

# HOUSE BILL No. 5617

March 5, 1992, Introduced by Reps. Joe Young, Jr. and Shugars and referred to the Committee on State Affairs.

A bill to amend sections 1, 2, 3, 3a, 5, 6, 6a, 7, and 8b of Act No. 217 of the Public Acts of 1956, entitled as amended "Electrical administrative act," sections 1, 3, 6, 6a, and 8b as amended and section 3a as added by Act No. 246 of the Public Acts of 1990, being sections 338.881, 338.882, 338.883, 338.883a, 338.885, 338.886, 338.886a, 338.887, and 338.888b of the Michigan Compiled Laws; and to add sections 1a, 3f, and 3g.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 1, 2, 3, 3a, 5, 6, 6a, 7, and 8b of  
2 Act No. 217 of the Public Acts of 1956, sections 1, 3, 6, 6a, and  
3 8b as amended and section 3a as added by Act No. 246 of the  
4 Public Acts of 1990, being sections 338.881, 338.882, 338.883,  
5 338.883a, 338.885, 338.886, 338.886a, 338.887, and 338.888b of

1 the Michigan Compiled Laws, are amended and sections 1a, 3f, and  
2 3g are added to read as follows:

3       Sec. 1. (1) ~~As used in this act:~~ FOR PURPOSES OF THIS  
4 ACT, THE WORDS DEFINED IN THIS SECTION AND SECTION 1A HAVE THE  
5 MEANING ASCRIBED TO THEM IN THOSE SECTIONS.

6       (2) ~~(a)~~ "Electrical wiring" means all wiring, generating  
7 equipment, fixtures, appliances, and appurtenances in connection  
8 with the generation, distribution, and utilization of electrical  
9 energy, within or on a building, residence, structure, or proper-  
10 ties, and including service entrance wiring as defined by the,  
11 code.

12       (3) ~~(b)~~ "Electrical contractor" means a person, firm, or  
13 corporation engaged in the business of erecting, installing,  
14 altering, repairing, servicing, or maintaining electrical wiring,  
15 devices, appliances, or equipment.

16       (4) ~~(c)~~ "Master electrician" means a person having the  
17 necessary qualifications, training, experience, and technical  
18 knowledge to supervise the installation of electrical wiring and  
19 equipment in accordance with the standard rules and regulations  
20 governing that work.

21       (5) ~~(d)~~ "Electrical journeyman" means a person other than  
22 an electrical contractor who, as his or her principal occupation,  
23 is engaged in the practical installation or alteration of elec-  
24 tric wiring. An electrical contractor or master electrician may  
25 also be an electrical journeyman.

26       (6) ~~(e)~~ "Apprentice electrician" means an individual other  
27 than an electrical contractor, master electrician, or electrical

1 journeyman, who is engaged in learning about and assisting in the  
2 installation or alteration of electrical wiring and equipment  
3 under the direct personal supervision of an electrical journeyman  
4 or master electrician.

5 (7) ~~(f)~~ "Jobsite" means the immediate work area within the  
6 property lines of a single construction project, alteration  
7 project, or maintenance project where electrical construction or  
8 alteration of electrical wiring is in progress.

9 (8) ~~(g)~~ "Municipality" means a city, village, or  
10 township.

11 (9) ~~(h)~~ "Minor repair work" means electrical wiring not in  
12 excess of a valuation of \$100.00.

13 (10) ~~(i)~~ "State construction code act of 1972" means Act  
14 No. 230 of the Public Acts of 1972, being sections 125.1501 to  
15 125.1531 of the Michigan Compiled Laws.

16 (11) ~~(j)~~ "Code" means the state construction code provided  
17 for in section 4 of the state construction code act of 1972, or a  
18 part of that code which is of limited application, and includes a  
19 modification of or amendment to the code, or a nationally recog-  
20 nized model electrical code adopted by a governmental subdivision  
21 pursuant to section 8 of that act.

22 (12) ~~(k)~~ "Enforcing agency" means the enforcing agency  
23 responsible for the administration and enforcement of the elec-  
24 trical code pursuant to section 8 or 9 of the state construction  
25 code act of 1972.

26 (13) "BOARD" MEANS THE ELECTRICAL ADMINISTRATIVE BOARD  
27 CREATED PURSUANT TO SECTION 2.

1        SEC. 1A. (1) "ELECTRIC SIGN" MEANS FIXED, STATIONARY, OR  
2 PORTABLE SELF-CONTAINED, ELECTRICALLY ILLUMINATED EQUIPMENT THAT  
3 HAS WORDS OR SYMBOLS DESIGNED TO CONVEY INFORMATION OR ATTRACT  
4 ATTENTION. ELECTRIC SIGN INCLUDES OUTLINE LIGHTING.

