while employed by an employer who engages in the business of
6 selling appliances at retail, so long as such electrical work is performed incident to the installation
7 or repair of appliances sold by the employer; (4) a person who, while employed by a public utility
8 or its affiliate, performs electrical work in connection with the furnishing of public utility service; ~~or~~
9 (5) any government employee performing electrical work on government property; or (6) any
10 person who performs work on a single or dual family dwelling where the total amount charged for
11 the work is under \$2,500.

12 (b)(1) Notwithstanding any other provision of this article to the contrary, a journeyman or
13 master electrician license may be issued for a person who is a former resident of this state, who
14 formerly held an electrician's license issued by this state, who has obtained an equivalent

15 electrician license from another state, and who returns to this state as a permanent resident,
16 without requiring the person to meet the application or examination requirements that would
17 otherwise be imposed on the person by the requirements of this article when the issuance of the
18 license is permitted by legislative rules promulgated pursuant to the provisions of this subsection.

19 (2) The State Fire Marshal shall propose rules for legislative approval in accordance with
20 the provisions of §29A-3-1 *et seq.* of this code to provide for the licensing of electricians with
21 equivalent qualifications described in subdivision (1) of this subsection. Notwithstanding any other
22 provision of this code to the contrary, the legislative rules described in this subsection may not be
23 filed as emergency rules.

NOTE: The purpose of this bill is to decrease the number of years' experience necessary to become certain types of electricians. The bill permits persons who perform work on a single or dual family dwelling where the total amount charged for the electrical work is under \$2,500 to be exempt from electrician licensing requirements.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.