

**SENATE . . . . . No. 1538**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Nine**  
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An Act relative to modernizing the requirements for electrical trade practice..

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. {Licensing and supervision of electricians, etc.}

2 Chapter 141 of the General Laws, as appearing in the 2000 Official Edition, is hereby  
3 amended by striking out the chapter in its entirety and inserting in place thereof the following  
4 new chapter:

5 CHAPTER 141

6 LICENSING AND SUPERVISION OF ELECTRICIANS, TECHNICIANS AND  
7 APPRENTICES WHO INSTALL ELECTRICAL, SECURITY, FIRE,  
8 TELECOMMUNICATIONS AND ANY INHERENTLY POWER LIMITED SYSTEMS.

9 Section 1. {Definitions.}

10 The following words used in this chapter or in any rules and regulations promulgated by  
11 the examiners in accordance with the provisions of chapter thirty A, unless the context otherwise  
12 requires, shall have the following meaning.

13           “Apprentice,” a person who, not having been licensed under the provisions of this  
14 chapter, is learning to properly perform electrical work and who works under the supervision of  
15 an appropriately licensed person, and who installs, makes repairs, tests or maintains wires,  
16 conductors, cables, raceways, apparatus, devices, fixtures, or other appliances used for heat,  
17 light, power, fire warning, security, telecommunications or any system purposes.

18           “Data Transmission,” the movement of digitized information between local or distant  
19 points with or without connecting wires.

20           “Electrical Business,” is a private business corporation, partnership, firm, unincorporated  
21 association, sole proprietorship or other legal entity engaging or proposing to engage in gainful  
22 economic activity regulated by this chapter whether or not the principal focus of such activity  
23 involves electrical work as defined herein.

24           “Electrical Work,” the installation, testing, repair, or maintenance of conductors, cables,  
25 raceways, apparatus, devices, fixtures, or other appliances used for heat, light, or power  
26 functions, or for fire warning, security, or signaling, telecommunications or comparable power  
27 limited functions where such wiring is permanently connected to a source of electricity or that is  
28 permanently controlled through the use of electrical signals, including optical fiber cables.

29           “Examiners,” the board of state examiners of electricians, technicians and related  
30 occupations as constituted under the provisions of section thirty-two of chapter thirteen and  
31 operating within the division of professional licensure as provided under section eight of said  
32 chapter thirteen.

33           “Fire Warning System,” an inherently power limited system of conductors, cables,  
34 raceways, apparatus, devices, fixtures, components or other appliances installed and

35 interconnected electrically or electronically for the detection of heat, smoke, or products of  
36 combustion, or for the transmission of signals or audible alarms.

37 “Inactive,” a status of licensure prohibiting an individual licensed under this chapter from  
38 engaging or proposing to engage in electrical work within the commonwealth.

39 “Inherently Non-Power Limited System,” an assembly requiring overcurrent protection  
40 supplied in the field due to design and construction.

41 “Inherently Power Limited System,” an assembly requiring no overcurrent protection  
42 supplied in the field due to design and construction.

43 “Journeyman Electrician,” a person qualified to do electrical work.

44 “Licensee,” a person duly licensed by the examiners under the provisions of this chapter.

45 “Limited Contractor,” a person or business entity having a principal place of business and  
46 possessing a limited contractor (LC) certificate as provided in the seventh clause of the sixth  
47 section of this chapter.

48 “Limited Technician,” a person qualified to do the work of limited technical expertise as  
49 provided in the eighth clause of the sixth section of this chapter.

50 “Master Electrical Contractor,” a person or business entity having or qualified to have a  
51 principal place of business and possessing a certificate A as provided in the first clause of the  
52 sixth section of this chapter.

53 “Person,” an individual.

54           “Premises Wiring,” the interior and exterior conductors, cables, raceways, apparatus,  
55 devices, fixtures, or other appliances used for heat, light, power, fire warning, security, or  
56 signaling, telecommunications or comparable power limited system wiring, both permanently  
57 and temporarily installed, that extend from the service point or source of power, such as a  
58 battery, a solar photovoltaic system, fuel cell, or a generator, transformer, or converter windings,  
59 to the termination of wiring fastened in place, or to the termination of wiring permanently  
60 installed for the purposes described in this chapter or included in section three L of chapter one  
61 hundred forty-three. Such wiring includes optical fiber cables, but does not include wiring  
62 internal to appliances, luminaires (fixtures), motors, controllers, motor control centers, and  
63 similar equipment.

64           “Principal Place of Business,” the location where business records are kept and  
65 maintained.

66           “Qualified Employer,” a person, corporation, or other business entity licensed by the  
67 examiners under this chapter that regularly employs journeyman electricians, system technicians,  
68 telecommunications technicians, or persons with limited certificates for the purpose of  
69 performing electrical work, or an entity not licensed under this chapter that employs such  
70 persons to perform electrical work exclusively on the premises of said entity under the provisions  
71 of section fourteen of this chapter.

72           “Qualifying Officer,” the responsible individual who is an officer of a corporation or  
73 other business entity, or a designated senior employee of a qualified employer, and who is the  
74 current holder of a master electrical contractor certificate, or systems contractor certificate or

75 telecommunications contractor certificate or limited contractor certificate issued by the  
76 examiners.

77 “Security System,” an inherently power limited premises wiring system of that is  
78 permanently controlled through the use of electrical signals, and that is installed and  
79 interconnected electrically or electronically to permit access control, proprietary signaling,  
80 surveillance and the detection of burglary, intrusion, holdup, or other conditions requiring  
81 response or the transmission of signals or audible alarms.

82 “Senior Citizen,” a person 70 years of age or older.

83 “Service Point,” the point of connection between the facilities of a municipal electric  
84 plant, or an electric company as defined in section one of chapter one hundred sixty-four, or a  
85 gas company authorized to make or sell electricity, and the premises wiring.

