

COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND

BILL 23-02

BY: Commissioners Bertino, Bunting, Abbott, Elder, Fiori, Mitrecic, and Purnell
INTRODUCED: December 20, 2022

A BILL ENTITLED

AN ACT Concerning

Electrical Standards

For the purpose of amending the Building Regulations Article, Title 2 – Construction Regulations, Subtitle II - Electrical Standards, for consistency with the Maryland Electricians Act as revised and adopted by the Maryland General Assembly during the 2021 and 2022 legislative sessions.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that the Building Regulations Article, Title 2 – Construction Regulations, Subtitle II - Electrical Standards be repealed and reenacted to read as follows:

§ BR 2-201. Adoption of electrical code.

- (a) Adoption by resolution. The County Commissioners shall, by resolution, after a public hearing upon at least fifteen days' notice, adopt or amend an electrical code for the purpose of establishing rules and regulations for the installation, renewal, extension and reception of electrical wiring and electrical apparatus in existing buildings, structures or outdoor electrical displays or signs or in the construction, reconstruction, alteration or repair of buildings, structures or outdoor electrical displays or signs. The 1975 National Electrical Code as recommended by the National Fire Protection Association shall be in effect until amended or changed pursuant hereto.
- (b) Adopted code shall govern. When the terms of the electrical code so adopted are inconsistent with the terms hereof, the terms hereof shall be governing.
- (c) Services to conform to code. The code shall govern all electrical services regardless of whether or not such services are required to be done by licensed and registered personnel or inspection hereunder.

§ BR 2-202. Definitions.

As used in this Subtitle, the following terms shall have the meanings indicated:

BOARD - The Worcester County Board of Electrical Examiners.

CUT-IN CARD - The written authorization from the electrical inspector or authorized inspection agency to the power company in order to connect power to an electrical system.

DEPARTMENT - The Worcester County Department of Development, Review and Permitting or such other county department as the County Commissioners designate by resolution.

ELECTRICAL SERVICES - To provide any service in the electrical trade, including installing, repairing, maintaining, erecting, or altering any electrical equipment, wiring, fixture, appliance, apparatus, raceway, conduit, or system that:

- (1) generates, transmits, transforms, or uses electrical energy in any form for light, heat, power, or communication; and
- (2) is located within a plant, substation, or elsewhere.

ELECTRICAL WIRING SYSTEMS - Includes all electrical apparatus, electrical wiring, electrical fixtures and electrical supplies used as a part of any installation for the transmission or utilization of electrical energy. This shall include all equipment necessary to operate the physical plant and ventilating, heating, air-conditioning, refrigeration and water-heating systems, provided that said term shall not include portable lamps, electrical appliances and special manufacturing equipment separable from permanently fixed plug-in receptacles.

ELECTRICIAN LIMITED - A person authorized hereby by registration to engage in electrical services of the following types and having a sufficient knowledge of such type or types as determined by the Board: (1) electrically operated heating or air-conditioning equipment; (2) electrically operated refrigeration equipment; (3) electrically operated display signs; (4) electrically operated home appliances; (5) electrically operated fire alarm or detection systems; (6) other electrical apparatuses of a similar nature as the Board may determine by written regulation. An "electrician limited" may not work on multiphase electrical wiring systems or appliances unless he is specifically registered therefor by the Board.

LICENSE – A license issued by the State Board of Electricians to provide or assist in providing electrical services.

LICENSE PERMIT CLERK - The Clerk of the Department of Development, Review and Permitting or such other person as the County Commissioners designate by resolution.

MAINTENANCE OR REPAIR - Electrical services not including new installation (except by replacement of existing installations with the same as those replaced) and without additional installations or fixtures, an increase in electrical power consumption, change of phase, increase in service capacity or change in electrical characteristics.

MASTER ELECTRICIAN - An individual who has the experience, knowledge, and skill to provide electrical services in all aspects of the electrical trade, in a manner that complies with applicable plans, specifications, codes, or law.

NON-HAZARDOUS LOCATION - Any location not determined to be a hazardous (Classified) location pursuant to Article 500 of the National Electrical Code, as from time to time amended, duly adopted pursuant to § BR 2-201(a) hereof.

PERSON - Corporations, companies and partnerships, as well as individuals.

