



Committee: T&E
Committee Review: At a future date
Staff: Livhu Ndou, Legislative Attorney
Purpose: To introduce agenda item – no vote expected
Keywords: #ElectricianLicenseCategories
#LowVoltageLicense #BoardofElectricalExaminers

AGENDA ITEM #3D
June 14, 2022
Introduction

SUBJECT

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

Lead Sponsor: Council President Albornoz at the request of the County Executive

EXPECTED ATTENDEES

None

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

N/A

DESCRIPTION/ISSUE

Bill 12-22 is a rewrite of Chapter 17, Electricity.

SUMMARY OF KEY DISCUSSION POINTS

- This bill reflects changes made by the State assumption of the electrical licensing process in the 2021 Maryland Electricians Act.
- This bill will delete several license categories for electricians.
- This bill will create a new license category, the Low Voltage Electrician License. In addition, a new permitting process is being added.
- A public hearing is tentatively scheduled for July 12, 2022.

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MEMORANDUM

June 9, 2022

TO: County Council

FROM: Livhu Ndou, Legislative Attorney

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

PURPOSE: Introduction – no Council votes required

Bill 12-22, Electricity – Board of Electrical Examiners – Licenses – Permit Requirements, sponsored by Lead Sponsor Council President Albornoz at the request of the County Executive, is scheduled to be introduced on June 14, 2022. A public hearing is tentatively scheduled for July 12, 2022.¹

Bill 12-22:

- reflects changes made by the State assumption of the electrical licensing process;
- will delete several license categories for electricians;
- will create a new license category, the Low Voltage Electrician License and add a new permitting process.

BACKGROUND

The Maryland Electricians Act was passed in May 2021.² 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.
2. Local authority to issue license master, journeyman, and apprentice electrician licenses has been 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.

¹ #ElectricianLicenseCategories #LowVoltageLicense # BoardofElectricalExaminers

² The text of the Act can be found here: [2021 Regular Session - Senate Bill 762 Enrolled \(maryland.gov\)](#).

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.³

BILL SPECIFICS

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.⁴
- 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.

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³ Additional information for electricians related to the Maryland Electricians Act can be found here: <https://www.dllr.state.md.us/license/elec/electnamech.shtml>.

⁴ The Board’s main function was administering examinations to candidates who met the minimum requirements for licensure.

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:

1 **Sec. 1. Sections 2-112, 17-1, 17-2, 17-3, , 17-5, 17-6, 17-7, 17-8, 17-9, 17-10,**
2 **17-11, 17-12, 17-13, 17-14, 17-15, 17-16, 17-17, 17-18, 17-19, 17-20, 17-21, 17-22,**
3 **17-23, 17-24, 17-25, 17-26, 17-27, 17-28, 17-29, 17-30, 17-31, 17-32, 17-33, 17-35,**
4 **17-36, 17-37, and 17-38 are amended as follows:**

5 **2-112. Jurisdiction.**

6 * * *

7 (c) The Board has the following appellate jurisdiction.

8

The Board must hear and decide each appeal taken under:	Those appeals involve:
* * *	* * *
Section [17-28] <u>17-12</u>	<u>[Electricians and electrical contractors licenses]</u> <u>County electricity code</u>
* * *	* * *

9 * * *

10 **ARTICLE I. GENERAL PROVISIONS.**

11 **17-1. Scope and applicability of chapter.**

12 (a) Except as otherwise provided, the provisions of this [chapter shall]
13 Chapter apply to all electrical equipment and the installation thereof for
14 light, heat or power within or on public or private buildings, structures or
15 premises, including yards, carnivals and parking lots and industrial
16 substations, and all electrical equipment, and the installation thereof, used
17 for power supply to radio and television transmitting and receiving
18 systems in or on such buildings, structures or premises, in the county.

- 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.**

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.

CLEAN COPY

Bill No. _____ [Click - type number]
Concerning: [short title] _____
Revised: [date] _____ Draft No. [#] _____
Introduced: [date] _____
Expires: [18 mos. after intro] _____
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, 17-4, 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	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

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

1 **Sec. 1. Sections 2-112, 17-1, 17-2, 17-3, 17-4, 17-5, 17-6, 17-7, 17-8, 17-9,**
2 **17-10, 17-11, 17-12, 17-13, 17-14, 17-15, 17-16, 17-17, 17-18, 17-19, 17-20, 17-21,**
3 **17-22, 17-23, 17-24, 17-25, 17-26, 17-27, 17-28, 17-29, 17-30, 17-31, 17-32, 17-33,**
4 **17-35, 17-36, 17-37, and 17-38 are amended as follows:**

5 **Sec. 2-112. Jurisdiction.**

6 * * *

7 (c) The Board has the following appellate jurisdiction.

8

The Board must hear and decide each appeal taken under:	Those appeals involve:
Section 2B-4	Agricultural land preservation
* * *	* * *
Section 17-12	County electricity code
* * *	* * *

9

10 **ARTICLE I. GENERAL PROVISIONS.**

11 **Sec. 17-1. Scope and applicability of chapter.**

12 (a) Except as otherwise provided, the provisions of this Chapter apply to all
13 electrical equipment and the installation thereof for light, heat or power
14 within or on public or private buildings, structures or premises,
15 including yards, carnivals and parking lots and industrial substations,
16 and all electrical equipment, and the installation thereof, used for power
17 supply to radio and television transmitting and receiving systems in or
18 on such buildings, structures or premises, in the county.