86 “Sound Transmission,” the movement of audible information, including but not limited to  
87 music or speech, between local or distant points and generally for broadcast over a defined area  
88 with or without connecting wires

89 “Supervision,” direct, personal, on-site guidance and control of one person by another.

90 “System,” a fire warning, security, telecommunications or any other inherently power  
91 limited system, including associated conductors, raceways, apparatus, devices, fixtures or other  
92 appliances, installed as part of the premises wiring of a building or property and that is  
93 permanently connected to a source of electricity or that is permanently controlled through the use  
94 of electrical signals.

95           “Systems Contractor,” a person or business entity having a principal place of business  
96 and possessing a certificate C as provided in the third clause of the sixth section of this chapter.

97           “Systems Technician,” a person qualified to do the work of installing, repairing, testing  
98 or maintaining inherently power limited systems.

99           “Telecommunications”, the transmission, emission, or reception of signs, signals,  
100 writings, images and sounds, or information of any nature by electromagnetic systems, including  
101 but not limited to wires, optical fiber cables, or radio or video broadcast.

102           “Telecommunications Contractor,” a person or business entity having a principal place of  
103 business and possessing a certificate TC as provided in the fifth clause of the sixth section of this  
104 chapter.

105           “Telecommunications System,” an inherently power limited system that is permanently  
106 connected to a source of electricity or that is permanently controlled through the use of electrical  
107 signals, including optical fiber cables and that is interconnected electrically, electronically, or  
108 photo-electronically or by wireless radio frequency for the transmission of intelligence by  
109 electricity, including sound, video, and data transmission.

110           “Telecommunications Technician,” a person qualified to do the work of installing,  
111 repairing, testing or maintaining telecommunications systems..

112           “Telephony,” the movement of sounds and especially speech between local or distant  
113 points with or without connecting wires.

114           “Video Transmission,” the movement of images between local or distant points with or  
115 without connecting wires

116 Section 2. {Electricians; licensure requirement; exceptions.}

117 No person or business, or officer, employee, representative or member thereof shall  
118 solicit for, bid for, advertise, enter into, engage in or work in the electrical business, or perform  
119 electrical work, unless such person or business, or officer, employee representative or member  
120 thereof has been licensed, or recognized as an apprentice, under the provisions of this chapter.  
121 Nothing in this chapter shall be construed to prevent or affect the practice of architecture or  
122 engineering by any person so authorized under the provisions of chapter one hundred twelve.  
123 With respect to security systems, any such business, including all employees or representatives  
124 thereof, shall be licensed by the commissioner of public safety to the extent required by the  
125 provisions of sections fifty-seven to sixty-one, inclusive, of chapter one hundred forty-seven.

126 The licensing provisions of this chapter shall not apply to any person or business entity  
127 who employs licensed persons to perform electrical work under the provisions of section  
128 fourteen of this chapter, or to any person or business entity who contracts for the services of a  
129 person, corporation, or other business entity duly licensed under this chapter. This chapter also  
130 shall not apply to an employee of an electrical business who does not engage in or perform  
131 electrical work.

132 Section 3. {State examiners; rules; examinations; committees; education and work  
133 experience.}

134 The examiners may make, adopt, amend, repeal, and enforce necessary rules and  
135 regulations consistent with law and promulgated in accordance with the provisions of chapter  
136 thirty A for the proper performance of its duties, to assure that apprentices are properly  
137 supervised and their work experience duly credited, and to assure that individuals licensed or to

138 be licensed under the provisions of this chapter obtain and maintain the skills required at the time  
139 of examination. The examiners may establish advisory committees for the electrical, systems,  
140 and telecommunications industries and other committees the examiners deem necessary for the  
141 performance of their duties.

142           At reasonable intervals the examiners shall administer examinations in convenient places  
143 within the commonwealth or outside the commonwealth, and shall give public notice of the  
144 times and places for such examinations. The examiners shall issue certificates for, and by  
145 regulation establish for its licensees, educational providers, inspectors and apprentices an  
146 accredited program of education and may adopt an accredited program of education that is  
147 consistent with nationally recognized education, training, and curriculum standards. The  
148 examiners shall establish procedures and standards under which such education and the work  
149 experience of a licensee or apprentice may be applied as credit towards requirements in a  
150 different form of licensure.

151           Records of meetings of the examiners shall be open for inspection upon reasonable  
152 request, and they shall have printed annually a manual of their regulations. The examiners shall  
153 make biennial reports of their doings in each odd numbered year. The examiners may employ  
154 counsel to aid in the enforcement, prosecution and administration of this chapter, and the  
155 compensation and expenses therefor shall be paid from the funds of the division of professional  
156 licensure. Such counsel shall be used exclusively for purposes of furthering the goals and  
157 objectives of this chapter.

158           Section 4. {Examinations; credit to veterans.}



159           The examiners shall establish uniform requirements for all towns in the conduct of  
160 examinations, which may be revised from time to time, as circumstances require. The examiners  
161 shall approve the form and content of all examinations and shall establish passing scores. In  
162 establishing such passing scores, the examiners shall grant a credit of five per cent to each part of  
163 the examination of each applicant who is a veteran as defined in clause forty-three of section  
164 seven of chapter four. Examinations may be conducted in writing or electronically. Reasonable  
165 and necessary accommodations shall be made for all applicants requiring such considerations, if  
166 required by law. Examinations may be supervised by one or more members of the examiners or  
167 agents of the examiners, and no license shall be granted or passing score awarded without the  
168 sanction of the examiners.

