

JAN 24 2013

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 ~~[e]~~ work, plumbing work, plumber air
14 conditioning and refrigeration pipefitter work, or
15 plumber fire sprinkler pipefitter work, that must be
16 performed only by persons or entities licensed in
17 accordance with this chapter, unless the owner or



1 lessee of the property is licensed for such work under
2 chapter 448E."

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

5 **"§444-9.5 Licensing of electrical or plumbing workers.**

6 (a) At least half of all individuals performing electrical [e]r]
7 work, plumbing work, plumber air conditioning and refrigeration
8 pipefitter work or plumber fire sprinkler pipefitter work,
9 employed on a construction job site by an electrical [e]r],
10 plumbing, boiler hot-water heating and steam fitting contractor,
11 fire protection contractor, refrigeration contractor,
12 ventilation and air conditioning contractor shall be licensed in
13 accordance with chapter 448E. The board may waive this
14 requirement in any county when there are insufficient licensed
15 [~~electrical or plumbing~~] workers in that county to comply with
16 this section.

17 (b) All individuals employed on a construction job site by
18 an electrical [e]r], plumbing, boiler hot-water heating and steam
19 fitting contractor, fire protection contractor, refrigeration
20 contractor, ventilation and air conditioning contractor who are
21 licensed in accordance with chapter 448E shall visibly display
22 their license on their person while on the construction job



1 site. Only individuals displaying their license at the time of
2 a site inspection shall be counted as a licensee to determine
3 compliance with this section."

4 SECTION 3. Chapter 448E, Hawaii Revised Statutes, is
5 amended by amending its title to read as follows:

6 "ELECTRICIANS AND PLUMBERS"

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

10 "Journey worker plumber air conditioning and refrigeration
11 pipefitter" means any person licensed by the board as a journey
12 worker plumber air conditioning and refrigeration pipefitter to
13 direct, supervise, and perform journey-level air conditioning
14 pipefitting and refrigeration work.

15 "Journey worker plumber fire sprinkler pipefitter" means
16 any person licensed by the board as a journey worker plumber
17 fire sprinkler pipefitter to direct, supervise, and perform
18 journey-level fire sprinkler work to install, maintain, repair,
19 and modify fire sprinkler systems.

20 "Master plumber" means being a licensed journey worker
21 plumber for at least two years and having obtained one or more
22 of the following: journey worker plumber air conditioning and



1 refrigeration pipefitter license or journey worker plumber fire
2 sprinkler pipefitter license."

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

5 "**§448E-4 Powers and duties of board.** In addition to any
6 other powers and duties authorized by law, the board shall have
7 all the powers and duties necessary or convenient to carry out
8 and effectuate this chapter, including but not limited to the
9 following powers and duties:

- 10 (1) To grant licenses [~~which~~] that shall be renewable for:
- 11 (A) Journey worker electricians;
 - 12 (B) Journey worker specialty electricians;
 - 13 (C) Supervising electricians;
 - 14 (D) Supervising specialty electricians;
 - 15 (E) Master plumbers;
 - 16 (F) Journey worker plumbers;
 - 17 (G) Maintenance electricians;
 - 18 (H) Journey worker industrial electricians; [~~and~~]
 - 19 (I) Supervising industrial electricians;
 - 20 (J) Journey worker plumber air conditioning and
21 refrigeration pipefitters; and



(K) Journey worker plumber fire sprinkler pipefitters;

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

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

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

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

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

(1) Journey worker electrician: To be eligible for the journey worker electrician examination, an applicant



1 shall be at least eighteen years of age and shall
2 provide satisfactory evidence of experience in
3 residential or commercial wiring of at least five
4 years full-time or its equivalent, but not less than
5 ten thousand hours, in the trade under the supervision
6 of a journey worker or supervising electrician;

7 (2) Journey worker specialty electrician: To be eligible
8 for the journey worker specialty electrician
9 examination, an applicant shall be at least eighteen
10 years of age and shall provide satisfactory evidence
11 of at least five years' experience in the trade;

