

ELECTRICAL ADMINISTRATIVE ACT
Act 217 of 1956

AN ACT to safeguard persons and property; to provide for licensing and regulation of electricians and electrical contractors concerning the construction, alteration, installation of electrical wiring and equipment and for the inspection of electrical wiring; to create an electrical administrative board; to create certain committees for certain purposes; to provide certain powers and duties for certain departments; to provide for the assessment of certain fees and for the promulgation of rules; and to prescribe penalties for violations of this act.

History: 1956, Act 217, Eff. Aug. 11, 1956;—Am. 1960, Act 94, Eff. Aug. 17, 1960;—Am. 1990, Act 246, Eff. Mar. 28, 1991.

The People of the State of Michigan enact:

338.881 Definitions.

Sec. 1. (1) For purposes of this act, the words defined in this section, section 1a, and section 1b have the meanings ascribed to them in those sections.

(2) "Electrical wiring" means all wiring, generating equipment, fixtures, appliances, and appurtenances in connection with the generation, distribution, and utilization of electrical energy, within or on a building, residence, structure, or properties, and including service entrance wiring as defined by the code.

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

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

(5) "Electrical journeyman" means a person other than an electrical contractor who, as his or her principal occupation, is engaged in the practical installation or alteration of electric wiring. An electrical contractor or master electrician may also be an electrical journeyman.

(6) "Apprentice electrician" means an individual other than an electrical contractor, master electrician, or electrical journeyman, who is engaged in learning about and assisting in the installation or alteration of electrical wiring and equipment under the direct personal supervision of an electrical journeyman or master electrician.

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

(8) "Municipality" means a city, village, or township.

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

(10) "Stille-DeRossett-Hale single state construction code act" means 1972 PA 230, MCL 125.1501 to 125.1531.

(11) "Code" means the state construction code provided for in section 4 of the Stille-DeRossett-Hale single state construction code act, or a part of that code which is of limited application, and includes a modification of or amendment to the code, or a nationally recognized model electrical code adopted by a governmental subdivision pursuant to section 8a of that act.

(12) "Enforcing agency" means the enforcing agency responsible for the administration and enforcement of the electrical code pursuant to section 8a of the Stille-DeRossett-Hale single state construction code act.

(13) "Board" means the electrical administrative board created pursuant to section 2.

History: 1956, Act 217, Eff. Aug. 11, 1956;—Am. 1957, Act 205, Imd. Eff. June 4, 1957;—Am. 1960, Act 94, Eff. Aug. 17, 1960;—Am. 1963, Act 187, Imd. Eff. May 15, 1963;—Am. 1966, Act 87, Eff. Mar. 10, 1967;—Am. 1966, Act 220, Eff. Mar. 10, 1967;—Am. 1969, Act 294, Eff. Mar. 20, 1970;—Am. 1974, Act 224, Imd. Eff. July 26, 1974;—Am. 1989, Act 104, Eff. Oct. 1, 1989;—Am. 1990, Act 246, Eff. Mar. 28, 1991;—Am. 1992, Act 130, Imd. Eff. June 30, 1992;—Am. 2008, Act 371, Imd. Eff. Dec. 23, 2008.

Compiler's note: For transfer of powers and duties relating to promulgation of rules by the electrical administrative board from the department of labor to the director of the department of consumer and industry services, see E.R.O. No. 1996-2, compiled at MCL 445.2001 of the Michigan Compiled Laws.

338.881a Additional definitions.

Sec. 1a. (1) "Fire alarm system" means a system designed to detect and annunciate the presence of fire, or by-products of fire, installed within a building or structure. Fire alarm system does not include a single station smoke detector.

(2) "Fire alarm contractor" means a person, firm, or corporation engaged in the business of erecting,

installing, altering, repairing, servicing, or maintaining wiring, devices, appliances, or equipment of a fire alarm system.

(3) "Fire alarm specialty technician" means a person other than a fire alarm contractor who, as his or her principal occupation, is engaged in the practical installation or alteration of fire alarm system wiring. A fire alarm contractor may also be a fire alarm specialty technician.

(4) "Fire alarm specialty apprentice technician" means an individual other than a fire alarm contractor or a fire alarm specialty technician who is engaged in learning about and assisting in the installation or alteration of fire alarm system wiring and equipment under the direct personal supervision of a fire alarm specialty technician.

(5) "Fire alarm specialty licensure" means licensure as a fire alarm contractor or a fire alarm specialty or apprentice technician.

History: Add. 1992, Act 130, Imd. Eff. June 30, 1992.

338.881b Additional definitions.

Sec. 1b. (1) "Electric sign" means fixed, stationary, or portable self-contained, electrically illuminated equipment that has words or symbols designed to convey information or attract attention. Electric sign includes outline lighting. Electric sign does not include those signs that are indoor or outdoor portable applications or recognized holiday residential signs listed with a recognized testing and approval agency and that use a cord cap-110 volt plug as the electrical energizing attachment method.

(2) "Outline lighting" means an arrangement of incandescent lamps or electric discharge tubing which is an integral part of an electrical sign that outlines certain features, such as the shape of a building or the decoration of a window.

(3) "Sign specialty contractor" means a person, firm, or corporation engaged in the business of manufacturing, installing, maintaining, connecting, or repairing electric sign wiring or devices, including wiring that is directly related to electric signs and is electrically dedicated as a sign circuit.

(4) "Sign specialist" means a person who, as his or her principal occupation, is engaged in the installation, alteration, or repair of electric signs.

(5) "Sign specialty licensure" means licensure as a sign specialist or sign specialty contractor.

(6) "Related wiring" means the following:

(a) Except as otherwise provided in subdivisions (b), (c), and (d), that portion of the electric sign wiring that originates at the load-side terminals of a disconnecting means located in the vicinity of the electric sign involved but does not include the installation of the disconnecting means, complete with line-side connections.

(b) In the case of electric sign installations having sign transformers installed physically apart from the electric sign, that portion of the electric sign wiring that originates at the load-side terminals of a disconnecting means located in the vicinity of the electric sign involved but does not include the installation of the disconnecting means, complete with line-side connections.

