

JAN 19 2024

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# A BILL FOR AN ACT

RELATING TO ELECTRIC UTILITY LINEMAN.

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

1           SECTION 1. The legislature finds that it is critical to  
2 develop a local workforce of properly qualified, trained, and  
3 licensed electric utility linemen, which will protect the health  
4 and safety of the public and utility workers and improve and  
5 maintain Hawaii's electrical infrastructure. Recently, the  
6 tragic events on Maui made this need a top priority.

7           The legislature further finds that Act 183, Session Laws of  
8 Hawaii 1971 (Act 183), established the board of electricians and  
9 plumbers to oversee the licensing policies of the State's  
10 electricians and plumbers and ensure the safety and welfare of  
11 the public. Act 183 also exempted employees of a public utility  
12 who perform electric utility work from these licensing  
13 requirements.

14           Due to a growing need for electrical utility infrastructure  
15 improvements, hardening, expansion, upgrades, repair,  
16 maintenance work, and a qualified workforce to perform such  
17 work, utilities began contracting out work previously performed



1 by employees of a utility. However, the board of electricians  
2 and plumbers has stated that electric utility work contracted  
3 out by a utility and performed by contractors falls outside of  
4 the exemption provided in Act 183. In response, the legislature  
5 passed Act 65, Session Laws of Hawaii 2013 (Act 65), which  
6 provided a limited exemption from electrician licensing  
7 requirements for certain contractors retained by electric  
8 utilities who perform electric utility work. Act 65 recognized  
9 the need for experienced and qualified linemen in the State who  
10 can perform certain complex maintenance and repair work  
11 affecting an electric utility and noted the potential impacts to  
12 the health and safety of the State and its residents. Act 65  
13 included a sunset date of June 30, 2018. Industry stakeholders  
14 testified in 2013 in support of this sunset date and indicated  
15 that, "[l]ocal training to develop a quality Hawaiian workforce  
16 would be the best long-term goal for securing a safe and  
17 reliable electrical grid for our community."

18 The legislature further finds that Act 60, Session Laws of  
19 Hawaii 2018, extended the sunset date of Act 65 for an  
20 additional four years, with the intent to provide the industry  
21 with the time needed to develop a local workforce of trained and



1 qualified linemen to address the growing needs of Hawaii's  
2 electrical utilities.

3       Currently, there are established and state-approved  
4 electric utility lineman apprenticeship programs available, with  
5 others being developed. The National Electrical Safety Code,  
6 adopted by the public utility commission, is recognized as the  
7 code and standard for training electric utility lineman and  
8 covers the purpose and scope of work performed for the  
9 generation, transmission, and distribution of electricity and  
10 related electric utility facilities, equipment, and  
11 infrastructure from the point of generation to the point of  
12 service.

13       The legislature acknowledges the extreme working conditions  
14 and inherent dangers of work performed by an electrical utility  
15 lineman. Consistent with the Electrical Training Alliance,  
16 which is the recognized industry partner by the International  
17 Brotherhood of Electrical Workers and the National Electrical  
18 Contractors Association, the legislature recognizes the  
19 significant and critical differences between an inside wireman  
20 electrician trained and licensed under the purpose and scope of  
21 the National Electrical Code and an electrical utility lineman



1 trained under the purpose and scope of the National Electrical  
2 Safety Code.

3 Accordingly, the purpose of this Act is to ensure the  
4 health and safety of the public and electric utility workers.

5 SECTION 2. Section 448E-1, Hawaii Revised Statutes, is  
6 amended by adding a new definition to be appropriately inserted  
7 and to read as follows:

8 ""Journey worker electric utility lineman" means any person  
9 who has been licensed by the board in accordance with the  
10 National Electrical Safety Code as a journey worker electric  
11 utility lineman to perform all electric utility work involving  
12 the installation, maintenance, and operation of energized and  
13 de-energized equipment and appurtenances associated with the  
14 transmission and distribution of electricity from the  
15 electricity's original source to the point of service."

16 SECTION 3. Section 444-9.5, Hawaii Revised Statutes, is  
17 amended by amending subsection (c) to read as follows:

18 "(c) All individuals, employed [~~on a construction job~~  
19 ~~site]~~ by an electrical or plumbing contractor, who are licensed  
20 in accordance with chapter 448E shall visibly display their  
21 license on their person while [~~on the construction job site.~~]



1 performing the work the individuals are licensed to perform  
2 pursuant to chapter 448E. Only individuals displaying their  
3 license at the time of a site inspection shall be counted as a  
4 licensee to determine compliance with this section."