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

29 **Sec. 17-2. Regulations.**

- 30 (a) The Director may recommend regulations for the administration of this
31 Chapter, including a schedule of fees, and may, at the Director's
32 discretion, hold public hearings as part of this regulation-making
33 process. Such regulations and amendments thereto must not conflict
34 with nor waive any provisions of this Chapter nor be less restrictive than
35 its provisions and must be adopted under method (2) of section 2A-15
36 of this Code.
- 37 (b) The Director must hold a public hearing, upon adequate public notice,
38 before proposing regulations setting forth the standards and

39 requirements for all installations of electrical equipment within the
40 County. Such regulations must be based upon a designated edition of
41 the National Electrical Code and local amendments thereto, including
42 but not limited to those for the installation of fire alarm systems. Such
43 regulations and amendments thereto must be adopted under method (2)
44 of section 2A-15 of this Code.

45 **Sec. 17-3. Adoption of basic electrical code.**

46 All electrical installations and equipment must meet the standards and
47 requirements set forth in section 17-2 of this Chapter. The edition of the National
48 Electrical Code and any local amendments thereto, which are adopted in accordance
49 with procedures established in section 17-2 of this Chapter are known as the basic
50 electrical code for the County.

51 **Sec. 17-4. Administration and enforcement of chapter.**

52 This Chapter is administered and enforced by the Department of Permitting
53 Services.

54 **Sec. 17-5. Right of entry of departmental personnel.**

55 The Director, upon exhibiting proper credentials or proof of identity on
56 request, may enter any non-residential building, structure or premises, without
57 consent of the occupants, at any time during business or operating hours, and at such
58 other times as may be necessary in an emergency that immediately endangers life,

59 property or public safety, for the purpose of performing duties under this Chapter or
60 enforcing the provisions thereof. In the case of multi-family dwellings, the Director
61 may enter without consent only those spaces to which the public is ordinarily
62 admitted, such as hallways, basements and similar spaces; provided, however, the
63 Director may enter any private residence or dwelling for the purpose of enforcing this
64 Chapter with the consent of the occupant thereof, or without such consent if the
65 Director first obtains a search warrant in accordance with prescribed legal
66 procedures, or if there is a present emergency such as a fire, explosion or the like, or
67 immediately following such emergency.

68 **Sec. 17-6. Unlawful maintenance of installations.**

69 When a permit is required under this chapter, it is unlawful for any person to
70 maintain or allow to be maintained an electrical installation without a permit.

71 **Sec. 17-7. Notice of electrical requirements to purchasers of air conditioners and**
72 **major appliances.**

73 (a) It is unlawful for any person in the business of selling air conditioners or
74 major appliances to sell or offer these items for sale without attaching to
75 each item or its sealed carton when sold in this manner so as to be
76 readily observable by all purchasers, written notice of the electrical
77 wiring requirements of each, all in conformity with standards of this
78 electrical code.

79 (b) It is unlawful for any person who engaged in such sales to fail to display
80 at a prominent location on the premises of such sales the wiring
81 requirement for such appliances as set forth in this chapter.

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

83 A person has committed a Class A violation if the person violates any
84 provision of this Chapter or any regulation promulgated hereunder. Each day a
85 violation continues to exist constitutes a separate offense.

86 **Sec. 17-9. Emergency disconnections.**

87 In cases of emergency where any electrical equipment, whether installed
88 before or after the enactment of this Chapter, is an immediate threat to the safety of
89 persons or property, or where it may interfere with the fire protection service of any
90 fire department in the County, the Director may disconnect or cause such electrical
91 equipment to be disconnected immediately and without notice to the owner thereof.

92 **Sec. 17-10. Fees.**

93 Before the Department issues a permit or license as provided for in this
94 Chapter, the applicant must pay to the County a fee in accordance with the schedule
95 of fees established, and revised from time to time, by the County Executive, in an
96 amount not to exceed the cost of administering and enforcing this Chapter.

97 **Sec. 17-11. Definitions.**

98 As used in this Chapter, the following words and phrases have the following
99 meanings:

100 Department means the Department of Permitting Services.

101 Director means the Director of the Department of Permitting Services, or the
102 Director's designee.

103 Electrical equipment includes electrical conductors, raceways, wiring fittings,
104 devices, appliances, fixtures, apparatus, and any other equipment coming within the
105 purview of the electrical code of the County.

106 Electrical code means the designated edition of the National Electrical Code as
107 adopted and amended under this Chapter.

108 Electrical services mean the definition given to "provide electrical services" by
109 Section 6-101 of the Business Occupations and Professions Article of the Annotated
110 Code of Maryland, as amended. The term "electrical services" does not include low-
111 voltage electrical services.

112 Install, repair, or maintain includes all installations, repairs or maintenance of
113 any or all electrical equipment or circuits, or any parts thereof, including new work,
114 alterations, renewals or extensions coming within the purview of this Chapter and the
115 electrical code.

116 Inspector means an authorized agent of the Department.

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

122 Major appliance means laundry or kitchen appliances which are permanently
123 connected or occupy fifty (50) percent or more of the circuit.

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

128 National Electrical Code means the edition of the National Electrical Code
129 published by the National Fire Protection Association as adopted under this Chapter.

130 **Sec. 17-12. Appeals.**

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

136 (2) Any person aggrieved by the issuance, denial, renewal,
 137 amendment, suspension, or revocation of a permit, or the
 138 issuance or revocation of a stop work order, under this Chapter
 139 may appeal to the County Board of Appeals within 30 days after
 140 the permit is issued, denied, renewed, amended, suspended, or
 141 revoked or the stop work order is issued or revoked. A person
 142 may not appeal any other order of the Department and may not
 143 appeal an amendment of a permit if the amendment does not
 144 make a material change to the original permit. A person must not
 145 contest the validity of the original permit in an appeal of an
 146 amendment, or a stop work order.

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

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

151 **ARTICLE II. LICENSES.**

152 **Sec. 17-13. Applicability of Article; exceptions.**

153 The requirements of this Article apply to all electrical work covered by this
 154 Chapter, as specified in Section 17-1. All electrical work must be performed as
 155 required by this Chapter and the electrical code and regulations adopted under it.

