

Subject: Administration - To Repeal and Re-enact Chapter 217 of the *Code of St. Mary's County, Maryland*, to Adopt the National Electrical Code, Provide for Issuance of Electrical Permits, Establish the St. Mary's County Board of Electrical Examiners, and Regulate Licenses and Registrations for the Provision of Electrical Services and Permits for Homeowner Installations

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ORDINANCE

TO REPEAL AND RE-ENACT CHAPTER 217 OF THE *CODE OF ST. MARY'S COUNTY, MARYLAND*, TO ADOPT THE NATIONAL ELECTRICAL CODE, PROVIDE FOR ISSUANCE OF ELECTRICAL PERMITS, ESTABLISH THE ST. MARY'S COUNTY BOARD OF ELECTRICIAN EXAMINERS, AND REGULATE LICENSES AND REGISTRATIONS FOR THE PROVISION OF ELECTRICAL SERVICES AND PERMITS FOR HOMEOWNER INSTALLATIONS

WHEREAS, Governor Hogan signed Senate Bill 762 during the 2021 Regular Session of the Maryland General Assembly, allowing jurisdictions that previously issued Master Electrician licenses to instead issue registrations with comparable requirements.

WHEREAS, the Commissioners of St. Mary's County are authorized by §13-910 of the *Local Government Article* of the *Annotated Code of Maryland* to adopt a local electrical code, and are authorized pursuant to §13-911 of the *Local Government Article* of the *Annotated Code of Maryland* to establish a Board of Electrical Examiners, and are authorized pursuant to §13-911 of the *Local Government Article* and Title 6 of the *Business Occupations and Professions Article* of the *Annotated Code of Maryland* to establish regulations for the issuance of licenses and registrations to provide electrical services, and are required pursuant to §12-615 of the *Public Safety Article* of the *Annotated Code of Maryland* to adopt regulations to govern the issuance of permits to homeowners; and

WHEREAS, a notice of a public hearing was advertised on October 22, 2021, and October 29, 2021, in *The Enterprise*, a newspaper of general circulation in St. Mary's County, and a public hearing was held on November 9, 2021, to receive public comment and consider procedures for the issuance of permits to provide electrical services; and

WHEREAS, the Commissioners of St. Mary's County find that it is in the best interest of the health, safety and welfare of the citizens of St. Mary's County to adopt a local electrical code, to provide for issuance of electrical permits, to establish a Board of Electrical Examiners, to establish regulations for the issuance of licenses and registrations to provide electrical services, and to adopt regulations to govern the issuance of permits to homeowners,

NOW, THEREFORE, BE IT ORDAINED by the Commissioners of St. Mary's County, pursuant to §13-910 and §13-911 of the *Local Government Article* of the *Annotated Code of Maryland* Title 6 of the *Business Occupations and Professions Article* of the *Annotated Code of Maryland*, and §12-615 of the *Public Safety Article* of the *Annotated Code of Maryland* that:

SECTION I. Chapter 217 of the *Code of St. Mary's County, Maryland*, is repealed and re-

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enacted to read as follows:

ELECTRICAL SERVICES

217-1. Definitions; General Provisions.

- 01.** The definitions in §6-101 of the *Business Occupations and Professions Article* of the *Annotated Code of Maryland* are incorporated herein. In this Ordinance “Board” means the St. Mary’s County Board of Electrical Examiners. In this Ordinance, “State Board” means the State Board of Master Electricians. In this Ordinance “Title 6” Means Title 6 of the *Business Occupations and Professions Article* of the *Annotated Code of Maryland*.
- 02.** All permit fees shall be set by ordinance or resolution of the Commissioners of St. Mary’s County. All revenues from examinations, licenses, registrations, and permits shall be collected by St. Mary’s County Department of Land Use and Growth Management and paid into the General Fund of the Commissioners of St. Mary’s County.
- 03.** St. Mary’s County Department of Land Use and Growth Management shall provide necessary administrative support to the Board and shall maintain all records of permits, licenses, registrations, and activities of the Board.

