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## A BILL FOR AN ACT

RELATING TO PROFESSIONS AND OCCUPATIONS.

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

1       SECTION 1. Section 444-2.5, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3       "(a) This chapter shall not apply to owners or lessees of  
4 property who build or improve residential, farm, industrial, or  
5 commercial buildings or structures on property for their own  
6 use, or for use by their grandparents, parents, siblings, or  
7 children and who do not offer the buildings or structures for  
8 sale or lease; provided that:

9       (1) To qualify for an exemption under this section, the  
10 owner or lessee shall register for the exemption as  
11 provided in section 444-9.1; and

12       (2) The exemption under this section shall not apply to  
13 electrical [~~or~~] work, plumbing work, air conditioner  
14 pipefitter work, fire sprinkler technician work, or  
15 solar technician work that must be performed only by  
16 persons or entities licensed in accordance with this  
17 chapter, unless the owner or lessee of the property is  
18 licensed for such work under chapter 448E."



1 SECTION 2. Section 444-9.5, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "~~§444-9.5~~ Licensing of electrical [e], plumbing, and  
4 other trade workers. (a) At least half of all individuals  
5 performing electrical [e] work, plumbing work, air conditioner  
6 pipefitter work, fire sprinkler technician work, or solar  
7 technician work employed on a construction job site by an  
8 electrical [e], plumbing, air conditioner pipefitter, fire  
9 sprinkler technician, or solar technician contractor shall be  
10 licensed in accordance with chapter 448E. The board may waive  
11 this requirement in any county when there are insufficient  
12 licensed [~~electrical or plumbing~~] workers in that county to  
13 comply with this section.

14 (b) All individuals employed on a construction job site by  
15 an electrical [e], plumbing, air conditioner pipefitter, fire  
16 sprinkler technician, or solar technician contractor who are  
17 licensed in accordance with chapter 448E shall visibly display  
18 their license on their person while on the construction job  
19 site. Only individuals displaying their license at the time of  
20 a site inspection shall be counted as a licensee to determine  
21 compliance with this section."



1 SECTION 3. Chapter 448E, Hawaii Revised Statutes, is  
2 amended by amending the title to read as follows:

3 "ELECTRICIANS [~~AND~~], PLUMBERS, AND OTHER TRADES"

4 SECTION 4. Section 448E-1, Hawaii Revised Statutes, is  
5 amended by adding three new definitions to be appropriately  
6 inserted and to read as follows:

7 "Air conditioning pipefitter" means any person licensed by  
8 the board as an air conditioning pipefitter to perform air  
9 conditioning pipefitting.

10 "Fire sprinkler technician" means any person licensed by  
11 the board as a fire sprinkler technician to perform journey-  
12 level fire sprinkler work to install, maintain, repair, and  
13 modify fire sprinkler systems.

14 "Solar technician" means any person licensed by the board  
15 as a solar technician to install, test, operate, and maintain  
16 solar energy systems."

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

19 "~~§448E-4 Powers and duties of board.~~ In addition to any  
20 other powers and duties authorized by law, the board shall have  
21 all the powers and duties necessary or convenient to carry out



1 and effectuate this chapter, including but not limited to the  
2 following powers and duties:

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

4 (A) Journey worker electricians;

5 (B) Journey worker specialty electricians;

6 (C) Supervising electricians;

7 (D) Supervising specialty electricians;

8 (E) Master plumbers;

9 (F) Journey worker plumbers;

10 (G) Maintenance electricians;

11 (H) Journey worker industrial electricians; [~~and~~]

12 (I) Supervising industrial electricians;

13 (J) Air conditioning pipefitters;

14 (K) Fire sprinkler technicians; and

15 (L) Solar technicians;

16 (2) To adopt, amend, or repeal rules in accordance with  
17 chapter 91 as it may deem proper to effectuate this  
18 chapter and to [~~insure~~] ensure the safety and welfare  
19 of the general public; provided that the rules may  
20 forbid acts or practices deemed by the board to be  
21 detrimental to the accomplishment of the purpose of  
22 this chapter;



1           (3) To enforce this chapter and rules adopted pursuant to  
2           this chapter and chapter 91, including the denial,  
3           suspension, or revocation of any license; and

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

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

9           "**§448E-5 Minimum requirements.** (a) Except as otherwise  
10          provided in subsection (b), an applicant shall possess the  
11          following minimum qualifications:

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

20          (2) Journey worker specialty electrician: To be eligible  
21          for the journey worker specialty electrician  
22          examination, an applicant shall be at least eighteen



1 years of age and shall provide satisfactory evidence  
2 of at least five years' experience in the trade;

3 (3) Supervising electrician: To be eligible for the  
4 supervising electrician examination, an applicant  
5 shall have been registered with the board as a journey  
6 worker electrician for at least a period of four years  
7 or shall have equivalent experience in the trade;

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

14 (5) Journey worker plumber: To be eligible for the  
15 journey worker plumber examination, an applicant shall  
16 provide satisfactory evidence of experience of at  
17 least five years' full-time or its equivalent, but not  
18 less than ten thousand hours, as a journey worker's or  
19 master plumber's helper;

20 (6) Master plumber: To be eligible for the master plumber  
21 examination, an applicant shall have been registered  
22 with the board as a journey worker plumber for at



1 least two years or shall have equivalent experience in  
2 the trade;

3 (7) Maintenance electrician: To be eligible for the  
4 maintenance electrician examination, an applicant  
5 shall be not less than eighteen years of age and shall  
6 provide satisfactory evidence of at least one year of  
7 experience in performing electrical maintenance work  
8 or two years of schooling in the electrical trade;

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

16 (9) Supervising industrial electrician: To be eligible  
17 for the supervising industrial electrician  
18 examination, an applicant shall have been registered  
19 with the board as a journey worker industrial  
20 electrician for a period of at least four years or  
21 shall have equivalent experience in the trade[-];



1       (10) Air conditioning pipefitter: To be eligible for the  
2       air conditioning pipefitter examination, an applicant  
3       shall be not less than eighteen years of age and shall  
4       provide satisfactory evidence of at least one year of  
5       experience in the trade or two years of schooling in  
6       the trade;

7       (11) Fire sprinkler technician: To be eligible for the  
8       fire sprinkler technician examination, an applicant  
9       shall be not less than eighteen years of age and shall  
10       provide satisfactory evidence of at least one year of  
11       experience in the trade or two years of schooling in  
12       the trade; and

13       (12) Solar technician: To be eligible for the solar  
14       technician examination, an applicant shall be not less  
15       than eighteen years of age and shall provide  
16       satisfactory evidence of at least one year of  
17       experience in the trade or two years of schooling in  
18       the trade.

19       (b) Effective July 1, 2013, an applicant for licensing  
20 pursuant to this chapter shall possess the following minimum  
21 qualifications:





1 (1) Journey worker electrician: To be eligible for the  
2 journey worker electrician examination, an applicant  
3 shall be at least eighteen years of age and shall  
4 provide satisfactory evidence of:

5 (A) Experience in residential or commercial wiring of  
6 at least five years full-time or its equivalent,  
7 but not less than ten thousand hours, in the  
8 trade under the supervision of a journey worker  
9 or supervising electrician; and

10 (B) Satisfactory completion, accepted by a University  
11 of Hawaii community college offering an  
12 appropriate program of study, of two hundred  
13 forty hours of electrical academic coursework;

14 (2) Journey worker specialty electrician: To be eligible  
15 for the journey worker specialty electrician  
16 examination, an applicant shall be at least eighteen  
17 years of age and shall provide satisfactory evidence  
18 of:

19 (A) Experience of at least three years full-time or  
20 its equivalent, but not less than six thousand  
21 hours, in the trade under the supervision of a  
22 journey worker electrician, supervising



1 electrician, journey worker specialty

2 electrician, or supervising specialty

3 electrician; and

4 (B) Satisfactory completion, accepted by a University  
5 of Hawaii community college offering an  
6 appropriate program of study, of one hundred  
7 twenty hours of electrical academic coursework;

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

19 (5) Journey worker plumber: To be eligible for the  
20 journey worker plumber examination, an applicant shall  
21 provide satisfactory evidence of experience of at  
22 least five years' full-time or its equivalent, but not



1 less than ten thousand hours, as a journey worker's or  
2 master plumber's helper;

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

8 (7) Maintenance electrician: To be eligible for the  
9 maintenance electrician examination, an applicant  
10 shall be not less than eighteen years of age and shall  
11 provide satisfactory evidence of:

12 (A) At least one year of experience in performing  
13 electrical maintenance work plus satisfactory  
14 completion, accepted by a University of Hawaii  
15 community college offering an appropriate program  
16 of study, of at least eighty hours of electrical  
17 academic coursework; or

18 (B) Two years of schooling in the electrical trade  
19 with not less than one thousand hours of hands-on  
20 lab exercises;

21 (8) Journey worker industrial electrician: To be eligible  
22 for the journey worker industrial electrician



1 examination, an applicant shall be at least eighteen  
2 years of age and shall provide satisfactory evidence  
3 of:

4 (A) Experience in industrial electrical work of at  
5 least four years full-time or its equivalent, but  
6 not less than eight thousand hours; and

7 (B) Satisfactory completion, as accepted by a  
8 University of Hawaii community college offering  
9 an appropriate program of study, of two hundred  
10 hours of electrical academic coursework; [and]

11 (9) Supervising industrial electrician: To be eligible  
12 for the supervising industrial electrician  
13 examination, an applicant shall have been registered  
14 with the board as a journey worker industrial  
15 electrician for a period of at least three years or  
16 shall have equivalent experience in the trade[-];

17 (10) Air conditioning pipefitter: To be eligible for the  
18 air conditioning pipefitter examination, an applicant  
19 shall be not less than eighteen years of age and shall  
20 provide satisfactory evidence of:

21 (A) At least one year of experience in the trade; and



1           (B) Satisfactory completion, accepted by a University  
2           of Hawaii community college offering an  
3           appropriate program of study, of one hundred  
4           hours of air conditioning pipefitting academic  
5           coursework;

6       (11) Fire sprinkler technician: To be eligible for the  
7       fire sprinkler technician examination, an applicant  
8       shall be not less than eighteen years of age and shall  
9       provide satisfactory evidence of:

10       (A) At least one year of experience in the trade; and

11       (B) Satisfactory completion, accepted by a University  
12       of Hawaii community college offering an  
13       appropriate program of study, of one hundred  
14       hours of fire sprinkler technician academic  
15       coursework; and

16       (12) Solar technician: To be eligible for the solar  
17       technician examination, an applicant shall be not less  
18       than eighteen years of age and shall provide  
19       satisfactory evidence of:

20       (A) At least one year of experience in the trade; and

21       (B) Satisfactory completion, accepted by a University  
22       of Hawaii community college offering an



1                   appropriate program of study, of one hundred  
2                   hours of solar technician academic coursework."

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

5           "~~§448E-8 Fees; renewals.~~ (a) Renewal fees shall be paid  
6 to the board before July 1.

7           (b) Plumbers shall renew the license every three years  
8 effective June 30, 2006, and shall pay all required fees. Prior  
9 to the June 30, 2009, renewal of the license, and prior to every  
10 license renewal thereafter, the applicant shall:

- 11           (1) Pay all required fees; and
- 12           (2) Meet the requirements prescribed in section 448E-8.5.

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

- 16           (1) Pay all required fees; and
- 17           (2) Meet the requirements prescribed in section 448E-8.5.

18           (d) Air conditioning pipefitters, fire sprinkler  
19 technicians, and solar technicians shall renew their licenses  
20 every three years effective with the July 1, 2015, renewal;  
21 provided that prior to the renewal of the license the applicant  
22 shall:



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

10        SECTION 8. Section 448E-8.5, Hawaii Revised Statutes, is

11 amended to read as follows:

12        "**§448E-8.5 Continued competency; license renewals.** (a)

13 Prior to each license renewal, all licensed electricians except

14 maintenance electricians shall:

- 15        (1) Furnish the board with proof of attendance at an
- 16 educational course related to current updates of the
- 17 National Electrical Code conducted or approved by the
- 18 community colleges; or
- 19        (2) Successfully complete an examination prescribed by the
- 20 board on current updates to the National Electrical
- 21 Code. The board shall contract with a professional
- 22 testing agency to prepare, administer, and grade the



1 examination. Fees related to the examination shall be  
2 paid by the licensee directly to the professional  
3 testing agency.

4 (b) Prior to each license renewal, all licensed plumbers  
5 shall:

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

10 (2) Successfully complete an examination prescribed by the  
11 board on current updates to the Uniform Plumbing Code.