156 **Sec. 17-14. License required.**

157 (a) Except as provided in subsection (c), no person may engage in the
158 business of providing electrical services for compensation in the County
159 unless properly licensed by the State Board of Electricians.

160 (b) Except as provided in subsection (c), no person may provide low-
161 voltage electrical services in the County unless properly licensed by the
162 State Board of Electricians or the person holds a low-voltage electrical
163 license issued by the Director.

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

172 **Sec. 17-15. Low-voltage Electrician License.**

173 (a) There is a:

174 (1) Master electrician;

175 (2) Master electrician limited; and

- 176 (3) low-voltage electricians' license.
- 177 (b) Before the Director may issue or renew a low-voltage electrician's
178 license, the Director must require the applicant to:
- 179 (1) Provide the Director with such current information as it shall
180 require as to character references, experience, education and
181 training in or related to the construction, maintenance, installation
182 or repair of low-voltage electrical equipment and apparatus;
- 183 (2) Provide proof of eligibility for a low-voltage electrician license;
- 184 (3) provide a certificate from an insurance company qualified to do
185 business in the State of Maryland of public liability insurance in
186 the amount of three hundred thousand dollars (\$300,000.00)
187 coverage for death or personal injury of one (1) or more
188 individuals, and three hundred thousand dollars (\$300,000.00)
189 coverage for property damage, which insurance must provide
190 coverage for work done under any permit issued hereunder by the
191 County and must include coverage for both premises operations
192 and completed operations. Such liability insurance must state that
193 the coverage therein provided will remain in full force and effect
194 until thirty (30) days following the date written notice of
195 cancellation or failure to renew is given by the insurance carrier

196 or its authorized agent to the County, and any certificate of
197 insurance furnished under this Section must provide for such
198 coverage; and

199 (4) Pay to the County, at the time of filing the application, a
200 nonrefundable fee in the amount as set forth in regulation
201 promulgated pursuant to this Chapter.

202 (c) Before a low-voltage electrician license is issued, the Director must
203 obtain from reliable sources the applicant's record of compliance with
204 state and County laws and record of complaint actions with the Office
205 of Consumer Protection and the State Attorney General's Consumer
206 Protection Division.

207 (d) When an applicant requests the renewal of an existing County low-
208 voltage electrician's license, the Director must withhold issuance of
209 such license upon a finding that the licensee has committed acts which
210 are in violation of the provisions of this Chapter. A license or renewal
211 may be withheld if the applicant is found to have committed a deceptive
212 or unconscionable trade practice in violation of Chapter 11, Section 11-
213 4, of the Montgomery County Code, as amended.

214 (e) All application approvals or denials must be personally served or mailed
215 by certified mail to the address on the application.

216 **Sec. 17-16. Eligibility for Low-voltage electrician license.**

- 217 (a) Any person who desires to perform low-voltage electrical services, as
218 defined by the Chapter, may at any time make application to the
219 Director who must provide the applicant with the prescribed forms.
- 220 (b) An applicant for a low-voltage electrician license must:
- 221 (1) hold a Master Electrician license issued by the State Board of
222 Electricians;
- 223 (2) hold a current Master Electrician or Master Electrician Limited
224 license issued by the Director; or
- 225 (3) have been regularly and principally employed or engaged in
226 performing low-voltage electrical services, as defined by this
227 Chapter, for a period of not less than four (4) years preceding the
228 date of the application, under the directions and supervision of a
229 master electrician, and pass the current version of the
230 International Code Council's low-voltage electrician Exam G21
231 with a grade constituting at least seventy (70) percent of the total
232 possible point credits in the examination.

233 **Sec. 17-17. Term of low-voltage electrician license; renewal.**

- 234 (a) A low-voltage electrician license is valid for two (2) years from the date
235 of issuance and may be renewed upon application to the Director.

236 Applicants for licenses and renewals must pay a fee as provided for by
237 regulations adopted under method (3) of Section 2A-15 of this Code by
238 the County Executive.

239 (b) A license issued under this Chapter may not be assigned or transferred.

240 (c) A license must not be renewed until all of the requirements of this
241 Chapter have been complied with.

242 (d) Late renewals for a low-voltage electrical license must be accepted
243 without late filing fee for 10 days after the expiration date. If the County
244 receives an application for renewal within 6 months after a license
245 expires, the license may be renewed upon payment of a late filing fee. A
246 renewal application received more than 6 months after an expiration
247 date must not be accepted.

248 **Sec. 17-18. Display; duplicates.**

249 (a) All holders of licenses issued by the State Board of Electricians and
250 under this Chapter must display the license in a prominent place at their
251 business location and upon demand must give the number of the license
252 to any Inspector.

253 (b) If a low-voltage electrician license issued under this Chapter is lost,
254 defaced or destroyed, a licensee in good standing may obtain a duplicate

255 upon filing an application to the Director and payment of the cost of
256 replacement.

257 **Sec. 17-19. Revocation or suspension of low-voltage electrician licenses.**

258 The Director may suspend, revoke or refuse to renew a low-voltage
259 electrician license if the holder has secured such license by misrepresentation; has
260 failed to correct violations of any provisions of the electrical code and laws of the
261 county or State of Maryland; failed to maintain the qualifications required by this
262 subtitle; demonstrated a lack of competence inconsistent with retention of the license;
263 engaged in fraudulent business activities or in misleadingly advertising products or
264 services; has been found to have committed as deceptive or unconscionable trade
265 practice in violation of chapter 11, section 11-4, of the Montgomery County Code, as
266 amended; violated the provisions of this chapter requiring permits; committed an act
267 of gross negligence or condoned such an act by an employee; or permitted any
268 unlicensed or unauthorized person, firm, company, corporation or partnership to
269 obtain a permit or perform low-voltage electrical services under the authority of the
270 holder's license

271 **ARTICLE III. PERMITS.**

272 **Sec. 17-20. General requirements.**

273 (a) *Required.* Except as provided in section 17-1 of this Chapter, no
274 electrical equipment which is subject to the provisions of this Chapter

275 may be installed, repaired or maintained until a permit therefor has been
276 issued by the Department.

