

# Legislative Analysis

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## **SKILLED TRADES: PHOTO ID AND ELECTRICIAN SCOPE OF PRACTICE**

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**Senate Bill 297 (S-2) as reported from House committee**

**Sponsor: Sen. Kenneth Horn**

**House Committee: Regulatory Reform**

**Senate Committee: Regulatory Reform**

**Complete to 12-5-17**

Analysis available at  
<http://www.legislature.mi.gov>

*(Enacted as Public Act 151 of 2018)*

**BRIEF SUMMARY:** Senate Bill 297 would amend the Skilled Trades Regulation Act to do the following:

- Require an individual licensed under the act to provide proof of licensing and a government-issued photo ID upon request by a building official, inspector, or employee of an enforcing agency.
- Clarify that only a licensed electrician could install electrical wiring, whether or not the wiring was energized at the time.
- Require, for a master electrician's license, that the individual meet the supervised work experience requirement and have a journeyman's license for at least two years.

**FISCAL IMPACT:** Senate Bill 297 would not have fiscal impacts on any units of state or local government.

### **THE APPARENT PROBLEM:**

Legislation enacted in 2016 (Public Acts 407 to 416) repealed the statutes that regulated electricians, plumbers, boiler operators, building officials and inspectors, and mechanical contractors and consolidated the regulations into the Skilled Trades Regulation Act. The new, streamlined act took effect April 4 of this year. Now that it has been in force for several months, a few areas needing attention have surfaced. For instance, some say that language in the act is not clear as to whether only a licensed electrician could install electrical wiring, regardless of whether it was "live" or energized, or if wiring that was not energized could be done by an unlicensed person. Further, a mistake at the time the bills were moving through the legislative process pertaining to the criteria an applicant for a masters electrician's license must meet needs to be fixed. Legislation addressing these issues has been offered.

### **THE CONTENT OF THE BILL:**

The Skilled Trades Regulation Act provides the licensing framework for several of the building professions that previously were governed under separate acts, such as electricians, mechanical contractors, boiler operators and stationary engineers, and plumbers and plumbing contractors.

Senate Bill 297 would amend Section 201 of Article 2, entitled “Issuance of Licenses,” to require an individual who is licensed under the act to present proof of licensure and a government-issued photo identification at the request of a building official, inspector, or employee of an enforcing agency who is acting in his or her official capacity. “Building official” would mean that term as defined in Section 1001 of the act, and “inspector” would mean that term as defined in Section 1003.

The bill would also amend provisions within Article 7, entitled “Electricians and Electrical Contractors.” The definition of “electrical wiring” would be revised to mean all wiring, generating equipment, fixtures, appliances, *devices*, and appurtenances in connection with the generation, distribution, and utilization of electrical energy, in or on a building, residence, structure, or properties, *regardless of whether or not the electrical wiring was energized at the time of installation* (italicized text denotes new language). The bill would also specify that only an individual licensed under Article 7 could install electrical wiring, except for specific kinds of work enumerated in Section 737 that can be performed without a license. Further, the bill would delete duplicative language.

In addition, the bill would revise the requirements for a master electrician’s license. Currently, an individual must be at least 22 years of age, meet requirements described in Article 2, and *either* have 12,000 hours of experience over 6 or more years that is supervised by a master electrician *or* have held an electrical journeyman’s license for at least 2 years. The bill would require an individual to meet *both* of those latter requirements instead of just one.

The bill would take effect 90 days after enactment.

MCL 339.5201 et al.

#### ***HOUSE COMMITTEE ACTION:***

The House committee reported the Senate-passed version of the bill.

#### ***ARGUMENTS:***

##### ***For:***

The new Skilled Trades Regulation Act was a major undertaking, and it is not surprising that glitches previously unnoticed would begin to appear now the act has taken effect. The bill would provide needed and important amendments to fix several glitches. First, the bill would clarify that only a licensed electrician could install electric wiring—regardless of whether the wiring had a live current. The bill would also fix a mistake that allowed an applicant for a master electrician’s license to have *either* a certain level of experience *or* have held an electrical journeyman’s license for at least 2 years, instead of requiring *both*. Lastly, the bill would require all licensees to provide proof of licensure and an official photo ID upon request by a building inspector or enforcement official. The changes are in line with the act’s goals of streamlining regulation and increasing safety for the public as well as for licensees.

***Against:***

No arguments were offered in opposition to the bill.

***POSITIONS:***

A representative of the Michigan Department of Licensing and Regulatory Affairs testified in support of the bill. (11-1-17)

A representative of IBEW Michigan Conference testified in support of the bill. (11-1-17)

The Michigan Chapter National Electrical Contractors Association indicated support for the bill. (11-1-17)

The Home Builders Association of Michigan indicated support for the bill. (11-8-17)

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.