169           Section 5. {Electricians, Contractors, and Technicians licensed in other states; reciprocal  
170 licensure without examination; fees.}

171           The examiners may issue a license without examination to any person who has paid the  
172 fee established for this purpose and who has been licensed as an electrician, contractor,  
173 technician or apprentice in another state under laws which, in the opinion of the examiners,  
174 establish standards substantially the same as those established by the examiners under this  
175 chapter.

176           Section 6. {Forms of and general provisions relating to examinations, licenses,  
177 certificates, records, manual of regulations, and registration.}

178           The following forms of license shall be issued by the Examiners: certificate A, known as  
179 a master electrical contractor's license; certificate B, known as a journeyman electrician's  
180 license; certificate C, known as a systems contractor's license; certificate D, known as a systems

181 technician's license; certificate TC, known as a telecommunications contractor's license;  
182 certificate TT, known as a telecommunications technician's license, certificate LC, known as a  
183 limited contractor license and; certificate L, known as a limited certificate. No person shall  
184 possess more than one license or certificate for any given certificate classification established  
185 under this section, and a holder of a certificate A, certificate C, certificate TC, or certificate LC  
186 who becomes the qualifying officer of a business entity shall surrender said license at that time,  
187 whereupon a new license shall be issued in the name of both the qualifying officer and of the  
188 business entity.

189 (1) A certificate A shall be issued to any person, or to a business entity with a qualifying  
190 officer, that is engaged in, about to engage in, or who is qualified to engage in the electrical  
191 business; provided, however, that such person or qualifying officer shall have qualified to sit for  
192 and passed an examination by the examiners for such a license, and who, at the time of  
193 application for examination, shall have been a holder in good standing of a current certificate B  
194 license for a minimum of twelve months; or who shall have qualified under section five of this  
195 chapter. A holder of a certificate A license shall additionally maintain in good standing a  
196 certificate B license if said holder elects to perform electrical work as defined in section one.

197 (2) A certificate B shall be issued to any person who shall have qualified to sit for and  
198 passed the examination established by the examiners for such a license or who shall have  
199 qualified under section five of this chapter. The certificate shall bear the name of such person as  
200 an individual, who shall thereby be authorized to engage in the occupation of journeyman  
201 electrician and to perform electrical work as defined in section one.

202 (3) A certificate C shall be issued to any person or to a business entity with a qualifying  
203 officer that is engaged in, about to engage in, or who is qualified to engage in the system portion  
204 of the electrical business as defined in section one; provided, however, that such person or  
205 qualifying officer shall have qualified to sit for and passed an examination by the examiners for  
206 such a license, and who, at the time of application for examination, shall have been a holder in  
207 good standing of a current certificate D license for a minimum of twelve months; or who shall  
208 have qualified under section five of this chapter. A holder of a certificate C license shall  
209 additionally maintain in good standing a certificate D license if said holder elects to perform the  
210 work of installing, repairing, testing, and maintaining inherently power limited systems installed  
211 as part of premises wiring.

212 (4) A certificate D shall be issued to any person who shall have qualified to sit for and  
213 passed the examination established by the examiners for such a license or who shall have  
214 qualified under section five of this chapter. The certificate shall bear the name of the person as an  
215 individual, who shall thereby be authorized to engage in the occupation of systems technician  
216 and to perform the work of installing, repairing, testing, and maintaining inherently power  
217 limited systems installed as part of premises wiring.

218 (5) A certificate TC shall be issued to any person or to a business entity with a qualifying  
219 officer that is engaged in about to engage in, or who is qualified to engage in the  
220 telecommunication systems portion of the electrical business as defined in section one; provided,  
221 however, that such person or qualifying officer shall have qualified to sit for and passed an  
222 examination by the examiners for such a license and who, at the time of application for  
223 examination, shall have been a holder in good standing of a current certificate TT license for a  
224 minimum of twelve months; or who shall have qualified under section five of this chapter. A

225 holder of a certificate TC license shall additionally maintain in good standing a certificate TT  
226 license if said holder elects to perform the work of installing, repairing, testing, and maintaining  
227 telecommunications systems.

228 (6) Certificate TT shall be issued to a person who shall have qualified to sit for and  
229 passed the examination established by the examiners for such a license or who shall have  
230 qualified under section five of this chapter. The certificate shall bear the name of such person as  
231 an individual, who shall thereby be authorized to engage in the occupation of  
232 telecommunications technician and to perform the work of the work of installing, repairing,  
233 testing or maintaining telecommunications systems.

234 (7) A limited contractor (LC) certificate shall be issued to any person or to a business  
235 entity with a qualifying officer that is engaged in, about to engage in, or who is qualified to  
236 engage in the electrical business, but limited in its activity to one or more areas of technical  
237 expertise as described in section nine of this chapter; provided, however, that such person or  
238 qualifying officer shall have qualified to sit for and passed an examination by the examiners for  
239 such license, and who, at the time of application for examination, shall have been a holder in  
240 good standing of a current certificate L license in the same areas of technical expertise for a  
241 minimum of twelve months, or who shall have qualified under section five of this chapter. A  
242 holder of a certificate LC license shall additionally maintain in good standing a certificate L  
243 license if said holder elects to perform the work in said specific area of expertise.

244 (8) A limited category (LT) certificate shall be issued to any persons who document to  
245 the satisfaction of the examiners their education and work experience in the specific area of  
246 technical expertise as described in section nine of this chapter. The examiners may require such

247 expertise to be proven by examination, or may qualify said applicant under section five of this  
248 chapter. The certificate shall bear the name of such person as an individual, who shall thereby be  
249 authorized to perform the work in said specific area of expertise.

250 (9) Each certificate A, C, TC, and LC shall bear the name of the person, or the name of  
251 the qualifying officer and the name of the business entity, which shall thereupon be authorized,  
252 in its own name, to solicit for, bid for, advertise, enter upon or engage in the electrical business  
253 to the extent permitted by this chapter and to direct the actions of electricians, technicians, or  
254 apprentices in the actual performance of its electrical work.