(c) In the case of free-standing electric sign installations supplied through underground circuit conductors, that portion of the electric sign wiring that originates at a wiring termination point adjacent to, within, or immediately above the permanent base for the electric sign but does not include, if the base of the sign structure is suitable for use as a raceway, the installation of bushing, complete with free-length circuit conductors extending through to accommodate the connection of the related wiring within the sign structure raceway.

(d) In the case of electric signs specifically designed to be connected directly to the building wiring raceway or cable supply, that portion of the electric sign wiring that originates at the point where the free-length circuit conductors extend through the building wiring raceway or cable at the specifically designed supply location for the electric sign involved but does not include the installation of the building wiring raceway or cable system to the specifically designated point of supply for the electric sign involved, complete with free-length circuit conductors extending through the building wiring raceway or cable to accommodate the connection of the related wiring.

History: Add. 1992, Act 130, Imd. Eff. June 30, 1992.

338.882 Electrical administrative board; appointment; qualifications and terms of members; ex officio member; designation of chairperson; meetings; industry advisory committees; public meeting; expenses; inspections; fees; appointment of electrical inspectors.

Sec. 2. (1) The board shall consist of the state fire marshal or his or her representative and 9 other members who are residents of this state, appointed by the governor with the advice and consent of the senate. Of the 9 members appointed by the governor, 1 shall be a representative of an insurance inspection bureau operating in

this state, 1 shall be a representative of an electrical energy supply agency operating in this state, 1 shall be an electrical contractor operating in this state, 1 shall be a master electrician serving as a supervisor, 1 shall be an electrical journeyman, 1 shall be a chief electrical inspector of a municipality, 1 shall be a representative of distributors of electrical apparatus and supplies, 1 shall be a representative of manufacturers primarily and actively engaged in producing material fittings, devices, appliances, fixtures, apparatus, and similar products, used as a part of, or in connection with, an electrical installation, and 1 shall be representative of the general public. The director of the department of labor and economic growth, or the authorized representative of the director, shall be an ex officio member of the board without vote. Each appointment made before January 1, 2007 shall be for a term of 3 years. Each appointment made after December 31, 2006 shall be for 4 years. The members of the board shall hold regular meetings 4 times a year. Before January 1, 2007, the members of the board annually shall elect a chairperson. After December 31, 2006, the governor shall designate a member of the board to serve as its chairperson at the pleasure of the governor and the members of the board may annually elect a vice-chairperson. A special meeting may be called by the chairperson or upon written request of 4 members.

(2) The board may establish industry advisory committees as the board deems advisable to consider issues and prepare recommendations to the board regarding policy, regulation, and implementation of this act.

(3) The business that the board may perform shall be conducted at a public meeting of the board held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. Public notice of the time, date, and place of the meeting shall be given in the manner required by the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

(4) Each of the 9 members of the board appointed by the governor shall be entitled to actual and necessary expenses incurred in the performance of his or her duties as a member of the board, subject to available appropriations.

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

History: 1956, Act 217, Eff. Aug. 11, 1956;—Am. 1957, Act 205, Imd. Eff. June 4, 1957;—Am. 1960, Act 94, Eff. Aug. 17, 1960;—Am. 1966, Act 220, Eff. Mar. 10, 1967;—Am. 1974, Act 278, Imd. Eff. Oct. 14, 1974;—Am. 1976, Act 380, Imd. Eff. Dec. 28, 1976;—Am. 1977, Act 173, Imd. Eff. Nov. 17, 1977;—Am. 1992, Act 130, Imd. Eff. June 30, 1992;—Am. 2006, Act 196, Imd. Eff. June 19, 2006.

Compiler's note: For transfer of member of electrical administrative board appointed by director of department of state police to the director of the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

Transfer of powers: See MCL 16.427.

338.883 Licenses and certificates; orders and rules; fees; expiration and renewal of license; reinstatement of void license; receipt of completed application; issuance of license within certain period of time; report; examinations for licensure and specialty licensure; annual report; "completed application" defined.

Sec. 3. (1) The department of energy, labor, and economic growth shall grant licenses and certificates to qualified applicants, issue orders and promulgate rules necessary for the enforcement and administration of this act, and enforce and administer this act. The rules shall be promulgated pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

(2) The examination fee for licensure of the following is \$25.00 if paid after September 30, 2012 and \$100.00 if paid on or before September 30, 2012:

- (a) Master electrician.
- (b) Electrical contractor.
- (c) Electrical journeyman.
- (d) Fire alarm contractor.
- (e) Fire alarm specialty technician.
- (f) Sign specialty contractor.
- (g) Sign specialist.

(3) The fee for initial licensure, apprentice electrician registration, or renewal of a license relating to electricians is as follows:

- (a) If paid after September 30, 2012:
 - (i) Master electrician..... \$25.00
 - (ii) Electrical journeyman..... 20.00
 - (iii) Apprentice electrician..... 5.00

- (b) If paid on or before September 30, 2012:
 - (i) Master electrician..... \$50.00
 - (ii) Electrical journeyman..... 40.00
 - (iii) Apprentice electrician..... 15.00

(4) The fee for initial fire alarm specialty technician licensure, fire alarm specialty apprentice technician registration, or renewal of a license or registration is as follows:

- (a) If paid after September 30, 2012:
 - (i) Fire alarm specialty technician..... \$25.00
 - (ii) Fire alarm specialty apprentice technician..... 5.00
- (b) If paid on or before September 30, 2012:
 - (i) Fire alarm specialty technician..... \$50.00
 - (ii) Fire alarm specialty apprentice technician..... 15.00

(5) The fee for initial sign specialist licensure or renewal of a sign specialist license is \$20.00 if paid after September 30, 2012 and \$40.00 if paid on or before September 30, 2012.

(6) An apprentice electrician or specialty apprentice technician registration expires on August 31 of each year and is renewable within 30 days after that date upon payment of a renewal fee of \$10.00 if paid after September 30, 2012 and a \$15.00 renewal fee if paid on or before September 30, 2012. An applicant shall submit proof of a sponsoring employer for initial or renewal registration.

