

JAN 24 2018

S.B. NO. 2937

A BILL FOR AN ACT

RELATING TO ELECTRICAL CONTRACTORS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that Act 65, Session Laws
2 of Hawaii 2013, established a limited exemption to the licensing
3 requirements for certain individuals in situations when an
4 electric utility must retain qualified individuals to work with
5 high voltage (six hundred volts or higher) who are not licensed
6 in the State but are otherwise deemed qualified by the electric
7 utility. The legislature further finds that Act 65, Session
8 Laws of Hawaii 2013, although effective upon approval, provided
9 that on June 30, 2018, Act 65 would be repealed.

10 The legislature additionally finds that most in-state
11 electrical workers are experienced in low voltage electrical
12 work, which includes wiring buildings at one hundred twenty/two
13 hundred forty volts. However, there are currently not enough
14 high voltage electricians, splicers, and linemen in the State
15 who are experienced and qualified to work with high voltage and
16 who can perform certain complex maintenance and repair work
17 affecting an electric utility. Further, the legislature finds



1 that these qualified individuals that perform high voltage work,
2 are only permitted to perform this work while employed by a
3 Hawaii licensed electrical contractor.

4 Furthermore, the limited exemption established by Act 65,
5 Session Laws of Hawaii 2013, does not extend to work of these
6 same individuals when they are retained for utility grade
7 electrical work by a renewable electricity producer or non-
8 public utility. The legislature finds that Act 65, Session Laws
9 of Hawaii 2013, had not anticipated the potential impact on
10 utility grade renewable energy projects in the State. As Hawaii
11 moves toward its renewable energy goals, Hawaii's public
12 utilities will continue to enter into power purchase agreements,
13 where by these renewable energy projects will connect to the
14 public utilities power grid. However, unless these qualified
15 individuals that perform high voltage can be retained by the
16 renewable energy producers, these utility grade projects will be
17 prohibited from retaining these individuals to perform the high
18 voltage work or these projects will be unreasonably costly to
19 Hawaii consumers.

20 The legislature concludes that there are potential impacts
21 to the construction of renewable energy projects that require



1 high voltage electrical work to be performed, and a specific
2 exception to the licensing requirements for certain qualified
3 individuals is therefore needed. The legislature further
4 concludes that such exception is necessary to reduce the
5 electrical contracting costs that currently exist.

6 The purpose of this Act is to provide an exemption to the
7 licensing requirements for certain qualified individuals in
8 situations when high voltage (six hundred volts or higher)
9 electrical work is performed while employed by a Hawaii licensed
10 electrical contractor.

11 SECTION 2. Chapter 448E, Hawaii Revised Statutes, is
12 amended by adding a new section to be appropriately designated
13 and to read as follows:

14 "§448E- Exemption for high voltage electrical work. (a)

15 Employees of an electrical contractor duly licensed under
16 chapter 444 shall be exempt from this chapter; provided that:

17 (1) The contractor is retained to perform high voltage
18 (six hundred volts or higher) electrical work; and

19 (2) The employee is deemed qualified to perform high
20 voltage electrical work.



1 (b) Persons retained pursuant to subsection (a) shall be
2 exempt from the provisions of section 444-9.5.

3 (c) For the purpose of this section, "qualified to perform
4 high voltage electrical work" means a person certified through
5 an apprenticeship program authorized by the Employment and
6 Training Administration of the United States Department of Labor
7 or the state department of labor and industrial relations to
8 perform high voltage electrical work."

9 SECTION 3. Section 444-9.5, Hawaii Revised Statutes, is
10 amended by amending subsection (a) to read as follows:

11 "(a) A person licensed as an electrical or plumbing
12 contractor under this chapter may enter into contracts to
13 perform electrical or plumbing work, respectively; provided
14 that:

15 (1) If the contractor's responsible managing employee,
16 which includes a sole proprietor, is not licensed in
17 accordance with chapter 448E, the contractor shall
18 employ individuals licensed in accordance with chapter
19 448E to actually perform the electrical or plumbing
20 work, respectively, subject to this section; and



1 (2) Employees of a community antennae television company
2 and employees of a public utility within the State
3 that is franchised or chartered by the State and
4 regulated by the public utilities commission shall be
5 exempt from this section while so employed and acting
6 within the scope of their employment[-]; or

7 (3) Employees of an electrical contractor duly licensed
8 under this chapter that is retained to perform high
9 voltage (six hundred volts or higher) electrical work
10 shall be exempt from this section while so employed
11 and acting within the scope of their employment."

12 SECTION 4. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 5. This Act shall take effect upon its approval.

15

INTRODUCED BY: Jim



S.B. NO. 2937

Report Title:

Electrical Contractors; High Voltage Work; Licensing Exemption

Description:

Provides an exemption to the licensing requirements for certain qualified individuals in situations when high voltage (six hundred volts or higher) electrical work is performed while employed by a Hawaii licensed electrical contractor.

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