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

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



- 1 (5) Journey worker plumber: To be eligible for the
2 journey worker plumber examination, an applicant shall
3 provide satisfactory evidence of experience of at
4 least five years' full-time or its equivalent, but not
5 less than ten thousand hours, [~~as~~] under the direct
6 supervision of a journey [~~worker's~~] worker plumber or
7 master [~~plumber's helper;~~] plumber;
- 8 (6) Master plumber: To be eligible for the master plumber
9 examination, an applicant shall have been registered
10 with the board as a journey worker plumber for at
11 least two years [~~or shall have equivalent experience~~
12 ~~in the trade;~~] and having obtained one or more of the
13 following: journey worker plumber air conditioning and
14 refrigeration pipefitter license or journey worker
15 plumber fire sprinkler pipefitter license;
- 16 (7) Maintenance electrician: To be eligible for the
17 maintenance electrician examination, an applicant
18 shall be not less than eighteen years of age and shall
19 provide satisfactory evidence of at least one year of
20 experience in performing electrical maintenance work
21 or two years of schooling in the electrical trade;



1 (8) Journey worker industrial electrician: To be eligible
2 for the journey worker industrial electrician
3 examination, an applicant shall be at least eighteen
4 years of age and shall provide satisfactory evidence
5 of experience in industrial electrical work of at
6 least five years full-time or its equivalent, but not
7 less than ten thousand hours;

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

14 (b) Effective July 1, 2013, an applicant for licensing
15 pursuant to this chapter shall possess the following minimum
16 qualifications:

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

21 (A) Experience in residential or commercial wiring of
22 at least five years full-time or its equivalent,



1 but not less than ten thousand hours, in the
2 trade under the supervision of a journey worker
3 or supervising electrician; and

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

8 (2) Journey worker specialty electrician: To be eligible
9 for the journey worker specialty electrician
10 examination, an applicant shall be at least eighteen
11 years of age and shall provide satisfactory evidence
12 of:

13 (A) Experience of at least three years full-time or
14 its equivalent, but not less than six thousand
15 hours, in the trade under the supervision of a
16 journey worker electrician, supervising
17 electrician, journey worker specialty
18 electrician, or supervising specialty
19 electrician; and

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



1 appropriate program of study, of one hundred
2 twenty hours of electrical academic coursework;

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 two 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] under the direct
19 supervision of a journey [~~worker's~~] worker plumber or
20 master [~~plumber's helper;~~] plumber;

21 (6) Master plumber: To be eligible for the master plumber
22 examination, an applicant shall have been registered



1 with the board as a journey worker plumber for at
2 least two years or shall have equivalent experience in
3 the trade;

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

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

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

17 (8) Journey worker industrial electrician: To be eligible
18 for the journey worker industrial electrician
19 examination, an applicant shall be at least eighteen
20 years of age and shall provide satisfactory evidence
21 of:



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

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

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

14 (c) Effective July 1, 2015, an applicant for licensing
15 pursuant to this chapter shall possess the following minimum
16 qualifications:

17 (1) Journey worker plumber air conditioning and
18 refrigeration pipefitter: To be eligible for the
19 journey worker plumber air conditioning and
20 refrigeration pipefitter examination, an applicant
21 shall be not less than eighteen years of age and shall
22 provide satisfactory evidence of experience of at



1 least five years of full-time or its equivalent, but
2 not less than ten thousand hours, under the direct
3 supervision of a journey worker plumber air
4 conditioning and refrigeration pipefitter or master
5 plumber with a journey worker plumber air conditioning
6 and refrigeration pipefitter license;

7 (2) Journey worker plumber fire sprinkler pipefitter: To
8 be eligible for the journey worker plumber fire
9 sprinkler pipefitter examination, an applicant shall
10 be not less than eighteen years of age and shall
11 provide satisfactory evidence of experience of at
12 least five years of full-time or its equivalent, but
13 not less than ten thousand hours, under the direct
14 supervision of a journey worker plumber fire sprinkler
15 pipefitter or master plumber with a journey worker
16 plumber fire sprinkler pipefitter license;

17 (3) Journey worker plumber air conditioning and
18 refrigeration pipefitter: To be eligible for the
19 journey worker plumber examination, an applicant shall
20 first acquire a journey worker plumber air
21 conditioning and refrigeration pipefitter license, and
22 provide satisfactory evidence of experience of not



1 less than five thousand hours under the direct
2 supervision of a journey worker plumber or master
3 plumber;

4 (4) Journey worker plumber fire sprinkler pipefitter: To
5 be eligible for the journey worker plumber
6 examination, an applicant shall first acquire a
7 journey worker plumber fire sprinkler pipefitter
8 license and provide satisfactory evidence of
9 experience of not less than five thousand hours under
10 the direct supervision of a journey worker plumber or
11 master plumber;