5 SECTION 4. Section 448E-2, Hawaii Revised Statutes, is  
6 amended to read as follows:

7 "**§448E-2 Board; appointment.** There is established the  
8 board of electricians and plumbers consisting of [~~seven~~] nine  
9 members. Two of the members shall be engaged in the electrical  
10 trade, two of the members shall be engaged in electric utility  
11 work, and two of the members shall be engaged in the plumbing  
12 trade. Three of the members shall be private citizens not  
13 connected with the industry."

14 SECTION 5. Section 448E-4, Hawaii Revised Statutes, is  
15 amended to read as follows:

16 "**§448E-4 Powers and duties of board.** In addition to any  
17 other powers and duties authorized by law, the board shall have  
18 all the powers and duties necessary or convenient to carry out  
19 and effectuate this chapter, including but not limited to the  
20 following powers and duties:

21 (1) To grant licenses, which shall be renewable, for:



- 1           (A) Journey worker electricians;
- 2           (B) Journey worker electric utility lineman;
- 3           [~~(B)~~] (C) Journey worker specialty electricians;
- 4           [~~(C)~~] (D) Supervising electricians;
- 5           [~~(D)~~] (E) Supervising specialty electricians;
- 6           [~~(E)~~] (F) Master plumbers;
- 7           [~~(F)~~] (G) Journey worker plumbers;
- 8           [~~(G)~~] (H) Maintenance electricians;
- 9           [~~(H)~~] (I) Journey worker industrial electricians; and
- 10          [~~(I)~~] (J) Supervising industrial electricians;
- 11          (2) To adopt, amend, or repeal rules in accordance with
- 12           chapter 91 as it may deem proper to effectuate this
- 13           chapter and to [~~insure~~] ensure the safety and welfare
- 14           of the general public; provided that the rules may
- 15           forbid acts or practices deemed by the board to be
- 16           detrimental to the accomplishment of the purpose of
- 17           this chapter;
- 18          (3) To enforce this chapter and rules adopted pursuant to
- 19           this chapter and chapter 91, including the denial,
- 20           suspension, or revocation of any license; and



1           (4) To examine all applicants and licensees to determine  
2           their qualifications prior to the issuance or renewal  
3           of licenses."

4           SECTION 6. Section 448E-5, Hawaii Revised Statutes, is  
5 amended by amending subsection (a) to read as follows:

6           "(a) Except as otherwise provided in subsection (b), an  
7 applicant shall possess the following minimum qualifications:

8           (1) Journey worker electrician: To be eligible for the  
9 journey worker electrician examination, an applicant  
10 shall be at least eighteen years of age and shall  
11 provide satisfactory evidence of experience in  
12 residential or commercial wiring of at least five  
13 years full-time or its equivalent, but not less than  
14 ten thousand hours, in the trade under the supervision  
15 of a journey worker or supervising electrician;

16           (2) Journey worker electric utility lineman: To be  
17 eligible for the journey worker electric utility  
18 lineman examination, an applicant shall be at least  
19 eighteen years of age and shall provide satisfactory  
20 evidence of:



1           (A) Experience in electric utility lineman work  
2           within the purpose and scope of the National  
3           Electrical Safety Code and other codes and  
4           standards adopted pursuant to chapter 269;  
5           (B) At least three and a half years full-time or its  
6           equivalent, but not less than seven thousand  
7           hours, performing the work under the supervision  
8           of a journey worker electric utility lineman; and  
9           (C) Satisfactory completion, accepted by a University  
10           of Hawaii community college or its equivalent  
11           offering an appropriate program of study, of four  
12           hundred thirty-two hours of electrical academic  
13           coursework;  
14           provided that all individuals actively employed by an  
15           electric utility incorporated in the State as a  
16           journey worker electric utility lineman or individuals  
17           actively performing the work of a journey worker  
18           electric utility lineman in the State for a minimum of  
19           six calendar months prior to January 1, 2027, shall be  
20           deemed qualified as a journey worker electric utility



1            lineman for licensing purposes according to this  
2            chapter;

3            [~~2~~] (3) Journey worker specialty electrician: To be  
4            eligible for the journey worker specialty electrician  
5            examination, an applicant shall be at least eighteen  
6            years of age and shall provide satisfactory evidence  
7            of at least five years' experience in the trade;

8            [~~3~~] (4) Supervising electrician: To be eligible for the  
9            supervising electrician examination, an applicant  
10           shall have been registered with the board as a journey  
11           worker electrician for at least a period of four years  
12           or shall have equivalent experience in the trade;

13           [~~4~~] (5) Supervising specialty electrician: To be  
14           eligible for the supervising specialty electrician  
15           examination, an applicant shall have been registered  
16           with the board as a journey worker specialty  
17           electrician for at least a period of four years or  
18           shall have equivalent experience in the trade;

19           [~~5~~] (6) Journey worker plumber: To be eligible for the  
20           journey worker plumber examination, an applicant shall  
21           provide satisfactory evidence of experience of at



