

CHAPTER 83

(HB 28)

AN ACT relating to electricians and electrical contractors.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

SECTION 1. A NEW SECTION OF KRS 227.450 TO 227.500 IS CREATED TO READ AS FOLLOWS:

- (1) *Electrical inspectors shall have the authority to take immediate action to prevent further electrical work at any inspection site where, in the judgment of the electrical inspector, imminent danger to life or property exists. Actions the electrical inspector may take to address this danger are the following:*
 - (a) *Stop-work order regarding any electrical work at the inspection site; or*
 - (b) *Recommendations of fines or other penalties as described in Section 4 of this Act.*
- (2) *The findings of the electrical inspector under subsection (1) of this section shall be presumed to be correct until the city, county, urban-county, charter county, or consolidated local government, the office, or the party affected by the findings demonstrates that it is more likely than not that the electrical inspector was incorrect in his or her findings.*
- (3) *The actions of an electrical inspector under this section are subject to misconduct investigation by the executive director under KRS 227.492, and the inspector is subject to any appropriate criminal or civil penalty due to misconduct or violation of any provision of KRS 227.200 to 227.400 or 227.450 to 227.500.*

Section 2. KRS 227.480 is amended to read as follows:

- (1) A city, county, urban-county, *charter county*, or consolidated local government shall, according to the Uniform State Building Code as it pertains to the plan review and inspection responsibilities of local governments, require any person to obtain permits before commencing construction, alteration, or repairs of any electrical wiring. *The city, county, urban-county, charter county, or consolidated local government shall, and* require *all inspections that are deemed* ~~[such inspection as it deems]~~ necessary *by the office* for the safety of life and property. *The office shall promulgate administrative regulations to describe the circumstances where inspections are required.*
- (2) A city, county, urban-county, *charter county*, or consolidated local government or the state shall not issue a permit unless the applicant submits proof of being licensed as an electrical contractor under KRS *Chapter 227A* ~~[227A.010 to 227A.140]~~ or of acting on behalf of a licensed electrical contractor. However, the provisions of this subsection shall not apply to a homeowner or farmer who does construction, alteration, or repairs of any electrical wiring on his or her own premises or any other person exempt from licensing under KRS 227A.030. This subsection shall not apply to electrical work performed by the Commonwealth of Kentucky, a city, county, urban-county, *charter county*, or consolidated local government, or any subdivision thereof.
- (3) A city, county, urban-county, *charter county*, or consolidated local government shall appoint and may fix the compensation of city, county, urban-county, *charter county*, or consolidated local government electrical inspectors, and may by ordinance fix reasonable fees and establish other requirements for the conduct of electrical inspections within its boundaries. All electrical inspectors must be certified under KRS 227.489.
- (4) Reasonable standards for the construction, alteration, and repair of any electrical wiring shall be those adopted in the Uniform State Building Code, as promulgated by the Board of Housing, Buildings and Construction, and shall have as a minimum standard the requirements of the National Electric Code. These standards shall be used by the electrical inspector in making his inspections.

Section 3. KRS 227.491 is amended to read as follows:

- (1) An electrical inspector who certifies an electrical installation shall furnish and attach an approval sticker, bearing his or her signature and certification number in a conspicuous place on the main service entrance equipment. He or she shall also provide the owner of the electrical installation or his or her authorized agent with a certificate of approval if the same is requested. A complete record of each inspection shall be kept by the inspector and these records shall be made available to the Office of Housing, Buildings and Construction upon its request.

- (2) No electrical inspector shall:
- (a) Attempt to supplant, overrule or otherwise invalidate the judgment of another electrical inspector whose services for a particular building, structure or other project have been solicited by an owner, contractor, municipality or other person without first obtaining express written consent from the designated inspector's office supervising the original inspector; *or*
 - (b) ***Certify an unlicensed or unlawful electrical installation.***
- (3) Failure of an electrical inspector to observe ***subsection (2) of this section***~~[this provision]~~ shall subject ~~that~~~~said~~ inspector to review by the executive director of housing, buildings and construction with possible suspension of certification for a period not to exceed one (1) year from ***the*** date of the executive director's ruling.