12 (5) Journey worker plumber air conditioning and
13 refrigeration pipefitter: To be eligible for the
14 journey worker plumber fire sprinkler pipefitter
15 examination, an applicant shall first acquire a
16 journey worker plumber air conditioning pipefitter
17 license and provide satisfactory evidence of
18 experience of not less than five thousand hours under
19 the direct supervision of a journey worker plumber
20 fire sprinkler pipefitter or master plumber with a
21 journey worker plumber fire sprinkler pipefitter
22 license;



- 1 (6) Journey worker plumber fire sprinkler pipefitter: To
2 be eligible for the journey worker plumber air
3 conditioning and refrigeration pipefitter examination,
4 an applicant shall first acquire a journey worker
5 plumber fire sprinkler pipefitter license and provide
6 satisfactory evidence of experience of not less than
7 five thousand hours under the direct supervision of a
8 journey worker plumber air conditioning and
9 refrigeration pipefitter or master plumber with a
10 journey worker plumber air conditioning and
11 refrigeration pipefitter license;
- 12 (7) Journey worker plumber: To be eligible for the
13 journey worker plumber air conditioning and
14 refrigeration pipefitter examination, an applicant
15 shall first acquire a journey worker plumber license
16 and provide satisfactory evidence of experience of not
17 less than five thousand hours under the direct
18 supervision of a journey worker plumber air
19 conditioning and refrigeration pipefitter or master
20 plumber with a journey worker plumber air conditioning
21 and refrigeration pipefitter license;



- 1 (8) Journey worker plumber: To be eligible for the
2 journey worker plumber fire sprinkler pipefitter
3 examination, an applicant shall first acquire a
4 journey worker plumber license and provide
5 satisfactory evidence of experience of not less than
6 five thousand hours under the direct supervision of a
7 journey worker plumber fire sprinkler pipefitter or
8 master plumber with a plumber fire sprinkler
9 pipefitter license; and
- 10 (9) Master plumber: To be eligible for the master plumber
11 examination, an applicant shall have been registered
12 with the board as a journey worker plumber for at
13 least two years and have obtained one or more of the
14 following: journey worker plumber air conditioning and
15 refrigeration pipefitter license and journey worker
16 plumber fire sprinkler pipefitter license."

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

19 "**§448E-8 Fees; renewals.** (a) Renewal fees shall be paid
20 to the board before July 1.

21 (b) Plumbers shall renew the license every three years
22 effective June 30, 2006 and shall pay all required fees. Prior



1 to the June 30, 2009 renewal of the license, and prior to every
2 license renewal thereafter, the applicant shall:

3 (1) Pay all required fees; and

4 (2) Meet the requirements prescribed in section 448E-8.5.

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

8 (1) Pay all required fees; and

9 (2) Meet the requirements prescribed in section 448E-8.5.

10 (d) Plumber air conditioning and refrigeration pipefitters
11 and plumber fire sprinkler pipefitters shall renew their license
12 every three years effective with the July 1, 2015, renewal;
13 provided that prior to the renewal of the license, the applicant
14 shall:

15 (1) Pay all required fees; and

16 (2) Meet the requirements prescribed in section 448E-8.5.

17 [~~d~~] (e) Failure, neglect, or refusal of any licensee to
18 pay the renewal fee or meet the requirements of section 448E-8.5
19 before the renewal date shall constitute a forfeiture of the
20 license. Any license so forfeited may be restored upon written
21 application within one year from the date of forfeiture, upon



1 payment of the required renewal fee plus penalty fees and upon
2 meeting the requirements in section 448E-8.5."

3 SECTION 8. Section 448E-8.5, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "§448E-8.5 Continued competency; license renewals. (a)

6 Prior to each license renewal, all licensed electricians except
7 maintenance electricians shall:

8 (1) Furnish the board with proof of attendance at an
9 educational course related to current updates of the
10 National Electrical Code conducted or approved by the
11 community colleges; or

12 (2) Successfully complete an examination prescribed by the
13 board on current updates to the National Electrical
14 Code. The board shall contract with a professional
15 testing agency to prepare, administer, and grade the
16 examination. Fees related to the examination shall be
17 paid by the licensee directly to the professional
18 testing agency.