5        (2) "OUTLINE LIGHTING" MEANS AN ARRANGEMENT OF INCANDESCENT  
6 LAMPS OR ELECTRIC DISCHARGE TUBING WHICH IS AN INTEGRAL PART OF  
7 AN ELECTRICAL SIGN THAT OUTLINES CERTAIN FEATURES, SUCH AS THE  
8 SHAPE OF A BUILDING OR THE DECORATION OF A WINDOW.

9        (3) "SIGN SPECIALTY CONTRACTOR" MEANS A PERSON, FIRM, OR  
10 CORPORATION ENGAGED IN THE BUSINESS OF MANUFACTURING, INSTALLING,  
11 MAINTAINING, CONNECTING, OR REPAIRING ELECTRIC SIGN WIRING OR  
12 DEVICES, INCLUDING WIRING THAT IS DIRECTLY RELATED TO ELECTRIC  
13 SIGNS AND IS ELECTRICALLY DEDICATED AS A SIGN CIRCUIT.

14        (4) "SIGN SPECIALIST" MEANS A PERSON WHO, AS HIS OR HER  
15 PRINCIPAL OCCUPATION, IS ENGAGED IN THE INSTALLATION, ALTERATION,  
16 OR REPAIR OF ELECTRIC SIGNS.

17        (5) "SIGN SPECIALTY LICENSURE" MEANS LICENSURE AS A SIGN  
18 SPECIALIST OR SIGN SPECIALTY CONTRACTOR.

19        (6) "RELATED WIRING" MEANS THE FOLLOWING:

20        (A) EXCEPT AS OTHERWISE PROVIDED IN SUBDIVISIONS (B), (C),  
21 AND (D), THAT PORTION OF THE ELECTRIC SIGN WIRING THAT ORIGINATES  
22 AT THE LOAD-SIDE TERMINALS OF A DISCONNECTING MEANS LOCATED IN  
23 THE VICINITY OF THE ELECTRIC SIGN INVOLVED BUT DOES NOT INCLUDE  
24 THE INSTALLATION OF THE DISCONNECTING MEANS, COMPLETE WITH  
25 LINE-SIDE CONNECTIONS.

26        (B) IN THE CASE OF ELECTRIC SIGN INSTALLATIONS HAVING SIGN  
27 TRANSFORMERS INSTALLED PHYSICALLY APART FROM THE ELECTRIC SIGN,

1 THAT PORTION OF THE ELECTRIC SIGN WIRING THAT ORIGINATES AT THE  
2 LOAD-SIDE TERMINALS OF A DISCONNECTING MEANS LOCATED IN THE  
3 VICINITY OF THE ELECTRIC SIGN INVOLVED BUT DOES NOT INCLUDE THE  
4 INSTALLATION OF THE DISCONNECTING MEANS, COMPLETE WITH LINE-SIDE  
5 CONNECTIONS.

6 (C) IN THE CASE OF FREE-STANDING ELECTRIC SIGN INSTALLATIONS  
7 SUPPLIED THROUGH UNDERGROUND CIRCUIT CONDUCTORS, THAT PORTION OF  
8 THE ELECTRIC SIGN WIRING THAT ORIGINATES AT A WIRING TERMINATION  
9 POINT ADJACENT TO, WITHIN, OR IMMEDIATELY ABOVE THE PERMANENT  
10 BASE FOR THE ELECTRIC SIGN BUT DOES NOT INCLUDE, IF THE BASE OF  
11 THE SIGN STRUCTURE IS SUITABLE FOR USE AS A RACEWAY, THE INSTAL-  
12 LATION OF BUSHING, COMPLETE WITH FREE-LENGTH CIRCUIT CONDUCTORS  
13 EXTENDING THROUGH TO ACCOMMODATE THE CONNECTION OF THE RELATED  
14 WIRING WITHIN THE SIGN STRUCTURE RACEWAY.

15 (D) IN THE CASE OF ELECTRIC SIGNS SPECIFICALLY DESIGNED TO  
16 BE CONNECTED DIRECTLY TO THE BUILDING WIRING RACEWAY OR CABLE  
17 SUPPLY, THAT PORTION OF THE ELECTRIC SIGN WIRING THAT ORIGINATES  
18 AT THE POINT WHERE THE FREE-LENGTH CIRCUIT CONDUCTORS EXTEND  
19 THROUGH THE BUILDING WIRING RACEWAY OR CABLE AT THE SPECIFICALLY  
20 DESIGNED SUPPLY LOCATION FOR THE ELECTRIC SIGN INVOLVED BUT DOES  
21 NOT INCLUDE THE INSTALLATION OF THE BUILDING WIRING RACEWAY OR  
22 CABLE SYSTEM TO THE SPECIFICALLY DESIGNATED POINT OF SUPPLY FOR  
23 THE ELECTRIC SIGN INVOLVED, COMPLETE WITH FREE-LENGTH CIRCUIT  
24 CONDUCTORS EXTENDING THROUGH THE BUILDING WIRING RACEWAY OR CABLE  
25 TO ACCOMMODATE THE CONNECTION OF THE RELATED WIRING.