217-2. National Electrical Code.

- .01** The National Electrical Code, as revised and amended from time to time, is hereby adopted. A revision or amendment shall be effective six months after the effective date or date of publication, whichever is later, of the revision or amendment. All electrical installations in St. Mary's County shall comply with the National Electrical Code.

217-3. Electrical permits.

- 01.** In general. – ~~After January 1, 2018,~~ a master electrician shall obtain an electrical permit prior to providing any electrical services. The application may be submitted electronically and shall require only the following:

- 01.** the name and license or registration number of the applicant.

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02. the address where the electrical service will be provided; and
 03. a brief description of the electrical service to be provided.
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02. Notice of local electrical requirements. -- At the time the County issues an electrical permit to a master electrician under this section, the County shall give the master electrician notice of any local electrical requirements with which the master electrician shall comply while providing electrical services in St. Mary's County.
 03. Issuance. -- The County shall, upon receipt of an application, issue, electronically if requested by the applicant, the appropriate permit to each applicant who:
 01. holds an active County license or registration; and
 02. pays any required permit fee.

217-4. Board of Electrical Examiners.

01. Established. The St. Mary's County Board of Electrical Examiners established by Chapter 38 of the *Code of St. Mary's County, Maryland*, shall continue as established hereunder. All prior decisions and orders, and all actions taken in cases pending before the ~~St. Mary's County Board of Electrical Examiners~~ on the effective date hereof, shall continue in full force and effect.
02. Membership; Officers. The St. Mary's County Board of Electrical Examiners shall consist of three or five members at least three of whom are licensed master electricians or exempt from the license requirement under section 217-5.01.03, appointed by the Commissioners of St. Mary's County. The County Board shall elect a chair and such other officers as it may require who shall serve a term of one year and may be re-elected.
03. Removal. A member of the Board may be removed by the Commissioners of St. Mary's County for incompetence, misconduct, failure to attend meetings or conviction of a crime.
04. Terms. Members shall serve a term of four years and may be reappointed. In the event a vacancy the Commissioners of St. Mary's County shall appoint a licensed master electrician to fill the vacancy for the remainder of the term.
05. Meetings. The County Board shall meet monthly and shall hold such special meetings as the proper and efficient discharge of its business shall require.
06. Compensation. The members of the ~~St. Mary's County Board of Electrical Examiners~~ shall

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receive the compensation appropriated annually in the budget of the Commissioners of St. Mary's County.

- 07. Expenditure; resources. Expenditures by the ~~St. Mary's County Board of Electrical Examiners~~ shall be in accordance with the amount appropriated annually in the budget of the Commissioners of St. Mary's County.
- 08. The County Board may adopt regulations and rules of procedure necessary for the performance of its duties.

217-5. Master Electrician Licenses and Registrations.

01. License and Registration required.

01. Except as provided herein, no person shall provide electrical services or engage in the business of providing electrical services unless licensed or registered, by the County Board, as a master electrician.

02. Provision of services by employees and subordinates; responsibility of ~~licensee~~ master electrician. -- This Ordinance does not require an individual to hold a license or registration while the individual provides electrical services as an employee or subordinate of a master electrician licensed or registered by the County Board if:

(1) the individual provides electrical services while under the control and supervision of the ~~licensee~~ master electrician; and

(2) the ~~licensee~~ master electrician is responsible for the electrical services that the individual provides.

03. Public utility company. -- This Ordinance does not require:

(1) a public utility company to employ a master electrician to represent the company while the company is engaging in the business of providing electrical services to a facility of the company that:

(i) is regulated by the Public Service Commission; and

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(ii) is located on any premises, roadway, or right-of-way in which the company has a lawful interest; or

(2) an employee of a public utility company to hold a State license while the employee provides electrical services to a facility of the company that:

(i) is regulated by the Public Service Commission; and

(ii) is located on any premises, roadway, or right-of-way in which the company has a lawful interest.