1 least five years' full-time or its equivalent, but not  
2 less than ten thousand hours, as a journey worker's or  
3 master plumber's helper;

4 [~~(6)~~] (7) Master plumber: To be eligible for the master  
5 plumber examination, an applicant shall have been  
6 registered with the board as a journey worker plumber  
7 for at least two years or shall have equivalent  
8 experience in the trade;

9 [~~(7)~~] (8) Maintenance electrician: To be eligible for the  
10 maintenance electrician examination, an applicant  
11 shall be not less than eighteen years of age and shall  
12 provide satisfactory evidence of at least one year of  
13 experience in performing electrical maintenance work  
14 or two years of schooling in the electrical trade;

15 [~~(8)~~] (9) Journey worker industrial electrician: To be  
16 eligible for the journey worker industrial electrician  
17 examination, an applicant shall be at least eighteen  
18 years of age and shall provide satisfactory evidence  
19 of experience in industrial electrical work of at  
20 least five years full-time or its equivalent, but not  
21 less than ten thousand hours; or



1        [~~9~~] (10) Supervising industrial electrician: To be  
2                    eligible for the supervising industrial electrician  
3                    examination, an applicant shall have been registered  
4                    with the board as a journey worker industrial  
5                    electrician for a period of at least four years or  
6                    shall have equivalent experience in the trade."

7        SECTION 7. Section 448E-8, Hawaii Revised Statutes, is  
8        amended to read as follows:

9                "**§448E-8 Fees; renewals.** (a) Renewal fees shall be paid  
10        to the board before July 1.

11                (b) Plumbers shall renew the license every three years  
12        effective June 30, 2006, and shall pay all required fees. Prior  
13        to the June 30, 2009, renewal of the license, and prior to every  
14        license renewal thereafter, the applicant shall:

15                (1) Pay all required fees; and

16                (2) Meet the requirements prescribed in section 448E-8.5.

17                (c) Electricians shall renew the license every three years  
18        effective with the July 1, 1996, renewal; provided that prior to  
19        the renewal of the license, the applicant shall:

20                (1) Pay all required fees; and

21                (2) Meet the requirements prescribed in section 448E-8.5.



1        (d) Electric utility linemen shall renew the license every  
2 three years; provided that prior to the renewal of the license,  
3 the applicant shall:

4        (1) Pay all required fees; and

5        (2) Meet the requirements prescribed in section 448E-8.5.

6        [~~d~~] (e) Failure, neglect, or refusal of any licensee to  
7 pay the renewal fee or meet the requirements of section 448E-8.5  
8 before the renewal date shall constitute a forfeiture of the  
9 license. Any license so forfeited may be restored upon written  
10 application within one year from the date of forfeiture, upon  
11 payment of the required renewal fee plus penalty fees, and upon  
12 meeting the requirements in section 448E-8.5."

13        SECTION 8. Section 448E-8.5, Hawaii Revised Statutes, is  
14 amended to read as follows:

15        "**§448E-8.5 Continued competency; license renewals.** (a)

16 Prior to each license renewal, all licensed electricians except  
17 maintenance electricians shall:

18        (1) Furnish the board with proof of attendance at an  
19                educational course related to current updates of the  
20                National Electrical Code conducted or approved by the  
21                community colleges; or



1           (2) Successfully complete an examination prescribed by the  
2           board on current updates to the National Electrical  
3           Code. The board shall contract with a professional  
4           testing agency to prepare, administer, and grade the  
5           examination. ~~[Fees]~~ A licensee shall pay all fees  
6           related to the examination ~~[shall be paid by the~~  
7           ~~licensee]~~ directly to the professional testing agency.

8           (b) Prior to each license renewal, all licensed electric  
9 utility linemen shall:

10           (1) Furnish the board with proof of attendance at an  
11           educational course related to current updates of the  
12           National Electrical Safety Code and other codes and  
13           standards adopted pursuant to chapter 269 conducted or  
14           approved by the University of Hawaii community  
15           colleges or its equivalent; and

16           (2) Successfully complete an examination prescribed by the  
17           board on current updates to the National Electrical  
18           Safety Code and other codes and standards adopted  
19           pursuant to chapter 269. The board shall contract  
20           with a professional testing agency to prepare,  
21           administer, and grade the examination. A licensee



1           shall pay all fees related to the examination directly  
2           to the professional testing agency.

3           ~~(b)~~ (c) Prior to each license renewal, all licensed  
4 plumbers shall:

5           (1) Furnish the board with proof of attendance at an  
6           educational course related to current updates of the  
7           Uniform Plumbing Code conducted or approved by the  
8           community colleges; or

9           (2) Successfully complete an examination prescribed by the  
10          board on current updates to the Uniform Plumbing Code.  
11          The board shall contract with a professional testing  
12          agency to prepare, administer, and grade the  
13          examination. A licensee shall pay all fees related to  
14          the examination directly to the professional testing  
15          agency.