(7) Except as otherwise provided in subsection (8), a license issued under this act expires on December 31 of each year and is renewable not more than 60 days after that date upon application and payment of the appropriate fee. After March 1 of each year or after March 1 of the renewal year in the case of electrical contractors, fire alarm contractors, and sign specialty contractors, a license not renewed is void and may be reinstated only upon application for reinstatement and payment of the appropriate license fee for the appropriate class.

(8) The license for an electrical contractor, fire alarm contractor, and sign specialty contractor expires December 31 of every third year. The license for an electrical contractor, fire alarm contractor, and sign specialty contractor is renewable not later than on March 1 every third year upon application and payment of \$200.00 if paid after September 30, 2012 and \$300.00 if paid on or before September 30, 2012 by electrical contractors and fire alarm contractors and application and payment of \$120.00 if paid after September 30, 2012 and \$200.00 if paid on or before September 30, 2012 by sign specialty contractors. In the case of a person applying for an initial or reinstatement contractor's license at a time other than between December 31 and March 1 of the year in which the department issues renewal licenses, the department shall compute and charge the 3-year license fee described in this subsection on a yearly pro rata basis beginning in the year of the application until the last year of the 3-year license cycle.

(9) Beginning July 23, 2004, the department of energy, labor, and economic growth shall issue an initial or renewal license for electrical contractors, fire alarm contractors, and sign specialty contractors not later than 90 days after the applicant files a completed application. Receipt of the application is considered the date the application is received by any agency or department of the state of Michigan. If the application is considered incomplete by the department of energy, labor, and economic growth, the department of energy, labor, and economic growth shall notify the applicant in writing, or make the information electronically available, within 30 days after receipt of the incomplete application, describing the deficiency and requesting the additional information. The 90-day period is tolled upon notification by the department of energy, labor, and economic growth of a deficiency until the date the requested information is received by the department of energy, labor, and economic growth. The determination of the completeness of an application does not operate as an approval of the application for the license and does not confer eligibility of an applicant determined otherwise ineligible for issuance of a license.

(10) If the department of energy, labor, and economic growth fails to issue or deny a license within the time required by this section, the department of energy, labor, and economic growth shall return the license fee and shall reduce the license fee for the applicant's next renewal application, if any, by 15%. The failure to issue a license within the time required under this section does not allow the department of energy, labor, and economic growth to otherwise delay the processing of the application, and that application, upon completion, shall be placed in sequence with other completed applications received at that same time. The department of energy, labor, and economic growth shall not discriminate against an applicant in the processing of the application based upon the fact that the license fee was refunded or discounted under this subsection.

(11) Beginning October 1, 2005, the director of the department of energy, labor, and economic growth shall submit a report by December 1 of each year to the standing committees and appropriations

subcommittees of the senate and house of representatives concerned with occupational issues. The director shall include all of the following information in the report concerning the preceding fiscal year:

(a) The number of initial and renewal applications the department received and completed within the 90-day time period described in subsection (9).

(b) The number of applications denied.

(c) The number of applicants not issued a license within the 90-day time period and the amount of money returned to licensees under subsection (10).

(12) The board shall provide for an examination to be given to an applicant seeking licensure under this act for a specific class of license. The board and department of energy, labor, and economic growth, acting jointly, may develop an examination or contract for the use of an examination developed by another governmental subdivision or any other entity including, but not limited to, the national assessment institute, which the department of energy, labor, and economic growth and the board, acting jointly, review and determine is designed to test the qualifications and competency of applicants seeking licensure under this act.

(13) The examination for electrical journeymen and master electricians shall include, but not be limited to, questions designed to test an individual's knowledge of this act, any rules promulgated under this act, the Stille-DeRossett-Hale single state construction code act, and any code adopted pursuant to section 4 of that act and any code adopted pursuant to section 8a of that act as well as the theory relative to those codes. In the case of the examination for an electrical contractor's license, the examination shall include, but not be limited to, questions designed to test an individual's knowledge of this act, any rules promulgated under this act, the Stille-DeRossett-Hale single state construction code act, and the administration and enforcement procedures of any code adopted pursuant to section 8a of that act.

(14) The board shall provide for an examination to be given to an applicant seeking fire alarm specialty licensure under this act. The examinations for fire alarm specialty licensure shall include questions designed to test an individual's knowledge of this act, any rules promulgated under this act, and the Stille-DeRossett-Hale single state construction code act, as relating to fire alarm systems. The board and department of energy, labor, and economic growth, acting jointly, may require, as a condition for licensure, certification of the applicant in the field of fire alarm systems technology by the national institution for certification in engineering technology or equivalent as determined by the board.

(15) The board shall provide for an examination to be given to an applicant seeking sign specialty licensure under this act. The examinations for sign specialty licensure shall include, but not be limited to, questions designed to test an individual's knowledge of this act and any rules promulgated under this act relating to electric signs and applicable sections of the code.

(16) Examinations shall be offered at locations throughout the state as determined by the board. The department of energy, labor, and economic growth in consultation with the board may designate a person to give the examination at any location. Copies of examinations developed by a governmental subdivision shall be presented for board approval and shall remain the property of the governmental subdivision and shall be returned to that governmental subdivision without having been copied or reproduced in any manner.

(17) The department of energy, labor, and economic growth shall annually submit to the members of the legislature a comprehensive report detailing the expenditure of the additional money resulting from the 1989 amendatory act that increased the fees contained in this section.

(18) As used in this section, "completed application" means an application complete on its face and submitted with any applicable licensing fees as well as any other information, records, approval, security, or similar item required by law or rule from a local unit of government, a federal agency, or a private entity but not from another department or agency of the state of Michigan.