26 Sec. 2. ~~(1) As used in this act, "board" means the~~  
27 ~~electrical administrative board created pursuant to this act.~~

1       (1) ~~(2)~~ The board shall consist of a representative of the  
2 department of state police, fire marshal division, appointed by  
3 the director of state police and 9 other members who are resi-  
4 dents of this state, appointed by the governor with the advice  
5 and consent of the senate. Of the 9 members appointed by the  
6 governor, 1 shall be a representative of an insurance inspection  
7 bureau operating in this state, 1 shall be a representative of an  
8 electrical energy supply agency operating in this state, 1 shall  
9 be an electrical contractor operating in this state, 1 shall be a  
10 master electrician serving as a supervisor, 1 shall be an elec-  
11 trical journeyman, 1 shall be a chief electrical inspector of a  
12 municipality, 1 shall be a representative of distributors of  
13 electrical apparatus and supplies, 1 shall be a representative of  
14 manufacturers primarily and actively engaged in producing mate-  
15 rial fittings, devices, appliances, fixtures, apparatus, and sim-  
16 ilar products, used as a part of, or in connection with, an elec-  
17 trical installation, and 1 shall be representative of the general  
18 public. The director of labor, or the authorized representative  
19 of the director, shall be an ex officio member of the board with-  
20 out vote. ~~The first term of the member appointed to represent~~  
21 ~~the general public shall expire August 10, 1976.~~ Each appoint-  
22 ment shall be for a term of 3 years. The members of the board  
23 annually shall elect a chairperson, and shall hold regular meet-  
24 ings 4 times a year. A special meeting may be called by the  
25 chairperson or upon written request of 4 members.

26       (2) THERE IS CREATED AN ELECTRIC SIGN INDUSTRY ADVISORY  
27 COMMITTEE WHOSE PURPOSE IS TO CONSIDER ISSUES AND PREPARE

1 RECOMMENDATIONS TO THE BOARD REGARDING POLICY, REGULATION, AND  
2 IMPLEMENTATION OF THE 1992 AMENDATORY ACT RELATING TO SIGN SPE-  
3 CIALISTS AND SIGN SPECIALTY CONTRACTORS.

4 (3) The business which the board may perform shall be con-  
5 ducted at a public meeting of the board held in compliance with  
6 THE OPEN MEETINGS ACT, Act No. 267 of the Public Acts of 1976,  
7 being sections 15.261 to 15.275 of the Michigan Compiled Laws.  
8 Public notice of the time, date, and place of the meeting shall  
9 be given in the manner required by Act No. 267 of the Public  
10 Acts of 1976.

11 (4) The per diem compensation of the 9 members of the board  
12 appointed by the governor, and the schedule for reimbursement of  
13 expenses shall be established annually by the legislature.

14 (5) In a political subdivision where this act applies, the  
15 board may inspect electrical wiring and its installation, and  
16 shall fix the fees for the inspection at rates not higher than  
17 the average rates for similar inspections charged by the 3 high-  
18 est populated cities in this state. The director of labor shall  
19 appoint electrical inspectors from the state civil service  
20 commission's eligible register.

21 Sec. 3. (1) The board shall grant annual licenses and cer-  
22 tificates to qualified applicants, make orders and promulgate  
23 rules necessary for the enforcement and carrying out of this act,  
24 and enforce and carry out this act. The rules shall be promul-  
25 gated pursuant to the administrative procedures act of 1969, Act  
26 No. 306 of the Public Acts of 1969, as amended, being sections  
27 24.201 to 24.328 of the Michigan Compiled Laws.

1 (2) The examination fee for licensure ~~as a master~~  
 2 ~~electrician, electrical contractor, or an electrical journeyman~~  
 3 OF THE FOLLOWING shall be \$25.00: ~~—~~

- 4 (A) MASTER ELECTRICIAN.
- 5 (B) ELECTRICAL CONTRACTOR.
- 6 (C) ELECTRICAL JOURNEYMAN.
- 7 (D) SIGN SPECIALTY CONTRACTOR.
- 8 (E) SIGN SPECIALIST.

9 (3) The fee for initial licensure, apprentice electrician  
 10 registration, or renewal of a license ~~issued under this act~~  
 11 ~~shall be~~ RELATING TO ELECTRICIANS IS as follows:

- 12 (a) Electrical contractor.....\$75.00
- 13 (b) Master electrician..... 25.00
- 14 (c) Electrical journeyman..... 20.00
- 15 (d) Apprentice electrician..... 5.00

16 (4) THE FEE FOR INITIAL SIGN SPECIALTY LICENSURE OR RENEWAL  
 17 OF A SIGN SPECIALTY LICENSE IS AS FOLLOWS:

- 18 (A) SIGN SPECIALTY CONTRACTOR.....\$40.00
- 19 (B) SIGN SPECIALIST..... 20.00

20 (5) ~~(4)~~ A license issued under this act shall expire on  
 21 December 31 of each year and is renewable not more than 60 days  
 22 after that date upon application and payment of the appropriate  
 23 fee as described in subsection (3) OR (4).