255 (10) Notwithstanding the provisions of any general or special law to the contrary,  
256 nothing shall be construed to prevent or to affect the practice of designing or preparing plans,  
257 specifications, shop drawings or as-built drawings by any person or business who is a valid  
258 certificate holder, without requiring the seal of registration of an architect or professional  
259 engineer, for electrical work to be installed or being installed by the same person or business  
260 preparing such plans, specifications, shop drawings or as-built drawings.

261 (11) All certificates issued under this chapter shall expire every third year on a day that is  
262 uniform within each class of certificate issued. Each certificate may be renewed by the same  
263 person without further examination, upon application and payment of the established fee. The  
264 examiners may require evidence of continuing education on the part of the licensee prior to  
265 renewing a license without further examination and may establish fees in connection with the  
266 administration of such educational programs. In the case of failure to renew a license as required  
267 by this chapter on or before its expiration, the person or business named therein, upon payment  
268 of said fee, increased by such additional fees as would have been payable had such license been

269 timely renewed, may receive a deferred renewal thereof which shall expire on the third  
270 anniversary date as indicated in this section; provided, however, that such renewed license shall  
271 not retroactively make its holder a licensee for any period preceding its issue; and at the  
272 discretion of the examiners such applicant may be required to be re-examined prior to renewal in  
273 the event said application for renewal is not received by the examiners until after the close of an  
274 entire subsequent renewal cycle.

275 (12) The examiners may, upon application therefor and the payment of a reduced fee,  
276 reclassify the license status of an out-of-state licensee or a senior citizen to “inactive”.

277 (13) The examiners shall furnish holders of certificates issued pursuant to this chapter  
278 with evidence of licensure, in the form of a card or otherwise. Certificates B, D, TT, and L shall  
279 be carried on the person of the licensee and exhibited upon request.

280 (14) Any person wishing to be examined shall make written application thereof,  
281 accompanied by the appropriate examination fee. A person passing the examination for any  
282 license issued by the examiners shall pay the appropriate fee prior to the issuance of such license.  
283 An applicant failing to pass the examination shall be entitled to additional examinations under  
284 such conditions as the examiners may establish, but a new application shall be made for each  
285 such examination, and the applicant shall pay the fee established for such subsequent  
286 examinations.

287 (15) Any certificate expiring while the holder thereof is in the military service of the  
288 United States shall, upon application and payment of the appropriate fee, be renewed without  
289 further examination at any time within 4 months after such person’s discharge from such service.

290 (16) Examination papers and applications for certificates shall be preserved for at least  
291 two years, after which they may, at the discretion of the examiners, be destroyed.

292 (17) Upon application, the examiners shall have the authority to review the specific  
293 vocational and educational experience of any applicant for licensure and to determine whether  
294 said applicant substantially meets the qualifications established in this section and is thereby  
295 eligible to sit for the examination required for such licensure.

296 (18) Holders of certificate B may engage in the electrical business, as defined in section  
297 one of this chapter, to the same extent as holders of certificate A as defined in the first clause of  
298 this section. No holder of a certificate B shall employ another holder of said certificate B, or  
299 employ or supervise more than one apprentice as defined in section one of this chapter, or  
300 engage in the electrical business under any other name than the one on the certificate issued  
301 pursuant to the second clause of this section.

302 Section 7. {Apprentices.}

303 The following certificates shall be issued by the examiners to persons learning to perform  
304 electrical work, and intending to apply for licensure under this chapter: certificate JA, known as  
305 electrician's apprentice certificate; certificate SA, known as systems technician's apprentice  
306 certificate; certificate TA, known as telecommunications technician apprentice certificate. These  
307 certificates, in card form or otherwise, shall be issued upon payment of a fee to any person who  
308 qualifies as an apprentice under regulations established by the examiners. Certificates JA, SA,  
309 and or TA shall expire and shall be renewable upon the same conditions set forth in the eleventh  
310 clause of the sixth section of this chapter. The certificate shall specify the name of the person

311 who thereby shall be authorized to work as an apprentice as herein defined. Certificates shall be  
312 carried on the person of the apprentice and exhibited on request.

313 A holder of a certificate A, certificate C, certificate TC, or an employer of persons  
314 holding certificate B, certificate D, or certificate TT pursuant to section fourteen of this chapter,  
315 shall maintain written records of the type and duration of electrical work performed by an  
316 apprentice possessing a certificate issued under this section upon due notice of such certification.  
317 Such records shall be in a form approved by the examiners, and shall be countersigned by the  
318 supervising electrician or technician under the pains and penalties of perjury. The examiners may  
319 limit the number of apprentices authorized under this section to work under the supervision of a  
320 journeyman electrician, systems technician or telecommunications technician as the case may be.

321 Section 8. {Display certificates.}

322 No holder of a certificate A, certificate C, certificate TC, or certificate LC shall engage in  
323 any aspect of the electrical business in other than their own name without first obtaining from the  
324 examiners a certificate suitable for public display which shall specify the names of the  
325 responsible qualifying officer, other principal officers of the business entity, the type of  
326 certificate granted, and any endorsements as described in section nine of this chapter. Such  
327 certificates shall be displayed in a conspicuous place at the principal place of business.

328 Each display certificate shall expire consistent with the provisions set forth in the  
329 eleventh clause of the sixth section of this chapter, but may be renewed by the licensee or by a  
330 principal officer of such business upon application and payment of a fee. In the case of failure to  
331 renew a certificate before its expiration, the licensee or principal officer, upon payment of said  
332 renewal fee increased by such additional fees as would have been payable had such certificate



333 been timely renewed, may receive a deferred renewal which shall expire as set forth in the  
334 eleventh clause of the sixth section of this chapter, provided however that such renewed  
335 certificate shall not retroactively make its holder eligible to engage in the electrical business for  
336 any period preceding its issue.