REGISTRATION – Authorization by the Board to provide electrical services in Worcester County.

SHELVING - The temporary placing of a registration with the Board in an inactive status.

WORKING UNDER SUPERVISION – Under the direction of and subject to the inspection of the supervising party (be the party a master electrician or electrician limited) and to the end that the supervising party shall be responsible for the services of one who works under him as though such services had been done by such supervising party and further subject to the registration provisions herein.

§ BR 2-203. Establishment of Board of Electrical Examiners.

- (a) There is hereby established a Board of Electrical Examiners of Worcester County.
- (b) Members. There shall be seven members of the Board, one of whom shall be an electrician currently engaged in the electrical contracting business in Worcester County, Maryland, and who has been so engaged in such business for at least five years prior to this appointment and one of whom shall be an electrician actively engaged in the electrical business in Worcester County. All shall be residents of Worcester County, Maryland.
- (c) Appointment. Members of the Board shall be appointed by the County Commissioners.
- (d) Terms. The initial term shall be two terms of one year, two terms of two years and three terms of three years. Subsequent to the initial term, all terms shall be three years.
- (e) Removal. Members of the Board may be removed for written cause by the County Commissioners after a hearing before said County Commissioners upon not less than fifteen days written notice.

§ BR 2-204. Removal of members.

The Worcester County Commissioners may remove any member of the Board from office upon written charges after an opportunity to be held by such member to be removed for misconduct, incompetency, neglect of duty or other sufficient cause.

§ BR 2-205. Compensation and expenses.

Members of the Board shall receive such allowance for expenses and such compensation as the County Commissioners shall from time to time determine.

§ BR 2-206. Organization and officers.

The Board shall hold an organizational meeting and annually elect a Chairman and two Vice Chairmen. The Board shall adopt rules of procedure to govern meetings of the Board and shall hold such meetings as the Chairman shall determine necessary and proper for the Board to carry out its prescribed duties.

§ BR 2-207. Registration requirements; exceptions.

- (a) Registration required. No person shall hold himself out to the public as being a qualified master electrician or electrician limited, as defined herein, or use such terms in connection with his name or otherwise assume, use or advertise any title or description tending to convey the impression that he is a master electrician or electrician limited unless such person has been duly licensed by the State Board of Electricians, and no person shall perform services upon or contract for services upon electrical wiring systems unless duly registered under the terms of this Subtitle.
- (b) Electrician limited. In order to perform electrical services as defined herein for an electrician limited, a person must be so registered as an electrician limited (with the proper endorsement on said registration to allow the services in such limited fields) or be registered as a master electrician.
- (c) Master electrician. In order to perform electrical services as defined herein for a master electrician, a person must be duly registered hereunder as a master electrician.
- (d) Display of license or registration. Any master electrician duly registered hereunder shall publicly display the wording "licensed master electrician" together with his State license number or the county registration number on the exterior of all motor vehicles used in connection with the registration holder's business.
- (e) Exceptions. The registration provisions of this Subtitle shall not apply to:
 - (1) Any electric light or power company, electric railway company, steam railway company, diesel railway company or telegraph, telephone or cable television company nor to any person performing the electrical services of any such company, when such services are part of the plan or service of the company in rendering its authorized service to the public.
 - (2) Any person installing decorative outdoor lighting operating at a nominal 50 volts or less and associated cabling and luminaries or electrical wiring systems operating at a nominal 50 volts or less such as but not limited to controls, communications, burglar alarms, audio, video and information technology systems when installed in a single-family dwelling used exclusively for living

purposes, provided that the person is the bona fide owner and occupant of such dwelling and said person purchases all material and personally performs all labor in connection therewith and provided that all work must be done in accordance with the code adopted herein and subject to inspection. However, if an electrical permit is required by the electrical code for the proposed work, an electrical permit must be obtained by a registered electrician and the work completed by a registered electrician.

- (3) Repair or maintenance within a commercial or industrial (nonresident) plant, facility or factory of equipment, electrical systems or machinery by regularly employed trained employees of the owners or operator of such plant, facility or factory.
- (f) Electrical services done by a corporation. Every firm, company or corporation performing services on electrical wiring systems in Worcester County shall have at least one duly registered natural person holding a registration of the proper class designated as registrant for the firm, company or corporation. Every registrant for a firm, company or corporation must be regularly engaged in supervising all the electrical services done by the firm, company or corporation and shall be responsible for all electrical services so supervised by him. No registration may be assigned to more than one firm, company or corporation. Assignments of registrations as contemplated hereby shall be done upon written request to the Board and only strictly in accordance herewith. All permits issued to a firm, company or corporation shall be issued in the name of the individual registrant.

