
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 to read as follows:

3 **"§448E-9 Unlicensed activity.** (a) No person shall act or
4 assume to act as a journey worker electrician, journey worker
5 specialty electrician, supervising electrician, supervising
6 specialty electrician, journey worker plumber, master plumber,
7 maintenance electrician, journey worker industrial electrician,
8 or supervising industrial electrician, or advertise or hold the
9 person's self out as an electrician or plumber, without a
10 license previously obtained in compliance with this chapter and
11 the rules of the board; provided that any person may perform
12 emergency plumbing repair work in the person's principal place
13 of residence when such repairs do not involve or require
14 rearrangement of valves, pipes, or fixtures; provided further
15 that no such emergency repairs may be performed on sewer lines,
16 drains, gas lines, and on fixtures being served with backflow
17 devices which [~~includes~~] include heaters, water closets,
18 dishwashers, and garbage disposal units.

1 For purposes of this subsection:

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

9 (2) "Plumber" means any person who performs plumbing work,
10 and includes, but is not limited to, any person who
11 acts as a journey worker plumber or master plumber.

12 (b) An apprentice or trainee learning the trade of a
13 person licensed under this chapter shall not be required to have
14 a license if the apprentice or trainee acts under the
15 supervision of a person appropriately licensed under this
16 chapter.

17 (c) Upon entry of a judgment by a court of competent
18 jurisdiction finding that the person has advertised in violation
19 of this section, the entity furnishing telephone service to the
20 violation shall disconnect the telephone number contained in the
21 advertisement or listing."



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

3 **"§448E-10 Suspension; revocation; fine; denial of issuance**
4 **or renewal of a license.** (a) In addition to any other actions
5 authorized by law the board, after notice and hearing as
6 provided in chapter 91, may suspend or revoke any license, or
7 impose fines, or prior to the notice and hearing, deny the
8 issuance or renewal of any license for any cause authorized by
9 law, including but not limited to the following:

- 10 (1) [~~A license was or is sought to be obtained~~] Obtaining,
11 or attempting to obtain, a license by fraud,
12 misrepresentation, or deceit;
- 13 (2) Gross negligence, incompetency, misconduct, or
14 dishonesty in the practice of the profession;
- 15 (3) False, fraudulent, or deceptive advertising;
- 16 (4) Permitting an unlicensed person to perform activities
17 requiring a license; [~~e~~]
- 18 (5) Aiding or abetting an unlicensed person to violate
19 this chapter;
- 20 (6) Allowing a person's license to be used by an
21 unlicensed person;



1 (7) Acting as an agent, partner, associate, or otherwise
2 of an unlicensed person; or
3 [~~(5) Violation of~~] (8) Violating any provisions of this
4 chapter [~~and~~] or any rules of the board.

5 (b) Any person who violates any provision of this chapter
6 shall be fined not less than \$100 and not more than [~~\$1,000~~]
7 \$5,000 for each violation."

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

10 SECTION 4. This Act shall take effect on July 1, 2050.

SB2298, SD1

Report Title:

Plumbers; Electricians; Licensing

Description:

Strengthens enforcement provisions prohibiting unlicensed electrical and plumbing activities. (SD1)