277 (b) *Application generally.* Except as provided in subsection (c), all
278 applications for permits must be in writing and in such form as may be
279 prescribed by the Department. All applications must be signed by a
280 master electrician licensed by the State Board of Electricians or a low-
281 voltage electrician licensed under this Chapter, except those signed by
282 homeowners under section 17-14(c). Each application must describe the
283 work to be done and the location thereof and must be accompanied by
284 such plans, specifications and schedules as may be necessary to
285 determine whether the installation conforms with the provisions of this
286 Chapter and, if necessary, the provisions of Chapter 8 of this Code.

287 (c) *Application for installation of photovoltaic systems.* The Director may
288 accept reports and recommendations from qualified and approved
289 photovoltaic system plan review service providers that have
290 demonstrated that the photovoltaic system plans reviewed reliably
291 conform to all requirements of this Chapter. Under this subsection,
292 photovoltaic system includes or incorporates one or more of the
293 following: photovoltaic panels, energy storage, or residential electric

294 vehicle charging systems, and any of their related systems or
295 components.

296 (d) *Action on application.* The Director must examine or cause to be
297 examined each application, or report and recommendation, for an
298 electrical permit or an amendment to a permit within a reasonable time
299 after the application is filed. If the application or the plans do not
300 conform to all requirements of this Chapter, the Director must reject the
301 application in writing and specify the reasons for rejecting it. If the
302 proposed work conforms to all requirements of this Chapter and all
303 other applicable laws and regulations, the Director must issue a permit
304 for the work as soon as practicable. Before issuing a permit, the person
305 who will perform the work must demonstrate that he or she is qualified
306 to perform the proposed electrical work in a capable manner so as not to
307 endanger the life and property of occupants or neighbors, or property
308 belonging to any public utility.

309 (e) *Contents; conformity with permits; conditions; expiration upon non-*
310 *commencement of work, etc.* Each permit must describe with
311 particularity the installation to be done thereunder, and no person may
312 install any electrical equipment other than in accordance with the
313 permit. The permit is a license to proceed with the work and may not be

314 construed as authority to violate, cancel or set aside any of the
315 provisions of this Chapter. Each permittee must perform all electrical
316 services and low-voltage electrical services as required by this Chapter
317 and the electrical code and regulations adopted under it. The issuance of
318 a permit does not prevent the Department from thereafter requiring a
319 correction of errors in plans or in installation or of violations of this
320 Chapter and all other applicable laws or ordinances specifically
321 referring thereto. The issuance of any permit is expressly conditioned
322 upon the applicant's prompt compliance with all stop-work orders issued
323 by the Director. All permits expire and are null and void unless the work
324 authorized thereunder is commenced within 180 days from the date of
325 issuance or after commencement of work if more than 180 days pass
326 between inspections; provided, that the Department may upon good
327 cause shown extend a permit one or more times for a period not to
328 exceed sixty (60) days.

329 **Sec. 17-21. Emergency work.**

330 When necessary to make emergency repairs or replacements to electrical
331 installations, or to make branch circuit extensions for switches, receptacles or the
332 like, incidental to such emergency work, such work may be done without a permit;
333 provided, that the person doing the same must possess all licenses required under

334 Article III of this Chapter and first inform the Department either orally or in writing
335 if the Department's office is open at the time of such emergency giving the person's
336 name and address and the address where the work is to be done, the nature thereof
337 and when it is to be started. Such person shall file an application for a permit
338 covering such emergency work on the first business day following the performance
339 thereof.

340 **Sec. 17-22. Temporary installations.**

341 A temporary permit is required in connection with electrical equipment
342 installed for a temporary use for a period not to exceed six (6) months. Such permit
343 may be extended for an additional period of six (6) months by the Department.

344 **Sec. 17-23. Stop work order.**

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

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

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

358 **Sec. 17-24. Revocation of permit.**

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

363 **ARTICLE IV. INSPECTIONS.**

364 **Sec. 17-25. Notice upon completion; inspection of installations generally.**

365 It is unlawful for the holder of a permit issued hereunder to fail to notify the
 366 Department within five (5) days of the completion of an installation regulated by this
 367 Chapter. The Department must inspect the installation within forty-eight (48) hours
 368 of such notice, exclusive of Saturdays, Sundays, and holidays, or as soon thereafter as
 369 practicable.

370 **Sec. 17-26. Inspection of covered installations.**

371 (a) When any part of an installation regulated by this Chapter is to be
 372 hidden from view by the permanent placement of part of a building, the
 373 holder of the permit must notify the Department and such installation

374 must not be concealed until it has been inspected and approved by the
375 Department; provided, that on large installations where the concealment
376 of electrical equipment proceeds continuously, the holder of the permit
377 shall give the Department notice thereof so that inspections may be
378 made periodically during the progress of the work.

379 (b) The Department may remove or require the removal of any structure or
380 materials that prevent proper inspection of any electrical equipment.

381 **Sec. 17-27. Authorization to supply power.**

382 (a) No electric light or power company may supply electricity or power to
383 any electrical equipment, for the installation of which a permit is
384 required under this Chapter, and no person shall connect any such
385 electrical equipment to a supply of electricity or power, except where
386 authorized by the Department.