§ BR 2-208. General requirements for registration.

- (a) Master electrician. In order to be registered as a master electrician, a person shall:
 - (1) Show proof of their active State license; and
 - (2) Pay the required registration fee.
- (b) Electrician limited. In order to be registered as an electrician limited, a person shall:
 - (1) Be at least eighteen years of age;
 - (2) Pass the test given by the Board or prove to the satisfaction of the Board that he is qualified to perform such electrical services;
 - (3) Provide proof of the required insurance as specified in § BR 2-211 hereof; and
 - (4) Pay the required registration fee.
- (c) Continuing education, electrician limited. Beginning with those registrations which will expire on the last day of December 2015 and henceforth with each subsequent biannual application for renewal of a registration, in addition to the renewal fee and any other

required information, each applicant for an electrician limited shall provide proof of continuing education from a course or training based on any article or update of the duly adopted National Electrical Code (NEC) or based on any code or standard of the National Fire Protection Association (NFPA) that relates to the provision of electrical services totaling not less than the following amounts, at least one-half of which must be obtained in a classroom setting:

- (1) One Continuing Education Unit (CEU) of training in accordance with the standards of the American National Standards Institution (ANSI)/International Association for Continuing Education and Training (IACET); or
- (2) Ten hours of continuing education from a provider approved by the Maryland Department of Labor, Licensing and Regulation (DLLR), Division of Occupational and Professional Licensing; or
- (3) Any combination of Subsections (c)(1) and (2) above that totals ten hours of continuing education.

§ BR 2-209. Applications and references.

Applications for registrations must: (1) be on forms prescribed and furnished by the Department; and (2) contain a statement made under oath showing the applicant's education and a detailed summary of his work experience and qualifications.

§ BR 2-210. Testing procedures.

In order to be certified by the Board as an electrician limited, applicants meeting the qualifications herein set forth shall be tested from their knowledge of those areas of electricity required by this Subtitle for the type of registration sought. The test shall be administered by the Board and may be written, practical, oral or by any method which the Board sees fit which will properly test the applicant's abilities and knowledge. The Board shall set standards for passage and failure of the test.

§ BR 2-211. General property and liability insurance.

- (a) Scope. The provisions of this section do not apply to a registrant on inactive status.
- (b) Insurance required. All persons holding an active electrical registration in Worcester County under the provisions of this Title shall:
 - (1) Maintain general liability insurance in the amount of at least \$300,000.00.
 - (2) Maintain property damage insurance in the amount of at least \$100,000.00.
 - (3) Submit proof of the required insurance to the Board of Electrical Examiners of Worcester County upon request.

- (c) **Renewal.** Each electrician limited requesting renewal of an electrical registration in Worcester County pursuant to the requirements of this Title shall submit proof of the required insurance with their application for renewal. Unless the applicant meets the insurance requirements of this section, the Board of Electrical Examiners of Worcester County shall not renew the registration to perform electrical services within Worcester County.
- (d) **Notice of cancellation.** If the insurance required under this section is canceled, the insured shall notify the Board of Electrical Examiners of Worcester County within 10 days after the date of cancellation and at the discretion of the Board of Electrical Examiners of Worcester County, the electrician's registration shall be revoked or shelved in accordance with the provisions of § BR 2-214(c) and § BR 2-215 hereof.