History: 1956, Act 217, Eff. Aug. 11, 1956;—Am. 1960, Act 94, Eff. Aug. 17, 1960;—Am. 1966, Act 220, Eff. Mar. 10, 1967;—Am. 1976, Act 380, Imd. Eff. Dec. 28, 1976;—Am. 1978, Act 414, Imd. Eff. Sept. 28, 1978;—Am. 1982, Act 28, Imd. Eff. Mar. 10, 1982;—Am. 1982, Act 430, Imd. Eff. Dec. 29, 1982;—Am. 1989, Act 104, Eff. Oct. 1, 1989;—Am. 1990, Act 246, Eff. Mar. 28, 1991;—Am. 1992, Act 130, Imd. Eff. June 30, 1992;—Am. 1997, Act 120, Imd. Eff. Oct. 24, 1997;—Am. 2004, Act 275, Imd. Eff. July 23, 2004;—Am. 2008, Act 371, Imd. Eff. Dec. 23, 2008.

Administrative rules: R 338.1001 et seq. of the Michigan Administrative Code.

338.883a Applicant for licensure; conditions for sitting for examination.

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

(a) Filing a completed application form provided by the department of labor for the particular class of electrician licensure, fire alarm specialty licensure, or sign specialty licensure.

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

(c) Establishing, in a manner satisfactory to the board, the experience requirement or an equivalent of that

experience requirement for the particular class of licensure by use of a notarized statement from current and past employers.

(d) In the case of a fire alarm specialty license, establishing, in a manner satisfactory to the board, the certification level under the standards of the national institute for certification in engineering technology, or the equivalent as determined by the board, at the level required for the particular class of fire alarm specialty licensure, subject to section 5(3).

History: Add. 1990, Act 246, Eff. Mar. 28, 1991;—Am. 1992, Act 130, Imd. Eff. June 30, 1992.

338.883b Electrical contractor's license; requirements.

Sec. 3b. The department of energy, labor, and economic growth shall issue an electrical contractor's license to a person who does all of the following:

(a) Holds a master electrician's license or has at least 1 master electrician residing in this state who is in his or her full-time employ. That master electrician shall be actively in charge of and responsible for code compliance of all installations of electrical wiring and equipment.

(b) Files a completed application on a form provided by the department of energy, labor, and economic growth.

(c) Pays the examination fee and passes an examination provided for by the board and the department of energy, labor, and economic growth.

(d) Pays the license fee prescribed in section 3.

History: Add. 1990, Act 246, Eff. Mar. 28, 1991;—Am. 2010, Act 148, Imd. Eff. Aug. 23, 2010.

338.883c Master electrician's license; requirements; failure to pass examination; condition of renewal; license limitation.

Sec. 3c. (1) The department of labor shall issue a master electrician's license to a person not less than 22 years of age who does all of the following:

(a) Files a completed application form provided by the department of labor.

(b) Pays the examination fee prescribed in section 3 and passes an examination provided for by the board and the department of labor.

(c) Pays the license fee prescribed in section 3.

(d) Has not less than 12,000 hours of experience obtained over a period of not less than 6 years related to electrical construction, the maintenance of buildings, or electrical wiring or equipment under the supervision of a master electrician.

(e) Has held an electrical journeyman's license for not less than 2 years.

(2) Upon failure to pass the master electrician examination 2 times within a period of 2 years, an applicant shall be ineligible to sit for another examination until a period of not less than 1 year from the date of failure of the second examination, at which time he or she shall present to the board proof of the successful completion of a course on code, electrical fundamentals, or electrical theory, approved by the board, in order to become eligible to again sit for an examination.

(3) As a condition of renewal of a master electrician's license, the master electrician shall demonstrate the successful completion of a course, approved by the board, concerning any update or change in the code within 12 months after the update or change in that code. This requirement applies only during or after those years that the code is updated or changed.

(4) A holder of a master electrician's license shall not qualify for more than 1 electrical contractor's license.

History: Add. 1990, Act 246, Eff. Mar. 28, 1991.

338.883d Electrical journeyman's license; requirements; failure to pass examination; condition of renewal.

Sec. 3d. (1) The department of labor shall issue an electrical journeyman's license to a person not less than 20 years of age who does all of the following:

(a) Files a completed application form provided by the department of labor.

(b) Pays the examination fee prescribed in section 3 and passes an examination provided for by the board and the department of labor.

(c) Pays the license fee prescribed in section 3.

(d) Has not less than 8,000 hours of experience obtained over a period of not less than 4 years related to electrical construction or maintenance of buildings or electrical wiring or equipment under the direct supervision of a person licensed under this act.

(2) Upon failure to pass the electrical journeyman examination 2 times within a period of 2 years, an applicant shall be ineligible to sit for another examination until a period of not less than 1 year from the date

of failure of the second examination, at which time he or she shall present to the board proof of the successful completion of a course on code, electrical fundamentals, or electrical theory, approved by the board, in order to become eligible again to sit for an examination.

(3) As a condition of renewal of an electrical journeyman's license, the electrical journeyman shall demonstrate the successful completion of a course, approved by the board, concerning any update or change in the code within 12 months after the update or change in that code. This requirement applies only during or after those years that the code is updated or changed.

History: Add. 1990, Act 246, Eff. Mar. 28, 1991.

338.883e Apprentice electrician; registration; form; certificate of registration; apprenticeship training program; apprentice electrician ratio.

Sec. 3e. (1) An individual employed as an apprentice electrician shall register with the board on a form provided by the board within 30 days after employment.

(2) The department of labor shall issue a certificate of registration to a person seeking registration upon satisfactory proof of the person's participation in a bona fide apprenticeship training program approved by the board. This program shall be equivalent to the requirements of those imposed by the United States department of labor bureau of apprenticeship and training, subject to subsection (3).

(3) Except as otherwise provided in subsection (4), the ratio of electrical journeymen or master electricians to registered apprentice electricians shall be on the basis of 1 electrical journeyman or master electrician to 1 registered apprentice electrician. The department of labor or an enforcing agency shall enforce the ratio on a jobsite basis.

(4) Notwithstanding subsection (3), in the case of a residential single family dwelling or a multifamily dwelling not exceeding 8 units per building, the department of labor or an enforcing agency shall enforce the apprentice electrician ratio on the basis of 1 electrical journeyman or master electrician to 2 registered apprentice electricians on a jobsite basis.