387 (b) If after the inspection the Department finds the installation to be in
388 conformity with the provisions of this Chapter, it must approve the
389 installation and authorize the use of the installation and connection to
390 the supply of electricity and power and must give notification to the
391 electric light or power company supplying the same. Such notification
392 may be issued for an entire installation or part thereof.

393 (c) Authorization may be issued for temporary installations authorized
394 under section 17-22 of this Chapter. Temporary installations may be
395 canceled by the Director at any time if the installation is not maintained
396 as required by this Chapter.

397 **Sec. 17-28. Defective installations and equipment.**

398 (a) If upon inspection any installation for which a permit is required under
399 this Chapter is found to be in violation of the provisions of this Chapter,
400 the Department must notify the holder of the permit of the nature of
401 such violation in writing and the same must be corrected within ten (10)
402 days after such notice or such other period of time as may be specified
403 by the Department.

404 (b) If the Director finds that any electrical equipment installed before or
405 after the enactment of this Chapter is dangerous to persons or property
406 because defective or improperly used or installed, the Director must
407 notify the owner or lessee of the property in writing, setting forth the
408 nature of such dangerous condition; and such person must make such
409 changes or repairs as are necessary to put such equipment in a safe
410 condition within such period as may be specified by the Director.

411 (c) Upon failure of any person to comply with a notice issued pursuant to
412 this section, the Director must revoke any permit which has been issued

413 for the installation of such equipment, must not authorize the electrical
 414 light or power company to supply electricity, or must revoke any such
 415 authorization which previously has been issued.

416 (d) If the equipment or installation is connected to a supply of electricity or
 417 power, the Director must have the authority to disconnect the same and
 418 must send notice to the electric light or power companies to discontinue
 419 its supply of electricity or power to such equipment or installation, and
 420 such supply of electricity or power must be terminated within twenty-
 421 four (24) hours of the receipt of such notice, without liability therefor on
 422 the part of such electric light or power company.

423 **ARTICLE V. STANDARDS AND REQUIREMENTS FOR FIRE AND**
 424 **BURGLAR ALARM SYSTEMS.***

425
 426 **Sec. 17-29. General Requirements.**

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

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

441 (c) It is the duty of the owner, agent, lessee, occupant or any other person
442 entitled to the beneficial use, rental or control of any building who
443 desires a burglar alarm system to install and maintain such a system in
444 accordance with provisions of the National Electrical Code as adopted
445 by section 17-3 of this Chapter.

446 **ARTICLE VI. STANDARDS AND REQUIREMENTS FOR ELECTRICAL**
447 **INSTALLATIONS.**

448 **Sec. 17-30. Standards.**

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

452 (b) The standards and requirements of this Chapter must be based upon the
453 currently designated edition of the National Electrical Code and
454 amendments thereto as specified in regulations adopted by the County

455 Executive under method (2) of section 2A-15 of this Code and are
456 hereby declared to be minimum standards and requirements. Any
457 electrical equipment or installation which is equal or superior to such
458 standards and requirements must be deemed to be in compliance
459 therewith.

460 (c) Except as otherwise provided in this Chapter, conformity of installations
461 of electrical equipment with such regulations adopted pursuant to
462 section 17-2(b) is prima facie evidence that such installations are
463 reasonably safe to persons and property.

464 (d) A person must not occupy or offer to sell for occupancy any mobile
465 home, prefabricated or modular dwelling, industrialized building, or
466 similar structure as defined in the National Electrical Code, without
467 having first obtained from the manufacturer a certification by the State
468 of Maryland that the structure meets the standards contained in
469 regulations adopted under Sections 12-301 through 12-313 of the Public
470 Safety Article of the Maryland Code.

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

474 *Approved:*

475

476

Gabe Albornoz, President, County Council

Date

477 *Approved:*

478

Marc Elrich, County Executive

Date

479 *This is a correct copy of Council action.*

480

Selena Mendy Singleton, Clerk of the Council

Date

APPROVED AS TO FORM AND LEGALITY

OFFICE OF COUNTY ATTORNEY

BY *Chiff G. Reynolds*

DATE *12/10/22*

MARK UP COPY

Bill No. _____ [Click - type number]
Concerning: [short title] _____
Revised: [date] _____ Draft No. [#] _____
Introduced: [date] _____
Expires: [18 mos. after intro] _____
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	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

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

Sec. 1. Sections 2-112, 17-1, 17-2, 17-3, 17-4, 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 are amended as follows:

Sec. 2-112. Jurisdiction.

* * *

(c) The Board has the following appellate jurisdiction.

The Board must hear and decide each appeal taken under:	Those appeals involve:
Section 2B-4	Agricultural land preservation
* * *	* * *
Section [17-28] <u>17-12</u>	[Electricians and electrical contractors licenses] <u>County electricity code</u>
* * *	* * *

ARTICLE I. GENERAL PROVISIONS.

Sec. 17-1. Scope and applicability of chapter.

(a) Except as otherwise provided, the provisions of this [chapter shall] Chapter apply to all electrical equipment and the installation thereof for light, heat or power within or on public or private buildings, structures or premises, including yards, carnivals and parking lots and industrial substations, and all electrical equipment, and the installation thereof, used for power supply to radio and television transmitting and receiving systems in or on such buildings, structures or premises, in the county.

- 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
 24 service to the public.
- 25 (c) The provisions of this [chapter shall] Chapter do not apply to
 26 installations in mines, ships or railway cars or to vehicular equipment.
- 27 (d) The provisions of this [chapter shall] Chapter do not apply to
 28 installations 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 **Sec. 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 (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
 43 forwarding his recommendations for] before proposing regulations
 44 setting forth the standards and requirements for all installations of
 45 electrical equipment within the [county] County. Such regulations
 46 [shall] must be based upon a designated edition of the National
 47 Electrical Code and local amendments thereto, including but not limited
 48 to those for the installation of fire alarm systems. Such regulations and
 49 amendments thereto [shall] must be adopted [by the county executive]
 50 under method (2) of section 2A-15 of this Code.