§ BR 2-212. Registrations; significance; notice; fees

- (a) **Issuance.** Upon certification of the Board, the Department shall issue a registration to any applicant who has complied with the requirements of this Subtitle and who, in the opinion of the Board, has satisfactorily met all requirements of this Subtitle. The registration shall indicate which classification of electrician the registrant has qualified for and shall:
 - (1) Show the full name of the registrant.
 - (2) Have a number.
 - (3) Be signed by the Chairman or Vice Chairman of the Board.
 - (4) State any limitations, in the case of an electrician limited.
- (b) **Rights and privileges.** The issuance of a registration by the Department shall be prima facie evidence that the registrant is entitled to all the rights and privileges of the classification of electrician named therein while the registration remains unrevoked or unexpired.
- (c) **Notification.** The Department shall promptly notify, in writing, the local electrical inspection authorities of all registrations approved, suspended or revoked.
- (d) **Registration holder working for corporation.** In the event that a registration holder proposes to work for a partnership or corporation as a registration holder for such partnership or corporation, such shall be noted on his registration.
- (e) **Transfer of registration unlawful.** It shall be unlawful for a person to rent, borrow, loan, sell, transfer, alter, mutilate or change an electrical registration.

- (f) Fees. Fees provided for under this Subtitle shall be as established by resolution of the Board of County Commissioners.

§ BR 2-213. Reciprocity.

Upon authorization of the Board, the Department shall, upon application therefor and the payment of the regular fee and without examination, issue a registration as an electrician limited to any person who holds such a registration or its equivalent issued to him by the proper authorities of any county, state or territory or district of the United States or of any country, provided that the requirements where the aforesaid registration was issued do not conflict with the provisions of this Subtitle and are of a standard not lower than that specified in this Subtitle for the classification to be issued by this Board and further provided that the same rights are given to duly registered electricians of this county within such jurisdiction.

§ BR 2-214. Expiration, renewals and shelving.

- (a) Expiration. Registrations shall expire on the thirty-first day of the second December following the registration's issuance or renewal.
- (b) Renewal. Renewal may be effected at any time during the months of November or December by payment of the annual renewal fee. In addition to the renewal fee, the registrant shall be required to pay a reinstatement fee for late renewal. Registrations shall become invalid if renewal does not take place within ninety days from the day of expiration.
- (c) Shelving. Any electrician duly registered hereunder may, upon written request, have his registration shelved. All registrations held by persons not actively engaged in the electrical business will be shelved. An annual fee may be charged during the shelving period and for shelving. No electrical services may be done under a shelved registration during periods of shelving. In the event the master electrician has been issued an inactive status certificate from the State Board of Electricians, proof of an active state license will be required to be provided to the Board before the local registration is reissued. In the event that a registration for an electrician limited has been shelved for a period of five years or more, the Board may, at its discretion, require an interview or retesting of a person asking to have his registration unshelved and may, upon failure of such person to satisfy the Board that he is still competent to hold said registration, decline to reissue.

§ BR 2-215. Revocation or suspension of registration.

- (a) Revocation of registration. The Board may revoke or suspend the registration of any registrant who is found guilty of:
 - (1) Any fraud or deceit in obtaining the registration.
 - (2) Any gross negligence, incompetency or misconduct in supplying material or performing services as an electrician, electrical contractor or supervisor.

- (3) Permitting or causing defective electrical service if done deliberately, or if not corrected within fifteen days, or longer if necessary at the discretion of the Board, following notice thereof by the Board.
 - (4) A conviction under the laws of the United States or any state for a felony; or a misdemeanor that is directly related to the fitness and qualification of the applicant or registrant to provide electrical service in accordance with the Building Occupations and Professions Article, § 6-316(a)(6) and (c), of the Annotated Code of Maryland, as from time to time amended.
 - (5) Failure to maintain a valid State license.
 - (6) Any violation hereof.
- (b) Charges. Any person may refer charges pursuant hereto against any registrant. Such charges shall be in writing and sworn to by the person making them at the time the charges shall be filed with the License Permit Clerk.
 - (c) Hearing by Board. All charges, unless dismissed summarily by the Board as unfounded, frivolous or trivial, shall be heard by the Board within ninety days after the date on which they shall have been filed.
 - (d) Procedure for hearing. The time and place for the hearing shall be fixed by the Board and a copy of the charges, together with a notice of the time and place of hearing, shall be personally served on or mailed to the last known address of the registrant, at least thirty days before the date fixed for the hearing. At any hearing, the accused registrant shall have the right to appear personally and by counsel, to cross-examine witnesses appearing against him and to produce evidence and witnesses in his own defense. If, after such hearing, a majority of the Board votes in favor of finding the accused guilty, the Board may revoke or suspend the registration of such registrant at the Board's discretion.
 - (e) Action of Board. The maximum time of suspension that the Board may impose is one hundred eighty days. A revocation made by the Board may be permanent, subject to the provisions hereof.