02. Applications for ~~County license~~ master examination. An applicant for a ~~County license~~ master examination shall:

01. submit to the County Board an application on the form that the County Board provides; and

02. pay to the County Board or the County Board's designee an examination fee set by the County Board ~~in an amount not to exceed the cost of the required examination~~.

03. Qualifications of applicants

01. In general. -- To qualify for a ~~County license~~ master examination, an applicant shall be an individual who meets the requirements of this section.

02. Experience. --

(1) Subject to paragraph (2) of this subsection, the applicant shall have been engaged or employed regularly and principally in providing electrical services for all types of electrical equipment and apparatus for at least 7 years while under the direction and supervision of:

(i) a master electrician; or

(ii) a similarly qualified employee of a governmental unit.

(2) The County Board may allow an applicant up to 3 years of credit toward the experience required under paragraph (1) of this subsection, if the County Board determines that the applicant has completed a formal course of study or professional training in electrical installation comparable to the required experience.

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- 03. Examination. -- Except as otherwise provided in this Ordinance or Title 6, the applicant shall pass an examination given by the County Board under this Ordinance.
- 04. Investigation of qualifications. -- The County Board may investigate the qualifications of each applicant to determine whether the applicant meets the requirements of this section.
- 04. Examinations
 - 01. Right to examination. -- Except as otherwise provided in Title 6, an applicant who otherwise qualifies for a County license is entitled to be examined as provided in this section.
 - 02. Time and place of examination. -- The County Board shall give examinations to qualified applicants at least twice a year at the dates, times, and places that the County Board determines.
 - 03. Notice of examination. --
 - (1) At least 15 days before the examination, the County Board shall notify each applicant whether the applicant is eligible to be examined under this section.
 - (2) The notice shall specify the passing score for the examination.
 - 04. Subjects and method of examination. --
 - (1) The County Board shall determine the subjects and scope of the examination from a list of questions submitted by the Maryland Uniform Electrical Licensing Examination Committee, Inc.
 - (2) The County Board shall choose examination questions that:
 - (i) test the applicant's knowledge of all applicable codes, laws, or principles of electrical installation; and
 - (ii) are constructed to determine the fitness of the applicant for a County license.
 - 05. Form of examination. -- The form of the examination shall be objective and written.
 - 06. Passing score. -- The passing score for the examination shall be 70%.

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- 07.** Notice of score. -- Within 45 days after the examination, the County Board shall mail to each applicant notice of the applicant's examination score.
- 08.** Review of examination. -- On written request to the County Board, an applicant who failed an examination with a score of 60% or higher may review the answers that the applicant gave and the scores for those answers at a time and place that the County Board determines.
- 09.** Failure to appear for examination. --
- (1) If an applicant fails to appear for a scheduled examination, the applicant may reapply for an examination.
- (2) The applicant:
- (i) shall submit to the State County Board an application for reexamination on the form that the County Board provides; and
- (ii) unless, for good cause, the County Board waives payment of the examination fee, shall again pay the examination fee.
- 05.** Issuance and contents of license or registration. --
- 01.** Notice to qualified applicant. -- If an applicant qualifies for a County license or registration under this Ordinance, the County Board shall send the applicant a notice that states that:
- (1) the applicant has qualified for a County license or registration; and
- (2) the Board will issue a County license or registration to the applicant on receipt of:
- (i) the required fee; and
- (ii) proof of general liability insurance in the amount of at least \$300,000 and property damage insurance in the amount of at least \$100,000 as required under § 6-604 of Title 6.
- (3) Issuance. -- On payment of the license or registration fee and receipt of the proof of insurance required under § 6-604 of Title 6, the County Board shall issue a County license or registration to each applicant who meets the requirements of this Ordinance.