Section 4. KRS 227.500 is amended to read as follows:

- (1) A city,~~or~~ county, ***urban-county, charter county, or consolidated local government*** may fix as a penalty for the violation of any ordinance or resolution passed under the provisions of KRS 227.200 to 227.500, a fine of not less than twenty-five dollars (\$25) nor more than two hundred fifty dollars (\$250), or imprisonment for not more than ninety (90) days, or both.
- (2) ***If properly recommended by an electrical inspector under Section 1 of this Act, a city, county, urban-county, charter county, or consolidated local government may fix as a penalty for the violation of any ordinance or resolution passed under the provisions of this chapter, the Uniform State Building Code, or the standards of safety of the Commonwealth of Kentucky, a fine of one thousand dollars (\$1,000) for the first offense, and a fine of two thousand dollars (\$2,000) for each subsequent offense.***

Section 5. KRS 227A.030 is amended to read as follows:

- (1) The provisions of KRS 227A.010 to 227A.140 shall not apply to installations under the exclusive control of electric utilities for the purpose of communication, metering, or for the generation, control, transformation, transmission, and distribution of electric energy located in buildings used exclusively by utilities for those purposes or located outdoors on property owned or leased by the utility or on public highways, streets, or roads, or outdoors by established rights on private property.
- (2) Nothing in KRS 227A.010 to 227A.140 shall require that a maintenance worker or maintenance engineer performing routine maintenance of electrical systems be licensed.
- (3) Nothing in KRS 227A.010 to 227A.140 shall prohibit or interfere with the ability of a homeowner or farmer to install or repair electrical wiring on his or her real property.
- (4) Nothing in KRS 227A.010 to 227A.140 shall require that a retailer or its agent engaged in making installations of an appliance purchased at a retail establishment be licensed.
- (5) Nothing in KRS 227A.010 to 227A.140 shall be construed to require persons making installations exempt by KRS 227.460 to be licensed or to work for a licensed person.
- (6) Nothing in KRS 227A.010 to 227A.140 shall preclude the use of unlicensed, nonresident electricians in temporary, emergency, or industrial shutdown situations. Those unlicensed, nonresident electricians shall apply for an electrician's license or a master electrician's license after they are employed and engaged in electrical work in the Commonwealth of Kentucky for a period of ***ten (10)***~~thirty (30)~~ days. ***No unlicensed, nonresident electrician shall be employed or engaged in electrical work in the Commonwealth of Kentucky for a total of more than thirty (30) days in any calendar year without applying for an electrician's license or a master electrician's license.*** The license shall be obtained by the temporary, unlicensed, nonresident electricians within sixty (60) days of securing employment.
- (7) Nothing in KRS 227A.010 to 227A.140 shall apply to a person performing work at a surface or underground coal mine or at a coal preparation plant.
- (8) Nothing in KRS 227A.010 to 227A.140 shall apply to a person performing work for a telecommunications company for which the voltage is fifty (50) volts or less.
- (9) Nothing in KRS 227A.010 to 227A.140 shall prohibit a factory-authorized representative from the installation, maintenance, or service of a medical equipment device. This exemption does not include work providing electrical feeds into the power distribution unit or installation of conduits and raceways. This

exemption covers only those factory engineers or third-party service companies with equivalent training who are qualified to perform such service.

- (10) Nothing in KRS 227A.010 to 227A.140 shall apply to low-voltage, power-limited installations for control or coordination of interconnected devices separated from a power source by a Class 2 or Class 3 transformer installed by a person licensed as:
- (a) A master or journeyman heating, ventilation, and air conditioning technician employed by a licensed HVAC contractor pursuant to KRS 198B.658;
 - (b) A fire protection sprinkler contractor pursuant to KRS 198B.560;
 - (c) A manufactured housing dealer or certified installer pursuant to KRS 227.610;
 - (d) A boiler mechanic pursuant to KRS 236.210;
 - (e) A master or journeyman plumber pursuant to KRS 318.030;
 - (f) An onsite sewage disposal system installer pursuant to KRS 211.357; or
 - (g) An electrician or master electrician employed by an electrical contractor pursuant to KRS 227A.010 to 227A.140.
- (11) The provisions of KRS 227A.010 to 227A.140 shall not apply to work performed at industrial manufacturing facilities by employees of those facilities.

Section 6. This Act shall be known and may be cited as "Isaac's Act."

Approved March 28, 2006.