24 (6) ~~(5)~~ An apprentice electrician registration will expire  
 25 on August 31 of each year and shall be renewable within 30 days  
 26 after that date upon payment of a \$10.00 renewal fee. An



1 applicant shall submit proof of a sponsoring employer for initial  
2 or renewal registration.

3       (7) ~~-(6)-~~ After March 1 of each year, a license not renewed  
4 shall be considered void and may be reinstated only upon applica-  
5 tion for reinstatement and payment of the appropriate license fee  
6 for the appropriate class.

7       (8) ~~-(7)-~~ The board shall provide for an examination to be  
8 given to an applicant seeking licensure under this act for a spe-  
9 cific class of license. The board and department of labor,  
10 acting jointly, may develop an examination or contract for the  
11 use of an examination developed by another governmental subdivi-  
12 sion or any other entity, INCLUDING, BUT NOT LIMITED TO, THE  
13 NATIONAL ASSESSMENT INSTITUTE, which the department of labor and  
14 the board, acting jointly, review and determine is designed to  
15 test the qualifications and competency of applicants seeking  
16 licensure under this act. The examination for electrical jour-  
17 neymen and master electricians shall include, but not be limited  
18 to, questions designed to test an individual's knowledge of this  
19 act, any rules promulgated under this act, the state construction  
20 code act of 1972, and any code adopted pursuant to section 4 of  
21 that act and any code adopted pursuant to section 8 of that act  
22 as well as the theory relative to those codes. In the case of  
23 the examination for an electrical contractor's license, the exam-  
24 ination shall include, but not be limited to, questions designed  
25 to test an individual's knowledge of this act, any rules promul-  
26 gated under this act, the state construction code act of 1972,  
27 and the administration and enforcement procedures of any code

1 adopted pursuant to section 8 or 9 of that act. THE BOARD SHALL  
2 PROVIDE FOR AN EXAMINATION TO BE GIVEN TO AN APPLICANT SEEKING  
3 SIGN SPECIALTY LICENSURE UNDER THIS ACT. THE EXAMINATIONS FOR  
4 SIGN SPECIALTY LICENSURE SHALL INCLUDE, BUT NOT BE LIMITED TO,  
5 QUESTIONS DESIGNED TO TEST AN INDIVIDUAL'S KNOWLEDGE OF THIS ACT  
6 AND ANY RULES PROMULGATED UNDER THIS ACT RELATING TO ELECTRIC  
7 SIGNS AND APPLICABLE SECTIONS OF THE CODE. Examinations shall be  
8 offered at locations throughout the state as determined by the  
9 board. The department of labor in consultation with the board  
10 may designate a person to give the examination at any location.  
11 Copies of examinations developed by a governmental subdivision  
12 shall be presented for board approval and shall remain the prop-  
13 erty of the governmental subdivision and shall be returned to  
14 that governmental subdivision without having been copied or  
15 reproduced in any manner.

16 (9) ~~-(8)-~~ Not later than January 1, 1991, the department of  
17 labor shall report to the appropriate house and senate committees  
18 on the increase in the number of inspectors employed as a result  
19 of the 1989 amendatory act that increased the fees contained in  
20 this section.

21 (10) ~~-(9)-~~ The department of labor shall annually submit to  
22 the members of the legislature a comprehensive report detailing  
23 the expenditure of the additional money resulting from the 1989  
24 amendatory act that increased the fees contained in this  
25 section.

26 (11) ~~-(10)-~~ There is created a joint legislative committee  
27 whose purpose is to examine the scope of this act and any code

1 involving electrical applications including, but not limited to,  
2 low voltage applications. The committee shall consist of the  
3 chairs of the labor committee and the state affairs committee in  
4 the House of Representatives and the chairs of the committees  
5 dealing with the issues of labor and state affairs in the  
6 Senate. The committee shall publish a written report and present  
7 it to the legislature not later than June 1, 1991.

8       Sec. 3a. An applicant for licensure under this act may sit  
9 for an examination upon the applicant doing all of the  
10 following:

11       (a) Filing a completed application form provided by the  
12 department of labor for the particular class of ELECTRICIAN  
13 licensure OR SIGN SPECIALTY LICENSURE.

14       (b) Paying the examination fee prescribed in section 3.

15       (c) Establishing, in a manner satisfactory to the board, the  
16 experience requirement or an equivalent of that experience  
17 requirement for the particular class of licensure by use of a  
18 notarized statement from current and past employers.