337 Section 9. {Limited Contractor's and Limited Technician's certificates.}

338 Limited Technician's (LT) and Limited Contractor's (LC) certificates shall be issued by  
339 the examiners to authorize the performance of electrical work and the engagement in the  
340 electrical business in particular areas of technical expertise. These certificates shall be issued in  
341 one of three subject categories as provided in this section. The examiners shall limit the  
342 applicability of said certificates to one or more specific portions of premises wiring based on the  
343 training and experience required of the certificate holders. The examiners may consider other  
344 areas of comparable technical interest and skill, and qualify them for inclusion in one of said  
345 categories as the public safety and convenience may from time to time require. Each certificate  
346 issued shall indicate both the pertinent subject category and the specific area of technical  
347 expertise as so endorsed by the examiners.

348 (1) Category 1 shall be known as a Non Power Limited certificate. A holder of this  
349 certificate shall, with specific endorsements authorized by the examiners, be entitled to install,  
350 test, repair, and maintain one or more of the following: water pumps, signs, traffic signals,  
351 replacement air conditioning units, replacement boilers and furnaces, theatrical stage lighting,  
352 lightning protection, and landscape lighting systems.

353 (2) Category 2 shall be known as a Power Limited certificate. A holder of this certificate  
354 shall, with specific endorsements authorized by the examiners, be entitled to install, test, repair,

355 and maintain one or more of the following: garage door opener controls, central vacuum system  
356 controls, sound or video systems, electric fence systems, data transmission systems, voice  
357 transmission systems and, lawn irrigation controls, landscape lighting, provided in all cases,  
358 however, that the systems to be installed, tested, repaired, and maintained qualify as inherently  
359 power limited systems as defined in section one of this chapter.

360 (3) Category 3 shall be known as a Power Limited Testing certificate. A holder of this  
361 certificate shall, with specific endorsements authorized by the examiners, be entitled to test one  
362 or more of the following: fire warning systems, sprinkler alarm systems.

363 Limited Contractor's and Limited Technician's certificates shall be issued to a person  
364 engaged in the occupation as defined in this section upon submission of documentation  
365 satisfactory to the examiners evidencing appropriate education and work experience in the  
366 specific category and endorsement of certification. This section shall not be construed to limit  
367 the authority of holders of certificates A, C, and TC to engage in the electrical business, nor to  
368 limit the authority of holders of certificates B, D, and TT to perform electrical work, to the extent  
369 authorized by their certificates whether or not such activity is otherwise eligible for licensure  
370 under this section.

371 Section 10. {Certificates not transferable may be suspended or revoked.}

372 No certificate issued under this chapter shall be assigned or transferred. Such certificates  
373 authorizing performance of electrical work and engagement in the electrical business issued  
374 under this chapter may be suspended or revoked by the examiners, following notice to the  
375 licensee and opportunity to be heard, upon the licensee's failure or refusal to comply with the  
376 rules and requirements of the examiners, or for other sufficient cause.

377 Section 11. {Engagement in business or work without complying with statute;  
378 enforcement.}

379 Any person or business, or employee thereof, and any representative, member or officer  
380 of such business, or any apprentice acting individually, who solicits for, bids for, advertises for,  
381 enters upon, or engages in, or is about to engage in the respective business or occupation as  
382 described herein, or who causes or permits his agents, servants or employees to solicit for, bid  
383 for, advertise, enter or engage in such business or occupation, without first having fully complied  
384 with this chapter, shall be punished by a fine of not less than 500 dollars nor more than 5,000  
385 dollars or by imprisonment in the house of correction for 6 months, or both. The examiners and  
386 the inspectors of wires in each city and town, as defined in section thirty-two of chapter one  
387 hundred sixty-six, shall be charged with the enforcement of this chapter. The examiners or their  
388 agents and the inspectors of wires shall have the necessary powers to require compliance  
389 therewith, including the power to institute and prosecute proceedings in the superior court  
390 department of the trial court. The examiners or their agents, when so delegated, shall have the  
391 power to pursue the administrative remedies for improper trade practice set forth in section sixty-  
392 one and section sixty-five et seq. of chapter one hundred twelve.

393 The examiners or their agents and the inspectors of wires shall have the authority to enter  
394 at any reasonable hour any building or other premises to make inspection or investigation  
395 pursuant to this chapter, without being held or deemed to be guilty of trespass.

396 Section 12. Liability for work of employee.

397 No person or holder of a certificate A, certificate C, certificate TC, or certificate LC shall  
398 be liable for work done by his or her or its employees, unless it appears that such work was done  
399 with his or her or its knowledge or consent or by his or her or its authorization.

400 Section 13. Non-applicability of chapter.

401 This chapter shall not apply to: persons installing, repairing, and wiring elevators;  
402 persons working in connection with the erection, construction, maintenance or repair of lines for  
403 transmission of electricity from the source of supply to and including the service point for the  
404 premises, and including facilities used for the purpose of metering, generation, control,  
405 transformation, or distribution of electric energy if used by and under the exclusive control of  
406 municipal electric plants, by electric companies as defined in section one of chapter one hundred  
407 and sixty-four, by gas companies authorized to make or sell electricity, by electric street railway  
408 companies, or by electric railroad companies or by railroad companies, provided also that such  
409 facilities are within public ways, or are located on property owned or leased by such companies  
410 or within areas controlled by them through established rights or pursuant to regulations of or  
411 agreements recognized by the department of telecommunications and energy; employees of such  
412 plants or companies working on premises owned or controlled by them and used as an integral  
413 portion of a generating plant, substation, or control center; the employees of said municipal  
414 electric plants or of said electric or gas companies in installing, maintaining and repairing on the  
415 premises of customers metering or other equipment under the exclusive control of such  
416 companies; work under the control of said municipal electric plants or said electric or gas  
417 companies performed in connection with the lighting of public ways, alleys, private ways, or  
418 public parks, areas or squares; municipal employees engaged in the work of installing,  
419 maintaining or repairing public signaling systems used for fire warning notification or traffic

