
A BILL FOR AN ACT

RELATING TO CONTRACTORS.

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

1 SECTION 1. The legislature finds that electrical
2 contractors are responsible for managing the technical aspects
3 of electrical work. The legislature also finds that electrical
4 work may pose hazards related to public and worker safety.
5 Therefore, individuals and entities applying to be licensed as
6 electrical contractors should demonstrate the necessary level of
7 training and knowledge to possess a trade license to perform
8 electrical work in accordance with chapter 448E, Hawaii Revised
9 Statutes. However, many recent applicants for Hawaii electrical
10 contractor licenses have been sole proprietors, who after
11 receiving an electrical contractor license mistakenly go on to
12 perform or supervise electrical field work on the job site,
13 without having the required journey worker electrician license.

14 The purpose of this Act is to protect the public and
15 promote worker safety by requiring electrical contractors to
16 possess a trade license to perform electrical work in the State
17 of Hawaii.



1 SECTION 2. Chapter 444, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§444- Licensing of electrical contractors, pole and
5 line contractors, high voltage electrical contractors, and
6 electronic systems contractors; minimum qualifications. (a)

7 Effective July 1, 2013, any person operating as a sole
8 proprietor applying for a license as an electrical contractor,
9 pole and line contractor, or high voltage electrical contractor
10 shall possess, at minimum, a journey worker electrician license
11 pursuant to chapter 448E.

12 (b) Effective July 1, 2013, any person operating as a sole
13 proprietor applying for a license as an electronic systems
14 contractor shall possess, at minimum, a journey worker specialty
15 electrician license pursuant to chapter 448E.

16 (c) All employees of a public utility within the State
17 under a franchise or charter granted by the State which is
18 regulated by the public utilities commission and community
19 antennae television company, while so employed, shall be exempt
20 from this section.



1 (d) For purposes of this section, "sole proprietor" means
2 an individual who owns and operates a business that does not
3 employ any other individuals."

4 SECTION 3. Section 444-11.1, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "**§444-11.1 Requirements to maintain license.** (a) A
7 licensed contractor shall have and maintain in full force and
8 effect the following:

9 (1) Workers' compensation insurance; unless the licensee
10 is authorized to act as a self-insurer under chapter
11 386 or is excluded from the requirements of chapter
12 386;

13 (2) Liability insurance from an insurance company or
14 agency for comprehensive personal injury and property
15 damage liability; and

16 (3) Bond when required by the board, under section 444-
17 16.5.

18 (b) Failure, refusal, or neglect of any licensed
19 contractor to maintain in full force and effect, the applicable
20 workers' compensation insurance, liability insurance, or bond
21 shall cause the automatic forfeiture of the license of the
22 contractor effective as of the date of expiration or



1 cancellation of the contractor's workers' compensation
2 insurance, liability insurance, or bond.

3 (c) The board shall not restore the forfeited license
4 until satisfactory proof of continuous insurance and bond
5 coverages is submitted to the board as required by this section.

6 (d) Failure to restore a license within sixty days after
7 the date of forfeiture shall result in the forfeiture of all
8 fees and shall require the person to apply as a new applicant.

9 (e) The board may assess a fee not to exceed \$1,000,
10 impose a bond, or restrict the license as a condition for the
11 restoration of a license forfeited pursuant to this section.

12 (f) A licensee may, within sixty days after receipt of the
13 notification of the forfeiture, request an administrative
14 hearing to review the forfeiture pursuant to chapter 91.

15 (g) Effective July 1, 2015, in addition to the
16 requirements set forth in this section, electrical contractors,
17 pole and line contractors, high voltage electrical contractors,
18 and electronic systems contractors who are sole proprietors
19 licensed under this chapter shall meet the requirements of
20 section 444- ."



1 SECTION 4. Nothing in this Act shall be construed to
2 prohibit a general contractor from performing customary duct or
3 conduit work as part of site preparation.

4 SECTION 5. New statutory material is underscored.

5 SECTION 6. This Act shall take effect on July 1, 2013.



Report Title:

Contractors; Electrical Work; Licensing Requirements

Description:

Requires any sole proprietor electrical contractor, pole and line contractor, high voltage electrical contractor, or electronic systems contractor to possess a trade license to perform electrical work in the State. Exempts employees of a public utility. Effective July 1, 2013. (SB1293 HD1)

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