§ BR 2-216. Reissuance of revoked or suspended registrations.

- (a) Reissuance of revoked registration. An electrician whose registration has been revoked may, after one year, become eligible for a new registration by meeting all of the requirements of this Subtitle and, for an electrician limited, upon the satisfactory completion of any examination as hereinafter provided; provided, however, that such registration holder did not engage in electrical services in Worcester County during the time of revocation and further provided that if a registration is revoked by the Board with a notation "permanent revocation," the applicant may not reapply for a period of five years and then only upon the unanimous consent of the Board.

- (b) Reissuance of suspended registration. Any electrician whose registration has been suspended may apply for reissuance of the registration upon the completion of the suspension term; provided, however, that such registration holder did not engage in electrical services in Worcester County during the time of his suspension. Such reapplication shall be reviewed by the Board and the registration issued unless cause to the contrary is shown. A reissuance fee may be charged.
- (c) Replacement of registration. A new registration to replace any registration lost, destroyed or mutilated may be issued, subject to the rules of the Board. A reissuance charge may be made.
- (d) Reexamination requirement. In any case of a revoked or suspended registration for an electrician limited, the Board may require reexamination or retesting of the applicant.

§ BR 2-217. Appeals.

- (a) Court review. Any person who is an interested party and is aggrieved by any decision of the Board of Electrical Examiners may appeal the same to the Circuit Court for Worcester County. If, upon the review of the proceedings of the Board, it shall appear to the Court that additional testimony is necessary for the proper disposition of the matter, it may take evidence or appoint a referee to take such evidence as it may direct and report the same to the Court with his findings of fact and conclusions of law, which shall constitute a part of the proceedings upon which the determination of the Court shall be made. The Court may reverse or affirm, wholly or partly, or may modify the decision brought up for review.
- (b) Court review procedure. An appeal to the Circuit Court of Worcester County, Maryland, shall be taken in the manner provided by the Maryland Rules 7-201 et seq..

§ BR 2-218. Applicability.

- (a) Applicable in unincorporated areas. The provisions of this Subtitle shall apply throughout the county but shall not apply within the corporate limits of any incorporated city or town within the county; provided, however, that if any such city or town may, by ordinance or resolution duly adopted by its governing body, adopt this Subtitle as enforceable within such corporate limits and request that it be enforced therein. Upon such appropriate legislative act by such governing body, this Subtitle shall be in full force and effect within the corporate limits of any municipality so adopting it.
- (b) Applicable in Snow Hill and Berlin. The incorporated Towns of Snow Hill and Berlin, having adopted Ordinance No. 30, as amended, of which this Subtitle is a recodification, with amendments, are hereby deemed to have adopted this Subtitle; provided, however, that such towns may, by ordinance or resolution duly adopted by their respective governing bodies, unadopt the provisions hereof at some time subsequent to the effective date hereof, it being the intention that the previous adoption of Ordinance No. 30, as

amended, by the Towns of Snow Hill and Berlin carry over as an adoption hereof unless such adoption is duly repudiated according to the terms hereof to the end that unless so repudiated or unadopted, the provisions of this Subtitle shall be applicable within the corporate limits of Snow Hill and Berlin.

§ BR 2-219. Permits and inspections.

- (a) Permit required. No person shall install any new or used electrical wires, conduits, machinery, apparatus or any kind of electrical equipment, fixtures, appliances or devices or perform service on electrical systems (except as hereinafter provided) without obtaining a permit and having such service or installation inspected as herein provided or without complying with § BR 2-207 herein, as from time to time amended.
- (b) Issuance. A permit for any such service shall be obtained from the Department before commencing such service. A fee may be charged for such permit. In the case of a bona fide emergency where eminent danger to life and property is present, service may be commenced; provided, however, that a permit must be obtained within seven hours of the next time the Department is open for business.
- (c) Inspection required. All services shall be inspected by a duly designated county inspector or inspection agency. No qualified county inspector shall approve a final cut-in card to any light or power company until all electrical service reasonably contemplated or required on any construction or electrical job or project has had a permit issued for its completion and construction or installation commenced.
- (d) Contract with private inspection agencies. The Board may designate and contract with private inspection agencies to perform any inspections. Fees charged by such agencies shall be the liability of the person requesting inspection.
- (e) Cut-in card required for connection. No light or power company, whether public or private, shall connect any current, light or power to any property without first obtaining a permanent or temporary cut-in card from the county inspector or inspection agency except in case of an emergency when service may be restored by a registered electrician prior to obtaining such cut-in card. No permanent or temporary cut-in cards shall be issued unless said cut-in cards are requested by a registered electrician, except for services being done or which has been done by persons who are not required to be registered under the provisions of this Subtitle.
- (f) Permit exception. The following electrical services shall not require an inspection or a permit:
 - (1) An electrical installation which is single phase, of twenty amperes/one hundred twenty volts AC or less and installed in an existing structure.
 - (2) The installation of decorative outdoor lighting operating at a nominal 50 volts or less and associated cabling and luminaries or electrical wiring systems operating