51 **Sec. 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
 57 code for the [county] County.

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

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

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

78 **Sec. 17-6. Unlawful maintenance of installations.**

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

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

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

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

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

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

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

100 **Sec. 17-9. Emergency disconnections.**

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

107 **Sec. 17-10. Fees.**

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

113 **Sec. 17-11. Definitions.**

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

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

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

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

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

124 Department[: The] means the Department of Permitting Services.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

179 [Master electrician limited: A person licensed by the County as qualified to
 180 install, repair and maintain a particular appliance, apparatus, device or fixture within
 181 the purview of the Montgomery County electrical code and limited to a branch circuit
 182 or feeder for elevators; gasoline pumps; automatic heating furnaces whose principal
 183 operation is derived from fuel oil, gas, steam, solar panels or coal; lighting fixtures;
 184 refrigeration and air conditioning equipment; illuminated signs and similar
 185 specialties; or limited to equipment for a plant, factor, apartment complex or any
 186 other public occupancy employing maintenance forces; fire alarm systems and
 187 electronic equipment; or major appliances; all employing the use of the electrical
 188 current or connections and such other classes designated in accordance with Section
 189 17-22 of this Chapter.]

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

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

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

199 **Sec. 17-12. Appeals.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- 255 (a) The board shall advise the director on the issuance of licenses for
 256 journeyman electricians, master electricians and master electricians
 257 limited and shall ascertain by appropriate examination the qualifications
 258 and capabilities of all persons who desire such licenses.
- 259 (b) In the case of examinations, the board shall have the authority to consult
 260 or obtain the services of a recognized expert in the field to prepare said
 261 examinations.
- 262 (c) The board shall advise the county executive on the adoption of proposed
 263 rules and regulations to govern the placement, installation and operation
 264 of electrical conductors, appliances, apparatus or construction upon or
 265 about buildings and structures of all types throughout the county.]

266 **[Sec. 17-17. Reciprocity.**

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

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

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

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

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

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

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

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

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

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

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

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

334 the residence must apply to the Director for a permit if a permit is
335 otherwise required by this Chapter.

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

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

354 given by the insurance carrier or its authorized agent to the County, and
 355 any certificate of insurance furnished pursuant to this Section shall
 356 provide for such coverage.]

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

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

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

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

394 (3) provide a certificate from an insurance company qualified to do
 395 business in the State of Maryland of public liability insurance in
 396 the amount of three hundred thousand dollars (\$300,000.00)
 397 coverage for death or personal injury of one (1) or more
 398 individuals, and three hundred thousand dollars (\$300,000.00)
 399 coverage for property damage, which insurance must provide
 400 coverage for work done under any permit issued hereunder by the
 401 County and must include coverage for both premises operations
 402 and completed operations. Such liability insurance must state that
 403 the coverage therein provided will remain in full force and effect
 404 until thirty (30) days following the date written notice of
 405 cancellation or failure to renew is given by the insurance carrier
 406 or its authorized agent to the County, and any certificate of
 407 insurance furnished under this Section must provide for such
 408 coverage; and

409 (4) [Pay] pay to the County, at the time of filing the application, a
 410 nonrefundable fee in the amount as set forth in regulation
 411 promulgated pursuant to this Chapter.

412 (c) [If the Board requests, the Director must investigate the character,
 413 experience, training and education of an electrician's license applicant

414 and provide the results of the investigation to the Board.] Before a low-
415 voltage electrician license is issued, the Director must obtain from
416 reliable sources the applicant's record of compliance with state and
417 County laws and record of complaint actions with the Office of
418 Consumer Protection and the State Attorney General's Consumer
419 Protection Division.

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

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

433 [(f)] (e) All application approvals or denials [of said applications shall] must
434 be personally served or mailed by certified mail to the address on the
435 application. [Any denial may be appealed to the County Board of
436 Appeals by the applicant not later than ten (10) days after such notice is
437 personally served or received.]

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

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

452 The board of electrical examiners shall review the information supplied
 453 by the applicant as to training and experience and shall determine its credibility and
 454 may allow up to a maximum of four (4) years' experience toward the requirements
 455 set forth in this Chapter for the examination applied for. For the purposes of this
 456 section, a "sworn statement" shall mean any statement which the maker thereof
 457 certifies as being true to the best of his information, knowledge and belief, under the
 458 penalties of perjury.]

459 **Sec. [17-21] 17-16. Eligibility for [examination-Master] Low-voltage electrician**
 460 **license.**

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

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

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

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

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

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

490 (a) Any person who desires to install, repair, maintain or erect electrical
491 equipment as a master electrician limited, as defined in this chapter, may at any time

492 make application to the director to be examined and the director shall provide the
493 applicant with the prescribed forms.

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

511 (c) Those persons who are employed by a plant, factory, apartment,
512 condominium, office building or other facility employing maintenance personnel are
513 encouraged to obtain a master electrician's limited license for maintenance in order
514 to be able to obtain permits for electrical maintenance work. In addition to the
515 requirements in section 17-22(a) and (b), the owner or agent for the building or
516 buildings must certify that the applicant is a full-time employee and is covered by
517 liability insurance in the amount established by section 17-19(c).]

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

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

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

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

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

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

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

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

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

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

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

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

552 (a) [All licenses issued under this Chapter after the effective date of this
553 legislation shall be] A low-voltage electrician license is valid for two (2)
554 years from the date of issuance and may be renewed upon application to
555 the Director. Applicants for licenses and renewals [thereof shall pay to
556 the County a fee for a business license, master electrician’s license,
557 master electrician’s limited license and journeyman electrician’s
558 license] must pay a fee as provided for by regulations adopted under
559 method (3) of Section 2A-15 of this Code by the County Executive.