420 signaling systems; persons working for companies subject to regulation by the department of  
421 telecommunications and energy, and incorporated for the transmission of intelligence by  
422 electricity in installing, maintaining or repairing wires, apparatus, fixtures, or other appliances  
423 used by such companies and necessary for, or incident to, their business, whether or not such  
424 wires, raceways, apparatus, fixtures or other appliances are on its own premises; or employees  
425 working in connection with the installation, construction, maintenance, repair and renovation of  
426 telephone equipment, or cable television service subject to regulation by the department of  
427 telecommunications and energy; or persons installing or repairing a telecommunications system  
428 in a motor vehicle, as defined in section one of chapter ninety, or by employees of class 1 or  
429 class 2 licensees as defined under section fifty-eight of chapter one hundred forty.

430 Section 14. {Employers without a certificate; apprentices; theatrical companies }

431 A person licensed under this chapter to perform electrical work and regularly employed  
432 by a person or business who is not a holder of a certificate A, certificate C, certificate TC or  
433 certificate LC may install and or test such wiring, raceways, and appliances, or maintain or make  
434 such repairs as may be required; provided such electrical work occurs exclusively on the  
435 premises and property of such business, and provided such licensee is otherwise licensed to  
436 perform the electrical work in compliance with this chapter.

437 Electricians employed by theatrical companies and traveling carnivals may install  
438 temporary wiring and appliances required for the purpose of the engagement of any such  
439 company, subject to licensure under this chapter.

440 Section 15. {Penalty for misstatement. }

441 Any applicant for a certificate of licensure who makes any misstatement as to his or her  
442 experience or other qualifications, or any licensee, licensed in accordance with this chapter  
443 subscribing to, or vouching for, any such misstatements resulting in the issuance of a license  
444 shall be subject to the penalties set forth in section eleven. In addition, such licensee may be  
445 subject to the annulment of their license and the suspension or revocation of his or her right to  
446 engage in the occupation and or business as permitted under the terms of said licensure. Any  
447 licensee who knowingly misstates an applicant's work experience may be subject to the  
448 suspension or revocation of his or her license and his or her right to engage in the occupation and  
449 or business permitted under the terms of said license.

450 Section 16. Fees and fines collected under this chapter.

451 The fees established under this chapter shall be determined annually by the commissioner  
452 of administration under the provisions of section three B of chapter seven and subsections (b)  
453 and (c) of section thirty-five V of chapter ten. All fees collected under this chapter shall be paid  
454 to the commonwealth subject to the provisions of subsection (a) of section thirty-five V of  
455 chapter ten. All fines collected under this chapter shall be paid to the commonwealth subject to  
456 the provisions of section sixty-five D of chapter one hundred twelve.

457 SECTION 2. {Board of State Examiners of Electricians, Technicians, and Related  
458 Occupations}

459 Section 32 of chapter 13 of the General Laws, as appearing in the 2000 Official Edition,  
460 is hereby amended by striking out the section in its entirety and inserting in place thereof the  
461 following new section:

462 Section 32. {State examiners of electricians; board; membership; appointment; term;  
463 executive director; compensation and expenses.}

464 The state examiners of electricians, technicians, and related occupations, hereinafter  
465 called the examiners, shall consist of the state fire marshal, the associate commissioner for the  
466 division of occupational education in the department of education, ex officiiis, and ten persons to  
467 be appointed for terms of three years each by the governor. One of said appointees shall be a  
468 representative of the public, subject to the provisions of section nine B of this chapter, and one  
469 shall be a local wiring inspector who is an electrician licensed under chapter one hundred forty-  
470 one. Eight of said appointees shall be citizens of the commonwealth: one of whom shall be a  
471 master electrical contractor who holds a certificate A license issued under said chapter one  
472 hundred forty-one and has at least ten years experience as an employing master electrical  
473 contractor; one shall be a master electrical contractor who holds certificate A and certificate B  
474 licenses issued under chapter one hundred forty-one, and has at least ten years experience as a  
475 master electrical contractor qualified to engage in the electrical business; one shall be a  
476 journeyman electrician who holds a certificate B license issued under said chapter one hundred  
477 forty-one, is a wage earner and has at least ten years practical experience in the installation of  
478 wires and appliances for carrying electricity for light, heat, power, telecommunication, and  
479 systems purposes; one shall be a systems contractor who holds a certificate C license issued  
480 under said chapter one hundred forty-one, is actively engaged in the business of fire warning,  
481 security and any systems as his principal business and has at least 10 years as an employing  
482 systems contractor; one shall be a systems technician who holds a certificate D license issued  
483 under said chapter one hundred forty-one, is a wage earner and has at least ten years practical  
484 experience in the installation, repair and maintenance of systems; one shall be a