19       SEC. 3F. SUBJECT TO SECTION 5(3) OR (5), THE DEPARTMENT OF  
20 LABOR SHALL ISSUE A SIGN SPECIALTY CONTRACTOR'S LICENSE TO A  
21 PERSON WHO DOES ALL OF THE FOLLOWING:

22       (A) HOLDS A SIGN SPECIALIST'S LICENSE OR HAS NOT LESS THAN 1  
23 SIGN SPECIALIST RESIDING IN THIS STATE WHO IS IN HIS OR HER  
24 FULL-TIME EMPLOY. THAT SIGN SPECIALIST SHALL BE ACTIVELY IN  
25 CHARGE OF AND RESPONSIBLE FOR CODE COMPLIANCE OF ALL INSTALLA-  
26 TIONS, MAINTENANCE, CONNECTION, AND REPAIR OF ELECTRIC SIGNS AND  
27 RELATED WIRING.

1 (B) FILES A COMPLETED APPLICATION ON A FORM PROVIDED BY THE  
2 DEPARTMENT OF LABOR.

3 (C) PAYS THE EXAMINATION FEE PRESCRIBED IN SECTION 3 AND  
4 PASSES AN EXAMINATION PROVIDED FOR BY THE BOARD AND THE DEPART-  
5 MENT OF LABOR.

6 (D) PAYS THE LICENSE FEE PRESCRIBED IN SECTION 3.

7 (E) PROVIDES EVIDENCE OF PUBLIC LIABILITY INSURANCE  
8 COVERAGE. THE BOARD SHALL PROMULGATE RULES PURSUANT TO THE  
9 ADMINISTRATIVE PROCEDURES ACT OF 1969, ACT NO. 306 OF THE PUBLIC  
10 ACTS OF 1969, BEING SECTIONS 24.201 TO 24.328 OF THE MICHIGAN  
11 COMPILED LAWS, SETTING LIMITS FOR THE AMOUNT OF COVERAGE DEPEND-  
12 ING UPON THE TYPE OF APPLICATION BEING UTILIZED. NOT LATER THAN  
13 180 DAYS AFTER THE 1992 AMENDATORY ACT THAT ADDED THIS SECTION,  
14 THE BOARD SHALL SUBMIT THESE RULES TO THE JOINT COMMITTEE ON  
15 ADMINISTRATIVE RULES.

16 SEC. 3G. (1) SUBJECT TO SECTION 5(4) OR (5), THE DEPARTMENT  
17 OF LABOR SHALL ISSUE A SIGN SPECIALIST'S LICENSE TO A PERSON NOT  
18 LESS THAN 18 YEARS OF AGE WHO DOES ALL OF THE FOLLOWING:

19 (A) FILES A COMPLETED APPLICATION FORM PROVIDED BY THE  
20 DEPARTMENT OF LABOR.

21 (B) PAYS THE EXAMINATION FEE PRESCRIBED IN SECTION 3 AND  
22 PASSES AN EXAMINATION PROVIDED FOR BY THE BOARD AND THE DEPART-  
23 MENT OF LABOR.

24 (C) PAYS THE LICENSE FEE PRESCRIBED IN SECTION 3.

25 (D) HAS NOT LESS THAN 4,000 HOURS OF EXPERIENCE, OBTAINED  
26 OVER A PERIOD OF NOT LESS THAN 2 YEARS, RELATED TO THE  
27 MANUFACTURE, INSTALLATION, MAINTENANCE, CONNECTION, OR REPAIR OF

1 ELECTRIC SIGNS AND RELATED WIRING AS VERIFIED BY A CONTRACTOR  
2 LICENSED UNDER THIS ACT WHO IS THE CURRENT EMPLOYER OF THE  
3 APPLICANT. THE HOURS OF EXPERIENCE MAY BE OBTAINED FROM MULTIPLE  
4 EMPLOYERS, AND EQUIVALENT EDUCATION AS DETERMINED BY THE BOARD  
5 MAY BE SUBSTITUTED FOR WORK EXPERIENCE.

6 (E) DEMONSTRATES THE SUCCESSFUL COMPLETION OF A COURSE CON-  
7 CERNING THE INSTALLATION, MAINTENANCE, CONNECTION, OR REPAIR OF  
8 ELECTRIC SIGNS AND RELATED WIRING AS CONTAINED IN THE SIGN  
9 ELECTRICIAN'S WORKBOOK PUBLISHED BY THE AMERICAN TECHNICAL PUB-  
10 LISHERS, INC. OR ANY OTHER COURSE DESIGNED TO ADDRESS THE  
11 INSTALLATION, MAINTENANCE, CONNECTION, OR REPAIR OF ELECTRIC  
12 SIGNS AND RELATED WIRING, AS APPROVED BY THE BOARD.

13 (2) UPON FAILURE TO PASS THE SIGN SPECIALIST EXAMINATION 2  
14 TIMES WITHIN A PERIOD OF 2 YEARS, AN APPLICANT SHALL BE INELIGI-  
15 BLE TO SIT FOR ANOTHER EXAMINATION UNTIL HE OR SHE PRESENTS TO  
16 THE BOARD PROOF OF THE SUCCESSFUL COMPLETION OF A COURSE ON CODE  
17 AND ELECTRICAL FUNDAMENTALS APPROVED BY THE BOARD, IN ORDER TO  
18 BECOME ELIGIBLE AGAIN TO SIT FOR AN EXAMINATION.