History: Add. 1990, Act 246, Eff. Mar. 28, 1991.

338.883f Fire alarm contractor's license requirements.

Sec. 3f. Subject to section 5(3), the department of labor shall issue a fire alarm contractor's license to a person who does all of the following:

(a) Holds a fire alarm specialty technician's license or has not less than 1 fire alarm specialty technician residing in this state who is in his or her full-time employ. The fire alarm specialty technician shall be actively in charge of and responsible for code compliance of all installations of fire alarm system wiring and equipment.

(b) Files a completed application on a form provided by the department of labor.

(c) Pays the examination fee prescribed in section 3 and passes an examination provided for by the board and the department of labor.

(d) Pays the license fee prescribed in section 3.

History: Add. 1992, Act 130, Imd. Eff. June 30, 1992.

338.883g Fire alarm specialty technician's license requirements; renewal; qualifying for more than one license.

Sec. 3g. (1) Subject to section 5(3), the department of labor shall issue a fire alarm specialty technician's license to a person not less than 20 years of age who does all of the following:

(a) Files a completed application form provided by the department of labor.

(b) Pays the examination fee prescribed in section 3 and passes an examination provided for by the board and the department of labor.

(c) Pays the license fee prescribed in section 3.

(d) Has certification by the national institute for certification in engineering technology as an associate engineering technician, level II, or the equivalent as determined by the board, in the field of fire alarm systems technology.

(2) As a condition of renewal of a fire alarm specialty technician's license, the fire alarm specialty technician shall demonstrate the successful completion of a course, approved by the board, concerning any update or change in the code relating to fire alarm systems within 12 months after the update or change in that code. This requirement applies only during or after those years that the code is updated or changed.

(3) A holder of a fire alarm specialty technician's license shall not qualify for more than 1 fire alarm contractor's license.

History: Add. 1992, Act 130, Imd. Eff. June 30, 1992.

338.883h Fire alarm specialty apprentice technician; registration requirements; ratio.

Sec. 3h. (1) An individual employed as a fire alarm specialty apprentice technician shall register with the board on a form provided by the board within 30 days after employment.

(2) The department of labor shall issue a certificate of registration to a person seeking registration upon satisfactory proof of the person's participation in a bona fide apprenticeship training program approved by the board. This program shall be equivalent to the requirements of those imposed by the United States department of labor bureau of apprenticeship and training, subject to subsection (3).

(3) The ratio of fire alarm specialty technicians to registered fire alarm specialty apprentice technicians shall be on the basis of 1 fire alarm specialty technician to 2 registered fire alarm specialty apprentice technicians. The department of labor or an enforcing agency shall enforce the ratio on a jobsite basis.

History: Add. 1992, Act 130, Imd. Eff. June 30, 1992.

338.883i Specialty licenses not required.

Sec. 3i. A person holding a valid electrical contractor's license, master electrician's license, electrical journeyman's license, or apprentice electrician's registration shall not be required to hold any specialty licenses in order to perform specialty installations.

History: Add. 1992, Act 130, Imd. Eff. June 30, 1992.

338.883j Sign specialty contractor's license requirements; license not required.

Sec. 3j. (1) Subject to section 5(5) or (7), the department of labor shall issue a sign specialty contractor's license to a person who does all of the following:

(a) Holds a sign specialist's license or has not less than 1 sign specialist residing in this state who is in his or her full-time employ. The sign specialist shall be actively in charge of and responsible for code compliance of all installations, maintenance, connection, and repair of electric signs and related wiring.

(b) Files a completed application on a form provided by the department of labor.

(c) Pays the examination fee prescribed in section 3 and passes an examination provided for by the board and the department of labor.

(d) Pays the license fee prescribed in section 3.

(e) Provides evidence of public liability insurance coverage. The board shall promulgate rules pursuant to the administrative procedures act of 1969, Act No. 306 of the Public Acts of 1969, being sections 24.201 to 24.328 of the Michigan Compiled Laws, setting limits for the amount of coverage depending upon the type of application being utilized. Not later than 180 days after the 1992 amendatory act that added this section, the board shall submit these rules to the joint committee on administrative rules.

(2) A licensed electrical contractor shall not be required to have a sign specialty contractor's license to perform those installations.

History: Add. 1992, Act 130, Imd. Eff. June 30, 1992.

338.883k Sign specialist's license requirements; eligibility for retaking examination; license renewal; license not required.

Sec. 3k. (1) Subject to section 5(6) or (7), the department of labor shall issue a sign specialist's license to a person not less than 18 years of age who does all of the following:

(a) Files a completed application form provided by the department of labor.

(b) Pays the examination fee prescribed in section 3 and passes an examination provided for by the board and the department of labor.

(c) Pays the license fee prescribed in section 3.

(d) Has not less than 4,000 hours of experience, obtained over a period of not less than 2 years, related to the manufacture, installation, maintenance, connection, or repair of electric signs and related wiring as verified by a contractor licensed under this act who is the current employer of the applicant. The hours of experience may be obtained from multiple employers, and equivalent education as determined by the board may be substituted for work experience.

(e) Demonstrates the successful completion of a course concerning the installation, maintenance, connection, or repair of electric signs and related wiring as contained in the sign electrician's workbook published by the American technical publishers, inc. or any other course designed to address the installation, maintenance, connection, or repair of electric signs and related wiring, as approved by the board.

(2) Upon failure to pass the sign specialist examination 2 times within a period of 2 years, an applicant shall be ineligible to sit for another examination until he or she presents to the board proof of the successful completion of a course on code and electrical fundamentals approved by the board, in order to become

eligible again to sit for an examination.

(3) As a condition of renewal of a sign specialist's license, the sign specialist shall demonstrate the successful completion of a course, approved by the board, concerning any update or change in applicable sections of the code within 12 months after the update or change in that code. This requirement applies only during or after those years that the code is updated or changed.

(4) A licensed master electrician, journeyman electrician, or apprentice electrician shall not be required to have a sign specialist's license to perform those work activities.