485 telecommunications contractor who holds a certificate TC license issued under said chapter one  
486 hundred forty-one, is actively engaged in the business of telecommunications systems and has at  
487 least ten years as an employing telecommunications contractor; one shall be a  
488 telecommunications system technician who holds a certificate TT license issued under said  
489 chapter one hundred forty-one, is a wage earner and has at least ten years practical experience in  
490 the installation, repair and maintenance of telecommunications systems for ten years prior to  
491 appointment; one shall be a representative of the New England Section of the International  
492 Municipal Signal Association who holds at least a level I competency certificate from said  
493 association, is a municipal employee and has at least ten years practical experience in the  
494 installation, repair, maintenance of fire warning or signaling systems. The state fire marshal shall  
495 be chairman. When the examiners decides matters regarding continuing education requirements  
496 and programs for its licensees, the examiners shall first consider the recommendations of a three-  
497 member subcommittee comprised of two of its members especially qualified to serve in the  
498 applicable area of expertise, and a third member appointed by the chair. The examiners shall  
499 appoint an executive director who shall be a wage earner, a citizen of the commonwealth and a  
500 current holder of a certificate A with a minimum of 10 years experience engaging in the business  
501 of electrical installations, and who shall be currently certified under the provisions of section  
502 thirty-two B of chapter one hundred sixty-six. The examiners may also appoint, subject to  
503 chapter thirty-one, such other clerical and technical assistants as may be necessary to discharge  
504 its duties under chapter one hundred forty-one and shall establish their responsibilities. The  
505 members, ex officiiis, shall receive no compensation for their services under chapter one hundred  
506 forty-one, but the appointive members shall each receive for their services there under a salary of  
507 seven hundred fifty dollars. The examiners may expend for the salaries of the appointive



508 members and of the secretary and other employees and for necessary traveling and other  
509 expenses for themselves and their employees such sums as are annually appropriated therefor.

510 SECTION 3: {Massachusetts Electrical Code; permits and inspection}

511 Section 3L of Chapter 143 of the General Laws, as appearing in the 2000 Official Edition  
512 is hereby amended by striking it out in its entirety and replacing it with the following new  
513 section 3L:

514 Section 3L. {Regulations relative to electrical wiring and fixtures; notice of electrical  
515 installation}

516 The board of fire prevention regulations shall make and promulgate, and from time to  
517 time may alter, amend and repeal, rules and regulations relative to the installation, repair and  
518 maintenance of electrical wiring that connects to a source of electricity and electrical wiring  
519 within or supplied from buildings and structures subject to the provisions of sections three to  
520 sixty, inclusive, and the state building code. Such regulations shall be in accordance with  
521 generally accepted standards of engineering practice, and shall be designed to provide reasonable  
522 requirements for safety in relation to life, fire and explosion. The rules and regulations governing  
523 electrical wiring shall be uniform throughout the commonwealth, and no city or town shall make,  
524 supplement, modify or delete any rule and regulation for said purpose.

525 Regulations adopted pursuant to this section shall not apply to electrical wiring and  
526 associated facilities used for the purpose of metering, generation, control, transformation, or  
527 distribution of electric energy if used by and under the exclusive control of municipal electric  
528 plants, by electric companies as defined in section one of chapter one hundred and sixty-four, by  
529 gas companies authorized to make or sell electricity, by electric street railway companies, or by

530 electric railroad companies or by railroad companies, provided also that such facilities are within  
531 public ways, or are located on property owned or leased by such companies or within areas  
532 controlled by them through established rights or pursuant to regulations of or agreements  
533 recognized by the department of telecommunications and energy; or to installations of  
534 communications wiring and equipment under the exclusive control of companies subject to  
535 regulation by the department of telecommunications and energy, and incorporated for the  
536 transmission of intelligence by electricity.

537         No person or business entity shall install any electrical wiring or equipment subject to  
538 this section without making application, including payment of any fee established therefor, for an  
539 electrical permit from the city or town in which the electrical installation is to be performed. The  
540 application shall be filed before or within five days of commencing work. Said permit  
541 application shall be on a form prepared by the board, which shall be accepted without additions  
542 or modifications by all cities and towns in the commonwealth, and shall be transmitted by any of  
543 the following methods: 1) electronically if acceptable to the city or town, or 2) by mail, or 3) in  
544 person, to the inspector of wires appointed pursuant to the provisions of section thirty-two of  
545 chapter one hundred sixty-six, or an agent thereof. A permit application so transmitted shall be  
546 considered to have been validly submitted, and shall not be denied for any reason other than an  
547 incomplete application, the lack of the appropriate fee, or if otherwise provided by law. Any  
548 person or business entity failing to make such application shall be punished by a fine not  
549 exceeding five hundred dollars.

550         Any person or business entity installing electrical wiring subject to this section shall  
551 notify the inspector of wires upon the completion of the work. Within time limits established by  
552 the board, the inspector of wires shall inspect such work and thereupon give notice of his

553 approval or disapproval of said work, which may be oral or in writing. A notice of disapproval  
554 shall contain specifications of the part of the work disapproved, together with a reference to the  
555 rule or regulation of the board of fire prevention regulations that has been violated. Any notice of  
556 disapproval shall be made in writing within five working days following a request on the part of  
557 the person installing the work, and the time of service of said written notice shall be recorded in  
558 the office of the inspector of wires. The inspector of wires shall have the authority to enter at any  
559 reasonable hour any building or other premises to make inspection or investigation pursuant to  
560 this chapter, without being held or deemed to be guilty of trespass.

561           In the case of horizontal construction as defined in section thirty two of chapter one  
562 hundred sixty-six, the application for a permit for electrical work to be performed in connection  
563 with said horizontal construction, and the required notification of completion of electrical work,  
564 shall be made to a designee of the board of state examiners of electricians, technicians, and  
565 related occupations constituted under the provisions of section thirty-two of chapter thirteen,  
566 who shall issue subject to any limitations in this section the necessary permits for said electrical  
567 work, and who, as provided in said section thirty-two of chapter one hundred sixty-six, shall  
568 exercise the authority of an inspector of wires and shall give notice of approval or disapproval of  
569 said electrical work.