16          ~~(e)~~ (d) A licensee who has been issued a new license  
17 within one year of the renewal date shall not be required to  
18 take the course or the examination to renew the licensee's  
19 license."

20          SECTION 9. Section 448E-9, Hawaii Revised Statutes, is  
21 amended by amending subsection (a) to read as follows:



1           "(a) No person shall act or assume to act as a journey  
2 worker electrician, journey worker electric utility lineman,  
3 journey worker specialty electrician, supervising electrician,  
4 supervising specialty electrician, journey worker plumber,  
5 master plumber, maintenance electrician, journey worker  
6 industrial electrician, or supervising industrial electrician,  
7 or advertise or hold the person's self out as an electrician,  
8 electric utility lineman, or plumber, without a license  
9 previously obtained in compliance with this chapter and the  
10 rules of the board; provided that any person may perform  
11 emergency plumbing repair work in the person's principal place  
12 of residence when such repairs do not involve or require  
13 rearrangement of valves, pipes, or fixtures; provided further  
14 that no such emergency repairs may be performed on sewer lines,  
15 drains, gas lines, and on fixtures being served with backflow  
16 devices [~~which~~] that include heaters, water closets,  
17 dishwashers, and garbage disposal units.

18           For purposes of this subsection:

19           "Electric utility lineman" means any person who is trained  
20 and performs energized and de-energized electric utility lineman  
21 work as described in this chapter and within the purpose and



1 scope of the National Electrical Safety Code and other codes and  
2 standards adopted pursuant to chapter 269, including but not  
3 limited to any person who acts as a journey worker electric  
4 utility lineman.

5 "Electrician" means any person who performs electrical work  
6 and includes but is not limited to any person who acts as a  
7 journey worker electrician, journey worker specialty  
8 electrician, supervising electrician, supervising specialty  
9 electrician, maintenance electrician, journey worker industrial  
10 electrician, or supervising industrial electrician.

11 "Plumber" means any person who performs plumbing work and  
12 includes but is not limited to any person who acts as a journey  
13 worker plumber or master plumber."

14 SECTION 10. Section 448E-11, Hawaii Revised Statutes, is  
15 amended to read as follows:

16 "**§448E-11 Injunction.** The board may, in addition to any  
17 other remedy available, apply to a circuit court judge for a  
18 temporary restraining order or preliminary or permanent  
19 injunction restraining any person from acting, or assuming to  
20 act, as a journey worker electrician, journey worker electric  
21 utility lineman, journey worker specialty electrician,



1 supervising electrician, supervising specialty electrician,  
2 maintenance electrician, journey worker industrial electrician,  
3 supervising industrial electrician, journey worker plumber, or  
4 master plumber without a license previously obtained in  
5 compliance with this chapter and the rules of the board, and  
6 upon hearing and for cause shown, the judge may grant the  
7 temporary restraining order or preliminary or permanent  
8 injunction."

9 SECTION 11. Act 68, Session Laws of Hawaii 2022, is  
10 amended by amending section 6 to read as follows:

11 "SECTION 6. This Act shall take effect on July 1, 2022;  
12 provided that [~~notwithstanding the repeal and reenactment~~  
13 ~~provision in section 4 of Act 65, Session Laws of Hawaii 2013,~~  
14 ~~as amended by section 2 of Act 60, Session Laws of Hawaii 2018,~~  
15 ~~and this Act,~~] subsection (c) of section 448E-13, Hawaii Revised  
16 Statutes, as added by section 2 of this Act, shall [~~not~~] be  
17 repealed when that section is reenacted on June 30, 2027,  
18 pursuant to section 4 of Act 65, Session Laws of Hawaii 2013, as  
19 amended by this Act."

20 SECTION 12. Statutory material to be repealed is bracketed  
21 and stricken. New statutory material is underscored.



1 SECTION 13. This Act shall take effect on July 1, 2024;  
2 provided that sections 2 through 10 shall take effect on January  
3 1, 2027.

4

INTRODUCED BY: \_\_\_\_\_

A large, stylized handwritten signature in black ink is written over a horizontal line. The signature is cursive and appears to be the name of the person who introduced the bill.

# S.B. NO. 2917

**Report Title:**

Journey Worker Electric Utility Lineman; Board of Electricians and Plumbers; Licensing; Requirements

**Description:**

Beginning 1/1/2027, establishes licensing requirements, including minimum standards and qualifications, for journey worker electric utility linemen and expands the board of electricians and plumbers to include members engaged in electric utility work. Sunsets the original limited exemption from licensing requirements for qualified electricians that was originally enacted by Act 65, SLH 2013, and extended pursuant to Act 60, SLH 2018.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