560 (b) [No person, firm, company, corporation, partnership, owner, lessee or
561 agent shall be denied the privilege of continuing a contracting business
562 or maintenance or repair work in the event of death, illness or other
563 physical disability of the master electrician or master electrician limited
564 who qualified the person, firm, company, corporation or partnership for
565 such license, for a period not exceeding one hundred twenty (120) days
566 following the date of such death, illness or physical disability, provided
567 said business, maintenance or repair work is conducted under such
568 qualified supervision as the board deems adequate; and provided that all
569 requirements concerning bonds and business insurance are first

570 complied with and the department is notified promptly by the licensee
571 upon such death, illness or physical disability.]

572 [(c) A person, firm, company, corporation or partnership shall be allowed to
573 continue a business or to perform maintenance and repair work for a
574 period not exceeding ninety (90) days should the master electrician or
575 master electrician limited who qualified the person, firm, company,
576 corporation or partnership for such license terminate his services
577 therefrom, provided such business, maintenance or repair work is
578 conducted under such qualified supervision as the Board deems
579 adequate and provided that both of the following requirements are met:

- 580 (1) Insurance requirements are complied with;
- 581 (2) The master electrician or master electrician limited who qualified
582 the person, firm, company, corporation or partnership shall notify
583 the Board in writing within five (5) days after terminating his
584 services therewith; and the person, firm, company, corporation or
585 partnership also shall notify the Board in writing within five (5)
586 days after the master electrician or master electrician limited has
587 terminated his services.]

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

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

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

597 [(g)] (d) Late renewals for [all classes of] a low-voltage electrical [licenses]
 598 license must be accepted without late filing fee for 10 days after the
 599 expiration date. If the County receives an application for renewal within
 600 6 months after a license expires, the license [must] may be renewed
 601 upon payment of a late filing fee [set by the Director of Permitting
 602 Services]. A renewal application received more than 6 months after an
 603 expiration date must not be accepted.

604 **Sec. [17-26] 17-18. Display; duplicates.**

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

610 (b) [All holders of master electrician, master electrician limited and
611 journeyman electrician licenses shall have identification cards issued by
612 the department in their possession at all times while performing
613 electrical work within the county and shall display same, upon request,
614 to authorized department personnel.]

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

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

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

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

630 **Sec. [17-28] 17-19. Revocation or suspension of low-voltage electrician [licenses;
 631 **appeals] license.****

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

650 chapter. In the case of electricians' licenses, the director shall obtain the concurrence
651 of the board before proceeding with such actions. In the case of business licenses, the
652 director shall consider the advice and recommendations of the board, if any].

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

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

667 [(d) Any person, firm, company, corporation or partnership to whom a
668 license has been denied or whose license has been revoked or suspended or any such
669 person, firm, company, corporation or partnership who believes himself aggrieved by

670 any action of the board or director may appeal to the county board of appeals by
 671 filing a notice of such appeal to the county board of appeals by filing a notice of such
 672 appeal with the clerk of the appeals board within ten (10) days from the date of
 673 receipt of notice of the action of the board or director. Notice of action of the board or
 674 director shall be personally served or be mailed by certified mail to the last address
 675 on file with the board.]

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

677 **Sec. [17-29] 17-20. General requirements.**

- 678 (a) *Required.* Except as provided in section 17-1 of this [chapter] Chapter,
 679 no electrical equipment which is subject to the provisions of this
 680 [chapter] Chapter [shall] may be installed, repaired or maintained until a
 681 permit therefor has been issued by the [department] Department.
- 682 (b) *Application generally.* Except as provided in subsection (c), [All] all
 683 applications for permits [shall] must be in writing and in such form as
 684 may be prescribed by the [department] Department. All applications
 685 [shall] must be signed by a master electrician licensed by the State
 686 Board of Electricians or [master] a low-voltage electrician [limited]
 687 licensed under this Chapter, except those signed by homeowners
 688 [pursuant to] under section 17-13(c) [and those signed by an officer of
 689 the company pursuant to section 17-25(b) and (c)]. Each application

690 [shall] must describe the work to be done and the location thereof and
691 [shall] must be accompanied by such plans, specifications and schedules
692 as [shall] may be necessary to determine whether the installation [will
693 be in conformity] conforms with the provisions of this [chapter] Chapter
694 and, if necessary, the provisions of [chapter] Chapter 8 of this Code.

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

704 (d) Action on application. The Director must examine or cause to be
705 examined each application, or report and recommendation, for an
706 electrical permit or an amendment to a permit within a reasonable time
707 after the application is filed. If the application or the plans do not
708 conform to all requirements of this Chapter, the Director must reject the
709 application in writing and specify the reasons for rejecting it. If the

710 proposed work conforms to all requirements of this Chapter and all
711 other applicable laws and regulations, the Director must issue a permit
712 for the work as soon as practicable. Before issuing a permit, the person
713 who will perform the work must demonstrate that he or she is qualified
714 to perform the proposed electrical work in a capable manner so as not to
715 endanger the life and property of occupants or neighbors, or property
716 belonging to any public utility.