History: Add. 1992, Act 130, Imd. Eff. June 30, 1992.

338.884 Repealed. 1990, Act 246, Eff. Mar. 28, 1991.

Compiler's note: The repealed section pertained to standards for installation of electrical wiring and equipment.

338.885 Installation of electric wiring or electric signs; license required; exception; sign specialty licensure of person licensed in another state; "charitable organization" defined.

Sec. 5. (1) Except as otherwise provided in section 7, a person, firm, or corporation shall not install any electric wiring, devices, appliances, or appurtenances for the generation, distribution, and utilization of electrical energy, within or on any building, structures, or properties, without being licensed. In a municipality where inspection service is provided, a permit shall be obtained from the board or municipality having jurisdiction. If the electric wiring, devices, appliances, or appurtenances are installed without compensation by a person licensed under this act for or on behalf of a charitable organization, the permit required under this subsection may be obtained by the owner of the property on which the work is performed.

(2) The charitable organization exception under subsection (1) applies only to the reconstruction, renovation, or remodeling of 1- to 4-family dwellings.

(3) Except as otherwise provided in section 7, a person, firm, or corporation shall not erect, install, alter, repair, service, or maintain fire alarm system wiring, devices, appliances, or equipment within a building or structure without being licensed under this act.

(4) Except as otherwise provided in section 7, a person, firm, or corporation shall not install, connect, repair, or maintain electric signs and related wiring without being licensed under this act.

(5) Notwithstanding any other provisions of this act and upon proper application and payment of the appropriate fees, the board and department of labor shall issue a license without examination to a person desiring sign specialty licensure who is licensed, registered, or otherwise regulated in another state if the board determines that the standards in the other state meet or exceed the standards imposed in this act.

(6) As used in this section, "charitable organization" means a not for profit tax-exempt religious, educational, or humane organization.

History: 1956, Act 217, Eff. Aug. 11, 1956;—Am. 1957, Act 205, Imd. Eff. June 4, 1957;—Am. 1960, Act 94, Eff. Aug. 17, 1960;—Am. 1966, Act 220, Eff. Mar. 10, 1967;—Am. 1992, Act 130, Imd. Eff. June 30, 1992;—Am. 1998, Act 302, Imd. Eff. July 28, 1998.

338.886 Application of act; local regulation, licensing, and registration; reciprocity.

Sec. 6. (1) This act, except as otherwise provided for in this section, shall not apply within the jurisdiction of a city, village, or township which has adopted or hereafter adopts an ordinance providing standards for the examination and licensing of master electricians, electrical or specialty contractors, electrical journeymen, sign specialists, and fire alarm specialty technicians and the registration of apprentice electricians and fire alarm specialty apprentice technicians which are not less than those prescribed by this act; providing for enforcement that is substantially similar to this act; providing for civil and criminal penalties and a citation system for minor violations substantially similar to section 8c; providing for the issuance of an identification card that substantially complies with the requirements imposed in section 8c; and providing for the inspection of electrical wiring and equipment.

(2) This act shall not be construed as limiting the power of a municipality to enact such an ordinance, to provide for the licensing of persons, firms, or corporations as electrical or specialty contractors who have a place of business located in the municipality, or to provide for the licensing of journeymen electricians, sign specialists, or fire alarm specialty technicians who reside in the municipality except that the ordinance shall not require either of the following:

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

(b) The procurement of public liability insurance in excess of the coverage required by this act.

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

(4) A municipality providing for electrical inspection by local ordinance may require all electrical or

specialty contractors, sign specialists, fire alarm specialty technicians, and classes of electricians doing work in the municipality to register in accordance with its local ordinance.

(5) Municipal registration requirements shall be reciprocal between the municipalities and between municipalities and the board as to registration requirements and fees, except that licensed electrical journeymen, sign specialists, and fire alarm specialty technicians shall not be required to register to work in municipalities under the jurisdiction of the board. All licenses and registrations issued under this act shall be officially recognized by any municipality.

History: 1956, Act 217, Eff. Aug. 11, 1956;—Am. 1957, Act 205, Imd. Eff. June 4, 1957;—Am. 1960, Act 94, Eff. Aug. 17, 1960;—Am. 1963, Act 187, Imd. Eff. May 15, 1963;—Am. 1966, Act 87, Eff. Mar. 10, 1967;—Am. 1966, Act 220, Eff. Mar. 10, 1967;—Am. 1969, Act 294, Eff. Mar. 20, 1970;—Am. 1974, Act 224, Imd. Eff. July 26, 1974;—Am. 1990, Act 246, Eff. Mar. 28, 1991;—Am. 1992, Act 130, Imd. Eff. June 30, 1992.

338.886a Ordinance requiring application to and licensing by board.

Sec. 6a. A municipality providing standards for electric wiring and making provisions for inspection and licensing in accordance with this act may require by ordinance that all electrical or specialty contractors, master electricians, fire alarm specialty technicians, sign specialists, and electrical journeymen coming within its licensing jurisdiction shall apply to and be licensed by the board in accordance with the rules and regulations of the board.

History: Add. 1966, Act 220, Eff. Mar. 10, 1967;—Am. 1990, Act 246, Eff. Mar. 28, 1991;—Am. 1992, Act 130, Imd. Eff. June 30, 1992.

338.887 Electrical contractor's license requirements; exceptions.

Sec. 7. (1) Except as otherwise provided in this act or in subsection (3), a person, firm, or corporation shall not engage in the business of electrical contracting unless the person, firm, or corporation has received from the board or from the appropriate municipality an electrical contractor's license.

(2) Except as otherwise provided in this act or in subsection (3), a person, other than a person licensed under this act and employed by and working under the direction of a holder of an electrical contractor's license, shall not in any manner undertake to execute any electrical wiring.

(3) A license under this act is not required in the execution of the following classes of work:

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

(b) The installation, alteration, repairing, rebuilding, or remodeling of elevators, dumbwaiters, escalators, or man lifts performed under a permit issued by an elevator inspection agency of the state of Michigan or political subdivision of the state of Michigan.

