

ACT 65

S.B. NO. 512

A Bill for an Act Relating to Electrical Contractors.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that Act 35, Session Laws of Hawaii 2010, established new minimum qualification licensing requirements for electricians effective July 1, 2013. The legislature further finds that most in-state electrical workers are experienced in low voltage work, which includes wiring buildings at one hundred twenty/two hundred forty volts. However, there are currently not enough electricians, splicers, and linemen in the State who are experienced and qualified to work with high voltage (six hundred volts or higher) and who can perform certain complex maintenance and repair work affecting an electric utility.

The legislature additionally finds that Act 35, Session Laws of Hawaii 2010, has had inadvertent consequences. Due to the current lack of electricians, splicers, and linemen in the State who are experienced and qualified to work with high voltage, it may be necessary for an electric utility to contract and retain qualified personnel from other jurisdictions in the United States to perform such high voltage work. Where the electric utility retains such qualified personnel, the electric utility would have direct supervision of such personnel and would have the contractual authority to inspect and approve of all high voltage work prior to acceptance by the electric utility. Further, the operations of the electric utility are regulated and supervised by the public utilities commission. Such regulation and general supervision provides an additional layer of protection for the general public in the event the operations of the electric utility require review.

However, under the licensing requirements established by Act 35, Session Laws of Hawaii 2010, personnel from other jurisdictions who are qualified to perform such high voltage work, but are otherwise not licensed in the State, would be prohibited from offering assistance through a contract to an electric utility.

The legislature concludes that there are potential impacts to the health and safety of the State and its residents, and a specific exception to the licensing requirements for certain qualified individuals is therefore needed.

The purpose of this Act is to provide a limited exemption to the licensing requirements for certain individuals in situations when an electric utility must retain qualified individuals to work with high voltage (six hundred volts or higher) who are not licensed in the State but are otherwise deemed qualified by the electric utility.

SECTION 2. Section 448E-13, Hawaii Revised Statutes, is amended to read as follows:

“§448E-13 Exemption of public utility and community antennae television company ~~employees~~ personnel. (a) The following persons shall be exempt from this chapter:

(1) All employees of a public utility within the State under a franchise or charter granted by the State which is regulated by the public utilities commission and community antennae television company, while so employed~~], shall be exempt from the provision of this chapter.]; and~~

(2) Employees of an electrical contractor duly licensed under chapter 444; provided that:

(A) Such contractor is retained by a public utility within the State under a franchise or charter granted by the State which is regulated by the public utilities commission to perform high voltage (six hundred volts or higher) electrical work for the public utility; and

(B) Such employees are deemed qualified by the public utility to perform such high voltage electrical work;

provided further that in no circumstance shall such persons be less qualified than the public utility's own employees that perform such high voltage electrical work.

(b) Persons retained by a public utility pursuant to paragraph (a)(2) shall be exempt from the provisions of section 444-9.5.”

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval; provided that on June 30, 2018, this Act shall be repealed and section 448E-13, Hawaii Revised Statutes, shall be reenacted in the form in which it read on the day before the effective date of this Act.

(Approved April 30, 2013.)