717 [c](e) *Contents; conformity with permits; conditions; expiration upon non-*
718 *commencement of work, etc.* Each permit [shall] must describe with
719 particularity the installation to be done thereunder, and no person [shall]
720 may install any electrical equipment other than in accordance with the
721 permit. The permit is a license to proceed with the work and may not be
722 construed as authority to violate, cancel or set aside any of the
723 provisions of this Chapter. Each permittee must perform all electrical
724 services and low-voltage electrical services as required by this Chapter
725 and the electrical code and regulations adopted under it. The issuance of
726 a permit does not prevent the Department from thereafter requiring a
727 correction of errors in plans or in installation or of violations of this
728 Chapter and all other applicable laws or ordinances specifically
729 referring thereto. The issuance of any permit is expressly conditioned

730 upon the applicant's prompt compliance with all stop work orders issued
 731 by the Director. All permits [shall] expire and [be] are null and void
 732 unless the work authorized thereunder is commenced within [six (6)
 733 months] 180 days from the date of issuance or after commencement of
 734 work if more than 180 days pass between inspections; provided, that the
 735 [department] Department may upon good cause shown extend a permit
 736 one or more times [from] for a [periods] period not [exceeding] to
 737 exceed sixty (60) days.

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

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

747 **Sec. [17-30] 17-21. Emergency work.**

748 When necessary to make emergency repairs or replacements to electrical
 749 installations, or to make branch circuit extensions for switches, receptacles or the

750 like, incidental to such emergency work, such work may be done without a permit;
 751 provided, that the person doing the same [shall] must possess all licenses required
 752 under Article III of this Chapter and first inform the [department] Department either
 753 orally or in writing if the [department's] Department's office is open at the time of
 754 such emergency giving [his] the person's name and address and the address where
 755 the work is to be done, the nature thereof and when it is to be started. Such person
 756 shall file an application for a permit covering such emergency work on the first
 757 business day following the performance thereof.

758 **Sec. [17-31] 17-22. Temporary installations.**

759 A temporary permit [shall be] is required in connection with electrical
 760 equipment installed for a temporary use for a period not to exceed six (6) months.
 761 Such permit may be extended for an additional period of six (6) months by the
 762 [department] Department.

763 **Sec. 17-23. Stop work order.**

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

- 770 (b) The stop work order described herein must be in writing and served
 771 upon the owner of the property involved or the owner's agent or to the
 772 person doing the work.
- 773 (c) It is unlawful for any person to continue or permit the continuance of
 774 work after having been served with a stop work order, except such work
 775 as the person is directed to perform to remove a violation or unsafe
 776 condition.

777 **Sec. 17-24. Revocation of permit.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

830 (b) If the [director] Director finds that any electrical equipment installed
831 before or after the enactment of this [chapter] Chapter is dangerous to
832 persons or property because defective or improperly used or installed,
833 [he] the Director [shall] must notify the owner or lessee of the property
834 in writing, setting forth the nature of such dangerous condition; and
835 such person [shall] must make such changes or repairs as are necessary
836 to put such equipment in a safe condition within such period as may be
837 specified by the [director] Director.

838 (c) Upon failure of any person to comply with a notice issued pursuant to
839 this section, the [director] Director [shall] must revoke any permit which
840 has been issued for the installation of such equipment, [shall] must not
841 authorize the electrical light or power company to supply electricity, or
842 [shall] must revoke any such authorization which previously has been
843 issued.

844 (d) If the equipment or installation is connected to a supply of electricity or
845 power, the [director] Director [shall] must have the authority to
846 disconnect the same and [shall] must send notice to the electric light or
847 power companies to discontinue its supply or electricity or power to
848 such equipment or installation, and such supply of electricity or power
849 [shall] must be terminated within twenty-four (24) hours of the receipt

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

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

854
855 **Sec. [17-37] 17-29. General Requirements.**

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

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

870 Laboratories, Inc., for fire alarm services before submission to the
 871 [department] Department.

872 (c) It [shall be] is the duty of the owner, agent, lessee, occupant or any other
 873 person entitled to the beneficial use, rental or control of any building
 874 who desires a burglar alarm system to install and maintain such a
 875 system in accordance with provisions of the National Electrical Code as
 876 adopted by section 17-3 of this [chapter] Chapter.

877 **ARTICLE [VII] VI. STANDARDS AND REQUIREMENTS FOR**
 878 **ELECTRICAL INSTALLATIONS.**

879 **Sec. [17-38] 17-30. Standards.**

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

883 (b) The standards and requirements of this [chapter] Chapter [shall] must be
 884 based upon the currently designated edition of the National Electrical
 885 Code and amendments thereto as specified in regulations adopted by the
 886 [county executive] County Executive under method (2) of section 2A-
 887 15 of this Code and are hereby declared to be minimum standards and
 888 requirements. Any electrical equipment or installation which is equal or
 889 superior to such standards and requirements [shall] must be deemed to
 890 be in compliance therewith.

- 891 (c) Except as otherwise provided in this [chapter] Chapter, conformity of
 892 installations of electrical equipment with such regulations adopted
 893 pursuant to section 17-2(b) [shall be] is prima facie evidence that such
 894 installations are reasonably safe to persons and property.
- 895 (d) A person must not occupy or offer to sell for occupancy any mobile
 896 home, prefabricated or modular dwelling, industrialized building, or
 897 similar structure as defined in the National Electrical Code, without
 898 having first obtained from the manufacturer a certification by the State
 899 of Maryland that the structure [has met] meets the standards contained
 900 in regulations adopted under Sections 12-301 through 12-313 of the
 901 Public Safety Article of the Maryland Code.
- 902 (e) All electrical installations, including outlets, panel boxes, heat panels
 903 and fixtures subject to damage from flooding must be located, built, and
 904 floodproofed to eliminate or minimize flood damage.

905 **[Sec. 17-39. Reserved.]**

906 *Approved:*

907

908

Gabe Albornoz, President, County Council

Date

909 *Approved:*

910

Marc Elrich, County Executive

Date

911 *This is a correct copy of Council action.*

912

Selena Mendy Singleton, Clerk of the Council

Date

APPROVED AS TO FORM AND LEGALITY
OFFICE OF COUNTY ATTORNEY
BY *Clifford S. Dugally*
DATE *2/10/22*