19 (3) AS A CONDITION OF RENEWAL OF A SIGN SPECIALIST'S  
20 LICENSE, THE SIGN SPECIALIST SHALL DEMONSTRATE THE SUCCESSFUL  
21 COMPLETION OF A COURSE, APPROVED BY THE BOARD, CONCERNING ANY  
22 UPDATE OR CHANGE IN APPLICABLE SECTIONS OF THE CODE WITHIN 12  
23 MONTHS AFTER THE UPDATE OR CHANGE IN THAT CODE. THIS REQUIREMENT  
24 APPLIES ONLY DURING OR AFTER THOSE YEARS THAT THE CODE IS UPDATED  
25 OR CHANGED.

26 Sec. 5. (1) Except as ~~permitted~~ OTHERWISE PROVIDED IN  
27 THIS SECTION AND in section 7, ~~it shall be unlawful for any~~ A

1 person, firm, or corporation ~~to~~ SHALL NOT install any electric  
2 wiring, devices, appliances, or appurtenances for the generation,  
3 distribution, and utilization of electrical energy, within or on  
4 any building, structures or properties, without being ~~duly~~  
5 licensed. In a municipality where inspection service is provided  
6 a permit shall be obtained from the board or municipality having  
7 jurisdiction.

8 (2) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (5) AND  
9 SECTION 7, A PERSON, FIRM, OR CORPORATION SHALL NOT INSTALL, CON-  
10 NECT, REPAIR, OR MAINTAIN ELECTRIC SIGNS AND RELATED WIRING WITH-  
11 OUT BEING LICENSED UNDER THIS ACT.

12 (3) BEGINNING THE EFFECTIVE DATE OF THE 1992 AMENDATORY ACT  
13 THAT ADDED THIS SUBSECTION AND FOR A PERIOD OF 360 DAYS FROM THAT  
14 DATE, THE DEPARTMENT OF LABOR SHALL ISSUE A LICENSE TO A PERSON  
15 APPLYING FOR LICENSURE AS A SIGN SPECIALTY CONTRACTOR WHO HAS NOT  
16 LESS THAN 2 YEARS' EXPERIENCE, PRESENTED BY AFFIDAVIT, AS A SIGN  
17 CONTRACTOR AND WHO IS QUALIFIED UNDER SECTION 3F EXCEPT FOR THE  
18 EXAMINATION REQUIREMENT.

19 (4) BEGINNING THE EFFECTIVE DATE OF THE 1992 AMENDATORY ACT  
20 THAT ADDED THIS SUBSECTION AND FOR A PERIOD OF 360 DAYS FROM THAT  
21 DATE, THE DEPARTMENT OF LABOR SHALL ISSUE A LICENSE TO A PERSON  
22 APPLYING FOR LICENSURE AS A SIGN SPECIALIST WHO IS QUALIFIED  
23 UNDER SECTION 3G EXCEPT FOR THE EXAMINATION REQUIREMENT. UNDER  
24 THESE CIRCUMSTANCES, THE APPLICANT SHALL FURNISH A NOTARIZED  
25 STATEMENT FROM CURRENT AND PAST EMPLOYERS DOCUMENTING PAST WORK  
26 EXPERIENCE. WORK EXPERIENCE OF NOT LESS THAN 4,000 HOURS

1 OBTAINED OVER A PERIOD OF NOT LESS THAN 2 YEARS SHALL QUALIFY THE  
2 PERSON FOR SIGN SPECIALTY LICENSURE UNDER THIS SUBSECTION.

3 (5) BEGINNING THE EFFECTIVE DATE OF THE 1992 AMENDATORY ACT  
4 THAT ADDED THIS SUBSECTION AND UNTIL A PERIOD OF 180 DAYS AFTER  
5 THE DEPARTMENT OF LABOR AND BOARD ADMINISTER AND MAKE AVAILABLE  
6 THE EXAMINATION DESCRIBED IN SECTION 3, A PERSON NOT ELIGIBLE FOR  
7 A LICENSE UNDER SUBSECTION (3) OR (4) MAY ENGAGE IN THE INSTALLA-  
8 TION, ALTERATION, OR REPAIR OF ELECTRIC SIGNS AND RELATED  
9 WIRING.

10 (6) NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS ACT AND  
11 UPON PROPER APPLICATION AND PAYMENT OF THE APPROPRIATE FEES, THE  
12 BOARD AND DEPARTMENT OF LABOR SHALL ISSUE A LICENSE WITHOUT EXAM-  
13 INATION TO A PERSON DESIRING SIGN SPECIALTY LICENSURE WHO IS  
14 LICENSED, REGISTERED, OR OTHERWISE REGULATED IN ANOTHER STATE IF  
15 THE BOARD DETERMINES THAT THE STANDARDS IN THE OTHER STATE MEET  
16 OR EXCEED THE STANDARDS IMPOSED IN THIS ACT.