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- 06.** Waiver of examination requirements generally. --
- 01.** State License. -- Subject to the limitations in this section, the County Board shall waive its examination requirements for an individual who is licensed by the State Board to provide electrical services as a master electrician.
- 02.** Conditions. – The County Board shall grant a waiver under subsection 01. only if the applicant:
- (1) pays the ~~license~~ registration fee; and
 - (2) provides adequate evidence that the applicant:
 - (i) is licensed as a master electrician under Title 6 after passing an examination given by the State Board or complies with ~~§ 6-307 of Title 6~~ § 6-307.
 - (ii) holds an active State license; and
 - (iii) meets the insurance requirements of ~~§ 6-604 of Title 6~~ § 217-5.05.01.(2)(ii) of this Ordinance.
- 03.** Issuance. -- Within 30 working days after payment of the license or registration fee, the County Board shall issue a ~~County~~ license or registration to each applicant who meets the requirements of this section.
- 07.** Term, renewal, and non-transferability of license or registration. –
- 01.** Term of County license or registration. -- Unless a ~~County~~ license or registration is renewed for a 2-year term as provided in this section, the ~~County~~ license or registration expires on the first June 30 that comes:
- (1) after the effective date of the County license or registration; and
 - (2) in an odd-numbered year.
- 02.** Renewal notice. -- At least 1 month before a County license or registration expires, the County Board shall mail to the ~~County~~ licensee electrician, at the last known address of the ~~licensee electrician~~, or transmit by electronic mail:
- (1) a renewal application form; and
 - (2) a notice that states:

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- (i) the date on which the current County license or registration expires;
- (ii) the date by which the County Board must receive the renewal application for the renewal to be issued and mailed before the County license or registration expires; and
- (iii) the amount of the renewal fee.

- 03.** Applications for renewal. -- Before a County license or registration expires, the County licensee electrician periodically may renew it for an additional 2-year term, if the County licensee electrician:
 - (1) otherwise, is entitled to be licensed or registered.
 - (2) pays to the County Board the required renewal fee.
 - (3) complies with continuing education requirements established by the State Board; and
 - (4) submits to the County Board a renewal application on the form that the Board provides.
- 04.** Issuance of renewal. – The County Board shall renew the County license or registration of each County licensee electrician who meets the requirements of this section.
- 05.** Non-transferability. -- A County license or registration to provide electrical services is not transferable.
- 06.** Staggered expiration of licenses. – The County Board may determine that County licenses or registrations issued under this subtitle shall expire on a staggered basis.
- 08.** Change of name, address, or employment.

Within 10 days after the change, each County licensee electrician shall give the County Board written notice of a change of:

- 01.** the name of the County licensee electrician.
- 03.** the address of the County licensee electrician; and
- 04.** the employment of the County licensee electrician.

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217-6. Low Voltage Licenses.

01. License Required

- 01.** Except as provided herein, no person shall engage in the business of installation, repair or maintenance of low voltage communication systems unless licensed as a low voltage electrician.
- 02.** "Low voltage communication systems" are telephone, television, sound public address and intercom systems, including coaxial cable and fiber optic systems.

02. Applications for low voltage license. An applicant for a low voltage license shall:

- 01.** submit to the County Board an application on the form that the Board provides; and
- 02.** ~~pay an examination fee set by~~ pay to the County Board or the County Board's designee an examination fee set by the County Board. ~~in an amount not to exceed the cost of the required examination.~~

03. Qualifications of applicants

01. In general. -- To qualify for a low voltage license, an applicant shall be an individual who meets the requirements of this section.

02. Experience. --

- (1) Subject to paragraph (2) of this subsection, the applicant shall have been engaged or employed regularly and principally in the field of electrical equipment, repair, and maintenance for at least 4 years.
- (2) The County Board may allow an applicant up to 1 year of credit toward the experience required under paragraph (1) of this subsection, if the County Board determines that the applicant has completed a formal course of study or professional training in electrical installation comparable to the required experience within the preceding 7 years.