(c) The installation, alteration, or repair of electrical equipment and its associated wiring installed on the premises of consumers or subscribers by or for electrical energy supply or communication agencies for use by such agencies in the generation, transmission, distribution, or metering of electrical energy or for the operation of signals or transmission of intelligence.

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

(e) Any work involved in the manufacture of electric equipment, including the testing and repairing of such manufactured equipment.

(f) The installation, alteration, or repair of equipment and its associated wiring for the generation or distribution of electric energy for the operation of signals or transmission of intelligence where such work is in connection with a communication system owned or operated by a telephone or telegraph company in rendering its authorized service as a telephone or telegraph company.

(g) Any installation, alteration, or repair of electrical equipment by a homeowner in a single family home and accompanying outbuildings owned and occupied or to be occupied by the person performing the installation, alteration, or repair of electrical equipment.

(h) Any work involved in the use, maintenance, operation, dismantling, or reassembling of motion picture and theatrical equipment used in any building with approved facilities for entertainment or educational use and which has the necessary permanent wiring and floor and wall receptacle outlets designed for the proper and safe use of such theatrical equipment, but not including any permanent wiring.

(i) Work performed by mechanical contractors licensed in classifications listed in section 6(3)(a), (b), (d), (e), and (f) of the Forbes mechanical contractors act, 1984 PA 192, MCL 338.976, plumbing contractors licensed under 1929 PA 266, MCL 338.901 to 338.917, and employees of persons licensed under those acts while performing maintenance, service, repair, replacement, alteration, modification, reconstruction, or

upgrading of control wiring circuits and electrical component parts within existing mechanical systems defined in the mechanical and plumbing codes provided for in the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1501 to 125.1531, including, but not limited to, energy management systems, relays and controls on boilers, water heaters, furnaces, air conditioning compressors and condensers, fan controls, thermostats and sensors, and all interconnecting wiring associated with the mechanical systems in buildings which are on the load side of the unit disconnect, which is located on or immediately adjacent to the equipment, except for life safety systems wiring.

(j) Electrical wiring associated with the installation, removal, alteration, or repair of a water well pump on a single family dwelling to the first point of attachment in the house from the well, by a registered pump installer under part 127 of the public health code, 1978 PA 368, MCL 333.12701 to 333.12771.

(k) The installation, maintenance, or servicing of burglar alarm systems within a building or structure.

(l) The installation, maintenance, or servicing of listed residential and commercial lawn irrigation equipment, except any permanent wired connections exceeding 30 volts.

(m) The installation, maintenance, or servicing of listed landscape lighting systems and equipment, except any permanent wired connections exceeding 30 volts.

(n) The installation, alteration, maintenance, or repair of electric signs and related wiring by an unlicensed individual under the direct supervision of a licensed sign specialist except that the ratio of unlicensed individuals engaged in this activity shall not exceed 2 unlicensed individuals to 1 licensed sign specialist. An enforcing agency shall enforce this ratio on a jobsite basis.

(o) The construction, installation, maintenance, repair, and renovation of telecommunications equipment and related systems by a person, firm, or corporation primarily engaged in the telecommunications and related information systems industry. This exemption does not include the construction, installation, maintenance, repair, and renovation of a fire alarm system.

History: 1956, Act 217, Eff. Aug. 11, 1956;—Am. 1960, Act 94, Eff. Aug. 17, 1960;—Am. 1966, Act 220, Eff. Mar. 10, 1967;—Am. 1992, Act 27, Imd. Eff. Apr. 2, 1992;—Am. 1992, Act 130, Imd. Eff. June 30, 1992;—Am. 2002, Act 205, Imd. Eff. Apr. 29, 2002.

338.887a Electrical inspector; appointment and qualifications; requesting identification of licensee; registration.

Sec. 7a. (1) A governmental subdivision shall appoint as an inspector an individual who shall be licensed as an electrical journeyman or master electrician.

(2) An electrical inspector may request that a person licensed under this act produce the identification card described in section 8c and not less than 1 piece of identification containing the individual's picture.

(3) An inspector shall register under the building officials and inspectors registration act, Act No. 54 of the Public Acts of 1986, being sections 338.2301 to 338.2313 of the Michigan Compiled Laws.

History: Add. 1990, Act 246, Eff. Mar. 28, 1991.

338.888, 338.888a Repealed. 1990, Act 246, Eff. Mar. 28, 1991.

Compiler's note: The repealed sections pertained to municipalities not covered by act and to issuance of license without examination to residents of certain municipalities.

338.888b Investigations and hearings by department of energy, labor, and economic growth; report; grounds for proceeding against person; prohibited activity.

Sec. 8b. (1) The department of energy, labor, and economic growth has the authority to investigate the activities of a person licensed or registered under this act that are related to the person's licensure or registration as an electrical or specialty contractor, master electrician, sign specialist, fire alarm specialty technician, electrical journeyman, fire alarm specialty apprentice technician, or apprentice electrician, which activities include, but are not limited to, the grounds described in subsection (2)(a) through (d). The department of energy, labor, and economic growth may hold hearings pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, and shall report its findings to the board.

(2) After a hearing under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, the board shall proceed under section 8e against a person if the board finds that 1 or more of the following grounds for board action exist:

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

(b) The willful violation of a code.

(c) False advertising.

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

(3) The board, after a hearing, shall recommend to a governmental subdivision licensing authority that it

revoke or suspend the license or registration issued by it to a person.

(4) Activity regulated under this act and requiring licensure or registration shall not be performed by a person whose license or registration has been suspended or revoked or whose license or registration has expired.

History: Add. 1966, Act 220, Eff. Mar. 10, 1967;—Am. 1990, Act 246, Imd. Eff. Mar. 28, 1991;—Am. 1992, Act 130, Imd. Eff. June 30, 1992;—Am. 2010, Act 148, Imd. Eff. Aug. 23, 2010.

338.888c Enforcement of licensing and registration provisions; rules; identification card; violation.

Sec. 8c. (1) The licensing and registration provisions of this act shall be enforced by the board, an enforcing agency, and the department of labor.