17 Sec. 6. (1) This act, except as otherwise provided for in  
18 this section, shall not apply within the jurisdiction of a city,  
19 village, or township which has adopted or hereafter adopts an  
20 ordinance providing standards for the examination and licensing  
21 of master electricians, electrical contractors, ~~and~~ electrical  
22 journeymen, SIGN SPECIALTY CONTRACTORS, AND SIGN SPECIALISTS and  
23 the registration of apprentice electricians which are not less  
24 than those prescribed by this act; providing for enforcement that  
25 is substantially similar to this act; providing for civil and  
26 criminal penalties and a citation system for minor violations  
27 substantially similar to section 8c; providing for the issuance

1 of an identification card that substantially complies with the  
2 requirements imposed in section 8c; and providing for the inspec-  
3 tion of electrical wiring and equipment.

4 (2) This act shall not be construed as limiting the power of  
5 a municipality to enact such an ordinance, to provide for the  
6 licensing of persons, firms, or corporations as ELECTRICAL OR  
7 SIGN SPECIALTY contractors who have a place of business located  
8 in the municipality, or to provide for the licensing of journey-  
9 men electricians OR SIGN SPECIALISTS who reside in the municipal-  
10 ity except that the ordinance shall not require ~~the~~ EITHER OF  
11 THE FOLLOWING:

12 (A) THE procurement of a license or permit to execute the  
13 classes of work specified in section 7(c), (d), (e), and (f).

14 (B) THE PROCUREMENT OF PUBLIC LIABILITY INSURANCE IN EXCESS  
15 OF THE COVERAGE REQUIRED BY THIS ACT.

16 (3) Licenses or registrations issued by the board under this  
17 act and licenses issued by a municipality having standards for  
18 licensing not less than those established by the board shall be  
19 recognized by all municipalities.

20 (4) A municipality providing for electrical inspection by  
21 local ordinance may require all electrical contractors, SIGN SPE-  
22 CIALTY CONTRACTORS, SIGN SPECIALISTS, and classes of electricians  
23 doing work in the municipality to register in accordance with its  
24 local ordinance.

25 (5) Municipal registration requirements shall be reciprocal  
26 between the municipalities and between municipalities and the  
27 board as to registration requirements and fees, except that



1 licensed electrical journeymen AND SIGN SPECIALISTS shall not be  
2 required to register to work in municipalities under the juris-  
3 diction of the board. All licenses and registrations issued  
4 under this act shall be officially recognized by any  
5 municipality.

6       Sec. 6a. A municipality providing standards for electric  
7 wiring and making provisions for inspection and licensing in  
8 accordance with this act may require by ordinance that all elec-  
9 trical contractors, SIGN SPECIALTY CONTRACTORS, master  
10 electricians, SIGN SPECIALISTS, and electrical journeymen coming  
11 within its licensing jurisdiction shall apply to and be licensed  
12 by the board in accordance with the rules and regulations of the  
13 board.

14       Sec. 7. (1) ~~No~~ EXCEPT AS OTHERWISE PROVIDED IN THIS ACT  
15 OR IN SUBSECTION (3), A person, firm, or corporation shall NOT  
16 engage in the business of electrical contracting unless ~~such~~  
17 THE person, firm, or corporation ~~shall have~~ HAS received from  
18 the board or from the appropriate municipality an electrical  
19 contractor's license. ~~Nor shall any~~

20       (2) EXCEPT AS OTHERWISE PROVIDED IN THIS ACT OR IN  
21 SUBSECTION (3), A person, other than ~~an electrical journeyman,~~  
22 ~~except~~ a person duly licensed UNDER THIS ACT and employed by and  
23 working under the direction of a holder of an electrical  
24 contractor's license, SHALL NOT in any manner undertake to exe-  
25 cute any electrical wiring. ~~, except, no license shall be~~  
26 ~~required by the board for the home owner to perform the work~~  
27 ~~indicated in subsection (g) nor shall a license or permit be~~

1 ~~required to execute the work covered by subsections (a), (b),~~  
2 ~~(c), (d), (e), (f) and (h), to execute~~

3 (3) A LICENSE OR PERMIT UNDER THIS ACT IS NOT REQUIRED IN  
4 THE EXECUTION OF the following classes of work:

5 (a) Minor repair work, as defined in section 1.

6 (b) The installation, alteration, repairing, rebuilding, or  
7 remodeling of elevators, dumbwaiters, escalators, or man lifts  
8 ~~where being done~~ PERFORMED under a permit issued by an elevator  
9 inspection agency of the state of Michigan or political subdivi-  
10 sion ~~thereof~~ OF THE STATE OF MICHIGAN.