19 (b) Prior to each license renewal, all licensed plumbers
20 shall:

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



1 Uniform Plumbing Code conducted or approved by the
2 community colleges; or

3 (2) Successfully complete an examination prescribed by the
4 board on current updates to the Uniform Plumbing Code.
5 The 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) Prior to each license renewal, effective June 30,
11 2018, all licensed master plumbers, journey worker plumbers,
12 journey worker air conditioning and refrigeration pipefitters,
13 and journey worker plumber fire sprinkler pipefitters shall:

14 (1) Furnish the board with proof of attendance at an
15 educational course related to current updates to the
16 applicable code, such as the Uniform Plumbing Code,
17 Uniform Mechanical Code, and the National Fire
18 Prevention Association 13 conducted or approved by the
19 community colleges; or

20 (2) Successfully complete an examination prescribed by the
21 board on current updates to the applicable code, such
22 as the Uniform Plumbing Code, Uniform Mechanical Code,



1 and the National Fire Prevention Association 13. The
2 board shall contract with a professional testing
3 agency to prepare, administer, and grade the
4 examination. A licensee shall pay all fees related to
5 the examination directly to the professional testing
6 agency.

7 ~~[(e)]~~ (d) A licensee who has been issued a new license
8 within one year of the renewal date shall not be required to
9 take the course or the examination to renew the licensee's
10 license."

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

13 "(a) No person shall act or assume to act as a journey
14 worker electrician, journey worker specialty electrician,
15 supervising electrician, supervising specialty electrician,
16 journey worker plumber, master plumber, maintenance electrician,
17 journey worker industrial electrician, ~~[e]~~ supervising
18 industrial electrician, journey worker plumber air conditioning
19 and refrigeration pipefitter, or journey worker plumber fire
20 sprinkler pipefitter, or advertise or hold the person's self out
21 as an electrician ~~[e]~~, plumber, plumber air conditioning and
22 refrigeration pipefitter, or plumber fire sprinkler pipefitter,



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

10 For purposes of this subsection:

11 "Electrician" means any person who performs electrical work
12 and includes but is not limited to any person who acts as a
13 journey worker electrician, journey worker specialty
14 electrician, supervising electrician, supervising specialty
15 electrician, maintenance electrician, journey worker industrial
16 electrician, or supervising industrial electrician.

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

20 "Plumber air conditioning and refrigeration pipefitter"
21 means any person who performs air conditioning and refrigeration
22 pipefitting work.



1 "Plumber fire sprinkler pipefitter" means any person who
2 performs fire sprinkler pipefitter work."

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

5 "~~§~~448E-11 **Injunction.** The board may, in addition to any
6 other remedy available, apply to a circuit court judge for a
7 temporary restraining order or preliminary or permanent
8 injunction restraining any person from acting, or assuming to
9 act, as a journey worker electrician, journey worker specialty
10 electrician, supervising electrician, supervising specialty
11 electrician, maintenance electrician, journey worker industrial
12 electrician, supervising industrial electrician, journey worker
13 plumber, [ø] master plumber, plumber air conditioning and
14 refrigeration pipefitter, or plumber fire sprinkler pipefitter
15 without a license previously obtained in compliance with this
16 chapter and the rules of the board, and upon hearing and for
17 cause shown, the judge may grant the temporary restraining order
18 or preliminary or permanent injunction."

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

21 "[+]§448E-12[+] **Inspections.** Nothing in this chapter
22 should deprive the several counties of the right to perform



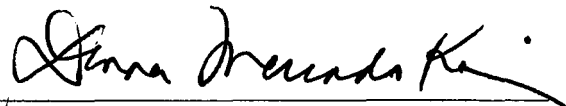
1 electrical or plumbing inspections, or inspections relating to
2 plumber air conditioning and refrigeration pipefitters and
3 plumber fire sprinkler pipefitters, as regulated by their
4 respective ordinances."

5 SECTION 12. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

7 SECTION 13. This Act shall take effect on July 1, 2015.

8

INTRODUCED BY:



BY REQUEST



S.B. NO. 1301

Report Title:

Electricians and Plumbers; Plumber Air Conditioning and Refrigeration Pipefitters; Plumber Fire Sprinkler Pipefitters; Master Plumbers

Description:

Authorizes the board of electricians and plumbers to regulate plumber air conditioning and refrigeration pipefitters and plumber fire sprinkler pipefitters. Redefines "master plumber." Excludes certain work from the owner-builder licensing exemption. Increases the percentage of licensed individuals on a job necessary to perform certain work. Effective 07/01/2015.

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