(2) The board, not later than 12 months after the effective date of the 1990 amendatory act that added this section, shall promulgate rules pursuant to the administrative procedures act of 1969, Act No. 306 of the Public Acts of 1969, being sections 24.201 to 24.328 of the Michigan Compiled Laws, doing all of the following:

- (a) Defining minor violations.
- (b) Outlining a fine schedule for minor violations of this act.
- (c) Establishing a citation system for minor violations of this act.

(3) The board shall provide that the department issue a card designed for use as identification of a person licensed or registered under this act. The card shall indicate the class and year of licensure or registration and shall be not larger than 3-1/2 inches by 2 inches in size.

(4) An individual licensed or registered under this act shall carry the identification card described in subsection (3) at all times while engaged in activity that is subject to licensure or registration under this act and shall also carry not less than 1 piece of identification containing the individual's picture. The individual, upon request of an inspector, shall produce the identification card described in subsection (3) as well as the picture identification. An individual who fails to produce the card described in subsection (3) is not considered in violation of this subsection if he or she produces the card within 24 hours after being requested by an inspector and presents it to the enforcing agency. Failure to produce any identification upon the request of an inspector shall be considered a violation of this act by the electrical contractor supervising the jobsite.

History: Add. 1980, Act 492, Eff. Mar. 31, 1981;—Am. 1990, Act 246, Eff. Mar. 28, 1991.

338.888d Violation of MCL 338.3101 to 338.3319 or MCL 408.1057 to 408.1060f; notice; review of license; suspension or revocation of license.

Sec. 8d. The board shall review the license of a person upon notice by the department of public health that the person has violated the asbestos abatement contractors licensing act, Act No. 135 of the Public Acts of 1986, being sections 338.3101 to 338.3319 of the Michigan Compiled Laws, or sections 57 to 60f of the Michigan occupational safety and health act, Act No. 154 of the Public Acts of 1974, being sections 408.1057 to 408.1060f of the Michigan Compiled Laws and may suspend or revoke that person's license for a knowing violation of those acts.

History: Add. 1990, Act 4, Imd. Eff. Feb. 12, 1990.

338.888e Sanctions.

Sec. 8e. (1) After finding the existence of a violation described in section 8b and after an opportunity for a hearing, the board, except as otherwise provided in section 8d, shall impose 1 or more of the following sanctions for a violation:

- (a) Suspension of the license or registration issued under this act.
- (b) Denial of the license or registration required under this act.
- (c) Revocation of the license or registration issued under this act.
- (d) Restitution.

(2) After finding the existence of 2 violations of this act within a period of 2 years, the board may double the fine imposed under this act.

(3) After finding the existence of 3 violations of this act within a period of 3 years, the board shall revoke the person's license or registration and permanently deny the person's reapplication for a license or registration of the class revoked.

(4) For purposes of this section, 1 or more violations occurring or reported on the same date on the same jobsite shall be considered 1 violation.

(5) If restitution is required to be made by a licensee or registrant under this section, the board may suspend the license or registration of the person required to make the restitution until restitution is made.

History: Add. 1990, Act 246, Eff. Mar. 28, 1991;—Am. 2010, Act 148, Imd. Eff. Aug. 23, 2010.

338.888f Action to enforce act or rules.

Sec. 8f. The attorney general or a local prosecuting attorney may initiate an action to enforce this act or rules promulgated under this act.

History: Add. 1990, Act 246, Eff. Mar. 28, 1991.

338.888g Inconsistent or conflicting provisions.

Sec. 8g. Any provision of this act which is inconsistent or in conflict with the state construction code act of 1972 is superseded to the extent of the inconsistency or conflict.

History: Add. 1990, Act 246, Eff. Mar. 28, 1991.

338.889 Payment of income to state construction code fund.

Sec. 9. Beginning October 1, 1980, all fees and money received by the board for the licensing of persons under this act, and any other income which shall be received under this act, except as provided in sections 5, 6, and 6a, shall be paid into the state construction code fund as created by section 22 of Act No. 230 of the Public Acts of 1972, as amended, being section 125.1522 of the Michigan Compiled Laws.

History: 1956, Act 217, Eff. Aug. 11, 1956;—Am. 1966, Act 220, Eff. Mar. 10, 1967;—Am. 1981, Act 150, Imd. Eff. Nov. 10, 1981.

338.890 Violations; penalties.

Sec. 10. (1) Except as provided for in subsection (2), a person licensed or registered under this act who commits a violation of this act that is not a minor violation as described in section 8c or a person not licensed or registered under this act who is performing any activity regulated by this act and is not exempt from licensure or registration under this act is guilty of a civil violation, punishable by a fine of not less than \$1,000.00 per day for each day the violation occurs except that a fine shall not exceed \$5,000.00 in total per violation. A second or subsequent violation is punishable by a fine of not less than \$2,000.00 per day for each day the violation occurs except that a fine shall not exceed \$10,000.00 in total per violation.

(2) A member of the board who intentionally violates section 2(3) shall be subject to the penalties prescribed in the open meetings act, Act No. 267 of the Public Acts of 1976, being sections 15.261 to 15.275 of the Michigan Compiled Laws.

History: 1956, Act 217, Eff. Aug. 11, 1956;—Am. 1977, Act 173, Imd. Eff. Nov. 17, 1977;—Am. 1990, Act 246, Eff. Mar. 28, 1991.

338.891 Construction of act as to liability for defective installation or appliances.

Sec. 11. This act shall not be construed to relieve from or lessen the responsibility or liability of any party owning, operating, controlling or installing any electric wiring, devices, appliances or equipment for damages to persons or property caused by any defect therein, nor shall the state of Michigan be held as assuming any such liability by reason of the inspection or the examination authorized herein, or the certificate of approval, or the license and certificate thereof issued as herein provided.

History: 1956, Act 217, Eff. Aug. 11, 1956.

338.892 Electrical administrative act; short title.

Sec. 12. This act shall be known and may be cited as the “electrical administrative act”.

History: Add. 1960, Act 94, Eff. Aug. 17, 1960.