11 (c) The installation, alteration, or repair of electrical  
12 equipment and its associated wiring ~~—~~ installed on the premises  
13 of consumers or subscribers by or for electrical energy supply or  
14 communication agencies for use by such agencies in the genera-  
15 tion, transmission, distribution, or metering of electrical  
16 energy ~~—~~ or for the operation of signals or transmission of  
17 intelligence.

18 (d) The installation, alteration, or repair of electric  
19 wiring for the generation and primary distribution of electric  
20 current, or the secondary distribution system up to and including  
21 the meters, where such work is an integral part of the system  
22 owned and operated by an electric light and power utility in  
23 rendering its duly authorized service.

24 (e) Any work involved in the manufacture of electric equip-  
25 ment, ~~and~~ INCLUDING the testing and repairing of such manufac-  
26 tured equipment.

1 (f) The installation, alteration, or repair of equipment and  
2 its associated wiring for the generation or distribution of  
3 electric energy for the operation of signals or transmission of  
4 intelligence where such work is in connection with a communica-  
5 tion system owned or operated by a telephone or telegraph company  
6 ~~—~~ in rendering its duly authorized service as a telephone or  
7 telegraph company.

8 (g) Any installation, alteration, or repair of electrical  
9 equipment BY A HOMEOWNER in a single family home and accompanying  
10 outbuildings owned and occupied or to be occupied by the person  
11 performing the installation, alteration, or repair of electrical  
12 equipment.

13 (h) Any work involved in the use, maintenance, operation,  
14 dismantling, or reassembling of motion picture and theatrical  
15 equipment used in any building with approved facilities for  
16 entertainment or educational use and which has the necessary per-  
17 manent wiring ~~—~~ AND floor and wall receptacle outlets designed  
18 for the proper and safe use of such theatrical equipment, but not  
19 including any permanent wiring.

20 (I) THE INSTALLATION, ALTERATION, MAINTENANCE, OR REPAIR OF  
21 ELECTRIC SIGNS AND RELATED WIRING BY AN UNLICENSED INDIVIDUAL  
22 UNDER THE DIRECT SUPERVISION OF A LICENSED SIGN SPECIALIST EXCEPT  
23 THAT THE RATIO OF UNLICENSED INDIVIDUALS ENGAGED IN THIS ACTIVITY  
24 SHALL NOT EXCEED 2 UNLICENSED INDIVIDUALS TO 1 LICENSED SIGN  
25 SPECIALIST. AN ENFORCING AGENCY SHALL ENFORCE THIS RATIO ON A  
26 JOBSITE BASIS.

1       Sec. 8b. (1) The department of labor shall have the  
2 authority to investigate the activities of a person licensed or  
3 registered under this act which are related to the person's  
4 licensure or registration as an electrical contractor, SIGN SPE-  
5 CIALTY CONTRACTOR, master electrician, SIGN SPECIALIST, electri-  
6 cal journeyman, or apprentice electrician, which activities  
7 include, but are not limited to, the grounds described in  
8 subsection (2)(a) through (d). The department of labor may hold  
9 hearings pursuant to the administrative procedures act of 1969,  
10 Act No. 306 of the Public Acts of 1969, being sections 24.201 to  
11 24.328 of the Michigan Compiled Laws, and shall report its find-  
12 ings to the board.

13       (2) After a hearing under Act No. 306 of the Public Acts of  
14 1969, the board shall proceed under section 8e against a person  
15 if the board finds that 1 or more of the following grounds for  
16 board action exist:

17       (a) Fraud or deceit in obtaining a license or registration  
18 under this act.

19       (b) The willful violation of a code.

20       (c) False advertising.

21       (d) A violation of this act or rules promulgated under this  
22 act except in the case of minor violations as described in  
23 section 8c.

24       (3) Notwithstanding section 8e, the board, upon recommenda-  
25 tion of the department of labor, shall suspend or revoke the  
26 license of a person whose failure to pay a lien claimant results  
27 in a payment being made from the homeowner construction lien

1 recovery fund pursuant to the construction lien act, Act No. 497  
2 of the Public Acts of 1980, being sections 570.1101 to 570.1305  
3 of the Michigan Compiled Laws. The license shall not be renewed  
4 and a new license shall not be issued until that person has made  
5 full restitution to the fund, including the costs of litigation  
6 and interest at the rate set by section 6013 of the revised judi-  
7 cature act of 1961, Act No. 236 of the Public Acts of 1961, being  
8 section 600.6013 of the Michigan Compiled Laws.

9       (4) The board, after a hearing, shall recommend to a govern-  
10 mental subdivision licensing authority that it revoke or suspend  
11 the license or registration issued by it to a person.

12       (5) Activity regulated under this act AND REQUIRING LICEN-  
13 SURE OR REGISTRATION shall not be performed by a person whose  
14 license or registration has been suspended or revoked or whose  
15 license or registration has expired.