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03. Examination. -- Except as otherwise provided in this Ordinance, the applicant shall pass an examination given by the County Board under this Ordinance.
 04. Investigation of qualifications. – The County Board may investigate the qualifications of each applicant to determine whether the applicant meets the requirements of this section.
 04. Examinations – see §217-5.04. above.
 01. ~~Subjects and method of examination.~~

The Board shall determine the subjects and scope of the examination from a list of questions submitted by the Maryland Uniform Electrical Licensing Examination Committee, Inc.
 02. ~~Form of examination.~~—The form of the examination shall be objective and written.
 03. ~~Passing score.~~—The passing score for the examination shall be 70%.
- 217-7. Restricted Licenses- Alarm and Security Systems.**
01. License Required
 01. Except as provided herein, no person shall engage in the business of installation, repair or maintenance of low voltage and low energy wiring and circuits for alarm and security systems unless licensed as a restricted electrician.
 02. Applications for restricted license. An applicant for a restricted license shall:
 01. submit to the County Board an application on the form that the County Board provides; and
 02. pay ~~an examination fee set by~~ to the County Board or the County Board's designee an examination fee set by the County Board. ~~in an amount not to exceed the cost of the required examination.~~
 03. Qualifications of applicants

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01. In general. -- To qualify for a restricted license, an applicant shall be an individual who meets the requirements of this section.
 02. Experience. --
 - (1) Subject to paragraph (2) of this subsection, the applicant shall have been engaged or employed regularly and principally in the field of electrical equipment, repair, and maintenance for at least 4 years.
 - (2) The County Board may allow an applicant up to 1 year of credit toward the experience required under paragraph (1) of this subsection, if the County Board determines that the applicant has completed a formal course of study or professional training in electrical installation comparable to the required experience within the preceding 4 years.
 03. Examination. -- Except as otherwise provided in this Ordinance, the applicant shall pass an examination given by the County Board under this Ordinance.
 04. Investigation of qualifications. – The County Board may investigate the qualifications of each applicant to determine whether the applicant meets the requirements of this section.
 04. Examinations – see §217-5.04. above.
 01. ~~Subjects and method of examination.~~

The Board shall determine the subjects and scope of the examination from a list of questions submitted by the Maryland Uniform Electrical Licensing Examination Committee, Inc.
 02. ~~Form of examination.~~ The form of the examination shall be objective and written.
 03. ~~Passing score.~~ The passing score for the examination shall be 70%.
- 217-8. Installation of electric wiring by homeowner.**
01. A permit may be granted to a homeowner for installation of electrical wiring in the residence of the homeowner if the homeowner attains a satisfactory score on a written examination administered by the County Board.

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- 02. An installation of electrical wiring in the residence of a homeowner shall be inspected in accordance with the St. Mary's County Building Code.
- 03. The Board shall adopt rules and regulations for the administration of this Section.

217-9. Enforcement

- 01. The County Board shall enforce the provisions of this Ordinance and Title 6 including interpretation and application of the National Electrical Code.
- ~~02. A violation of §217-5.01 of this Ordinance is a misdemeanor punishable by imprisonment for 6 months or a fine of \$ 1,000 or both and shall be enforced in the same manner and to the same extent as a violation under §6-101 of the *Local Government Article* of the *Annotated Code of Maryland*.~~
- 03. A violation of this Ordinance, as amended from time to time, ~~or Title 6~~ is a civil infraction and shall be prosecuted in the same manner and to the same extent as provided for a municipal infraction under Title 6 of the *Local Government Article* of the *Annotated Code of Maryland*.

SECTION II. This Ordinance shall be effective

Those voting Aye: _____

Those voting Nay: _____

Those Abstaining: _____

Date of Adoption: _____

Effective Date: _____

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ATTEST:

COMMISSIONERS OF ST. MARY'S COUNTY

Rebecca B. Bridgett
County Administrator

James R. Guy, Commissioner President

Eric Colvin, Commissioner

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:**

Michael L. Hewitt, Commissioner

David A. Weiskopf
County Attorney

Todd B. Morgan, Commissioner

John E. O'Connor, Commissioner