at a nominal 50 volts or less such as but not limited to controls, communications, burglar alarms, audio, video and information technology systems when installed in one- and two-family dwelling units.

- (g) Inspection exception. Insertion in electrical circuits of devices or appliances which are properly designed for such insertion or with the replacement of existing sockets, fixtures, controls, motors or fuses with like material where no additional wiring is involved shall not be subject to inspection.

§ BR 2-220. Qualifications of inspectors.

The Board shall set qualifications for electrical inspectors. In the case of individual inspectors, each proposed inspector shall be qualified individually by the Board. In the case of an inspection agency, each individual inspector within Worcester County shall be duly qualified by the Board. The Board shall issue a registration to each individual electrical inspector and may charge an annual fee therefor. In the event that the electrical inspector is in the employ of an approved agency, the agency's name shall also appear on the registration. Electrical inspectors shall be bonded or insured to the satisfaction of the Board. It shall be unlawful for any person to perform electrical inspections or hold himself out to the public as a qualified electrical inspector under the terms of this Subtitle unless duly registered hereunder.

§ BR 2-221. Right of entry.

Electrical inspectors and members of the Board shall have all such rights of entry as are necessary and proper to ensure compliance herewith.

§ BR 2-222. Violations.

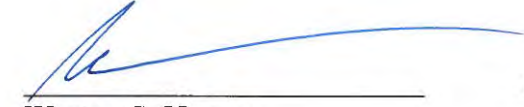
Any person who violates the provisions of this Subtitle shall be guilty of a civil infraction.

Section 2. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that this Bill shall take effect forty-five (45) days from the date of its passage.

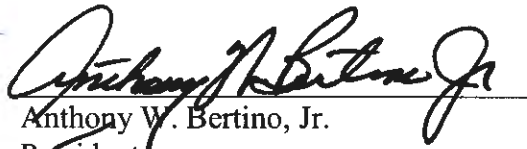
PASSED THIS 17th day of January, 2023.

Attest:


Worcester County Commissioners




Weston S. Young
Chief Administrative Officer



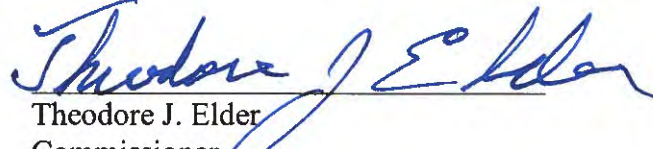
Anthony W. Bertino, Jr.
President



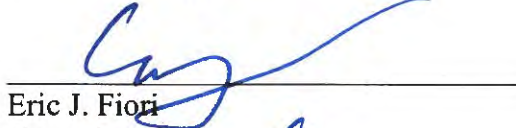
Madison J. Bunting, Jr.
Vice President



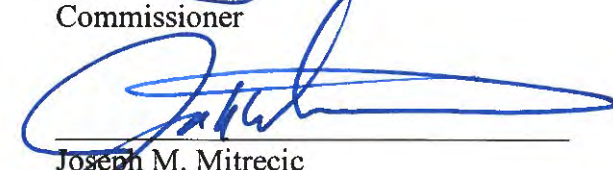
Caryn G. Abbott
Commissioner




Theodore J. Elder
Commissioner



Eric J. Fiori
Commissioner



Joseph M. Mitrecic
Commissioner



Diana Purnell
Commissioner

