
A BILL FOR AN ACT

RELATING TO CHAPTER 448E, HAWAII REVISED STATUTES.

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

1 SECTION 1. Section 448E-9, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

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

18 For purposes of this subsection:



1 "Electrician" means any person who performs electrical
 2 work, and includes but is not limited to any person who acts as
 3 a journey worker electrician, journey worker specialty
 4 electrician, supervising electrician, supervising specialty
 5 electrician, maintenance electrician, journey worker industrial
 6 electrician, or supervising industrial electrician.

7 ~~[(2)]~~ "Plumber" means any person who performs plumbing
 8 work, and includes~~[_]~~ but is not limited to~~[_]~~ any person who
 9 acts as a journey worker plumber or master plumber."

10 SECTION 2. Section 448E-10, Hawaii Revised Statutes, is
 11 amended to read as follows:

12 "**§448E-10 Suspension; revocation; fine; denial of issuance**
 13 **or renewal of a license.** (a) In addition to any other actions

14 authorized by law the board, after notice and hearing as
 15 provided in chapter 91, may suspend or revoke any license, or
 16 impose fines, or prior to the notice and hearing, deny the
 17 issuance or renewal of any license for any cause authorized by
 18 law, including but not limited to the following:

- 19 (1) A license was or is sought to be obtained by fraud,
 20 misrepresentation, or deceit;
- 21 (2) Gross negligence, incompetency, misconduct, or
 22 dishonesty in the practice of the profession;

- 1 (3) False, fraudulent, or deceptive advertising;
- 2 (4) Permitting an unlicensed person to perform activities
3 requiring a license[~~;~~ ~~or~~], aiding or abetting an
4 unlicensed person to violate this chapter, allowing
5 one's license to be used by an unlicensed person, or
6 acting as an agent, partner, associate, or otherwise,
7 of an unlicensed person; or
- 8 (5) Violation of any provisions of this chapter [~~and~~] or
9 any rules of the board.

10 (b) [~~Any~~] Except as otherwise provided in subsection (c),
11 any person who violates any provision of this chapter shall be
12 fined not less than \$100 and not more than [~~\$1,000~~] \$5,000 for
13 each violation.

14 (c) Any person who violates section 448E-9 shall be fined
15 \$1,000 or forty per cent of the total contract price, whichever
16 is greater. Each day that a person violates section 448E-9
17 shall constitute a separate offense."

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

20 SECTION 4. This Act shall take effect on July 1, 2006.



Report Title:

Plumbers and Electricians; Licensing

Description:

Strengthens enforcement provisions prohibiting unlicensed electrical and plumbing activities. (HB2335 HD1)