12 The board shall contract with a professional testing  
13 agency to prepare, administer, and grade the  
14 examination. A licensee shall pay all fees related to  
15 the examination directly to the professional testing  
16 agency.

17 (c) Prior to each license renewal, all licensed air  
18 conditioning pipefitters, fire sprinkler technicians, and solar  
19 technicians shall:

20 (1) Furnish the board with proof of attendance at an  
21 educational course related to current updates to the





1           applicable code conducted or approved by the community  
2           colleges; or  
3           (2) Successfully complete an examination prescribed by the  
4           board on current updates to the applicable code. The  
5           board shall contract with a professional testing  
6           agency to prepare, administer, and grade the  
7           examination. A licensee shall pay all fees related to  
8           the examination directly to the professional testing  
9           agency.

10           ~~(c)~~ (d) A licensee who has been issued a new license  
11 within one year of the renewal date shall not be required to  
12 take the course or the examination to renew the licensee's  
13 license."

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

16           "(a) No person shall act or assume to act as a journey  
17 worker electrician, journey worker specialty electrician,  
18 supervising electrician, supervising specialty electrician,  
19 journey worker plumber, master plumber, maintenance electrician,  
20 journey worker industrial electrician, ~~(e)~~ supervising  
21 industrial electrician, air conditioning pipefitter, fire  
22 sprinkler technician, or solar technician, or advertise or hold



1 the person's self out as an electrician [~~or~~], plumber, air  
2 conditioning pipefitter, fire sprinkler technician, or solar  
3 technician without a license previously obtained in compliance  
4 with this chapter and the rules of the board; provided that any  
5 person may perform emergency plumbing repair work in the  
6 person's principal place of residence when [~~such~~] the repairs do  
7 not involve or require rearrangement of valves, pipes, or  
8 fixtures; provided further that no [~~such~~] emergency repairs may  
9 be performed on sewer lines, drains, gas lines, and on fixtures  
10 being served with backflow devices which include heaters, water  
11 closets, dishwashers, and garbage disposal units.

12 For purposes of this subsection:

13 "Air conditioning pipefitter" means any person who performs  
14 air conditioning pipefitting work.

15 "Electrician" means any person who performs electrical work  
16 and includes but is not limited to any person who acts as a  
17 journey worker electrician, journey worker specialty  
18 electrician, supervising electrician, supervising specialty  
19 electrician, maintenance electrician, journey worker industrial  
20 electrician, or supervising industrial electrician.

21 "Fire sprinkler technician" means any person who performs  
22 fire sprinkler technician work.



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

4 "Solar technician" means any person who performs solar  
5 technician work."

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

8 "~~§~~448E-11 **Injunction.** The board may, in addition to any  
9 other remedy available, apply to a circuit court judge for a  
10 temporary restraining order or preliminary or permanent  
11 injunction restraining any person from acting, or assuming to  
12 act, as a journey worker electrician, journey worker specialty  
13 electrician, supervising electrician, supervising specialty  
14 electrician, maintenance electrician, journey worker industrial  
15 electrician, supervising industrial electrician, journey worker  
16 plumber, ~~[or]~~ master plumber, air conditioning pipefitter, fire  
17 sprinkler technician, or solar technician without a license  
18 previously obtained in compliance with this chapter and the  
19 rules of the board, and upon hearing and for cause shown, the  
20 judge may grant the temporary restraining order or preliminary  
21 or permanent injunction."



1 SECTION 11. Section 448E-12, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "[+]§448E-12[+] **Inspections.** Nothing in this chapter  
4 should deprive the several counties of the right to perform  
5 electrical or plumbing inspections, or inspections relating to  
6 air conditioning pipefitters, fire sprinkler technicians, and  
7 solar technicians, as regulated by their respective ordinances."

8 SECTION 12. Statutory material to be repealed is bracketed  
9 and stricken. New statutory material is underscored.

10 SECTION 13. This Act shall take effect upon its approval.

11

INTRODUCED BY:

Calvin K. King  
By Request

JAN 25 2012



# H.B. NO. 2748

**Report Title:**

Electricians and Plumbers; Air Conditioning Pipefitters; Fire Sprinkler Technicians; Solar Technicians

**Description:**

Authorizes the board of electricians and plumbers to regulate air conditioning pipefitters, fire sprinkler technicians, and solar technicians.

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