570           Notwithstanding the provisions of any general or special law to the contrary, no permit  
571 for the installation of electrical wiring pursuant to this section shall be issued by any city or town  
572 to a person or business entity licensed under the provisions of chapter one hundred forty-one  
573 unless the applicant affirms under the pains and penalties of perjury that the electrical work will  
574 be covered by liability insurance, including “completed operation” coverage, which has been  
575 issued by an insurance company licensed to do business in the commonwealth, or a bond or other

576 type of indemnity against liability providing substantially equivalent coverage. Proof of said  
577 coverage shall be provided to the owner or to those enforcing this section upon request. In lieu of  
578 said insurance requirement the permit issuing authority shall accept the signature of the owner or  
579 his agent on the uniform application for a permit for work to be performed by electricians. Any  
580 person who fails to provide the insurance required by this paragraph shall be punished by a fine  
581 of not less than five hundred nor more than one thousand dollars.

582         This section shall be enforced by the inspector of wires within his jurisdiction and the  
583 board of state examiners of electricians, technicians, and related occupations and their  
584 designee(s). Violations of this section shall additionally be grounds for administrative sanctions  
585 imposed for improper trade practice as set forth in section sixty-one and section sixty-five et seq.  
586 of chapter one hundred twelve.

587         SECTION 4: {Jurisdiction over Horizontal Construction}

588         Section 32 of Chapter 166 of the General Laws, as appearing in the 2000 Official Edition  
589 is hereby amended by adding the following second paragraph:

590         The board of state examiners of electricians, technicians, and related occupations  
591 constituted pursuant to the provisions of section thirty-two of chapter thirteen shall provide for  
592 the appointment of inspectors of wires with authority over horizontal construction, so-called.  
593 Horizontal construction as the term is used herein means construction activity performed on or  
594 below the surface of the earth and which extends substantially parallel to the surface of the earth,  
595 and which is an integral part of road or rail transportation systems, or airport runways, including  
596 bridges and tunnels, and appurtenant structures, and which are performed by designated  
597 departments of the commonwealth responsible for such construction, or which are contracted by

598 then; pursuant to section thirty nine of chapter thirty to other entities. Horizontal construction  
599 does not include erection, maintenance or demolition of buildings either above or below grade,  
600 which work is either performed by such designated departments or is contracted by them  
601 pursuant to section forty-four A et seq. of chapter one hundred forty-nine.

602 SECTION 5: {Certification and training of inspectors of wires}

603 Chapter 166 of the General Laws, as appearing in the 2000 Official Edition is hereby  
604 amended by adding the following section thirty-two B:

605 Section 32B {Certification and training of inspectors of wires}

606 Every person performing the duties of an inspector of wires appointed pursuant to section  
607 thirty-two of this chapter, regardless of title and whether the position is classified as full or part-  
608 time, shall be certified as qualified to act in this capacity by the board of state examiners of  
609 electricians, technicians and related occupations constituted pursuant to the provisions of section  
610 thirty-two of chapter thirteen, hereinafter referred to as the examiners. The examiners shall  
611 establish minimum qualifications for such certification based on educational and vocational  
612 experience, including educational programs approved by them and developed for this purpose,  
613 and may examine candidates for certification in accordance with the provisions of section four of  
614 chapter one hundred forty-one. The examiners shall provide certificates for the purpose that shall  
615 be renewable every third year without further examination, upon application and payment of the  
616 established fee. The examiners shall require evidence of participation in continuing education on  
617 the part of the certificate holder prior to renewal, and they shall establish fees in connection with  
618 the administration of such training and certification that shall be set and collected in the manner  
619 provided in section sixteen of chapter one hundred forty-one.

620           The examiners shall establish rules of professional conduct and may suspend or revoke  
621 the certification of any inspector who no longer qualifies for certification or who violates said  
622 rules of professional conduct. The examiners may impose the penalties authorized for the  
623 discipline of persons in violation of requirements for the performance of electrical work as  
624 provided in section eleven of chapter one hundred forty-one.

625           SECTION 6: {Transitional provisions}

626           For a period of not less than one year nor more than two years following the effective  
627 date of this act, as determined by the examiners under the provisions of section three of chapter  
628 one hundred forty-one as amended hereunder, the examiners shall, without examination, upon  
629 payment of the fees established under the ninth clause of the sixth section of chapter one hundred  
630 forty-one as amended hereunder, issue a “Telecommunication Contractor certificate”,  
631 “Telecommunication Technician certificate”, ”Limited Contractor certificate ”, “Limited  
632 category certificate”, or an “Apprentice certificate” to any applicant who shall present  
633 satisfactory evidence that they have the qualifications for the type and form of certificate applied  
634 for.

635           Commencing in the year two thousand seven, all certificates A and B shall expire on July  
636 thirty first of every third year; Certificates C and D shall expire on April thirtieth of every third  
637 year; and Certificates TC and TT and Certificates LC and L shall expire on January thirty first of  
638 every third year.

639           Notwithstanding any provisions to the contrary, on and after such date as the department  
640 of telecommunications and energy no longer regulates a telephone company, a corporate affiliate  
641 of such telephone company, or a service provided by such company or corporate affiliate, the

642 examiners shall issue an appropriate certificate as provided in this chapter, to any person who is  
643 an employee of such telephone company or such corporate affiliate on such date who, as a result  
644 of such deregulation, shall become subject to the provisions of this chapter or any employee who  
645 after date of separation from a company which utilizes a formal examination and rating process  
646 and was exempt from licensure under provisions of section thirteen of this chapter and who  
647 applies for any such certificates of licensure in accordance with the provisions of this chapter not  
648 later than six months after such date; provided that any such employee shall not be required to  
649 pass any examination in order to qualify for any such license but shall thereafter be subject to all  
650 laws, rules and regulations applicable to such licensure.

651           Notwithstanding the provisions of any general or special law, act, regulation, ordinance  
652 or by-law to the contrary, all full time or part-time inspectors of wires duly appointed and in the  
653 office on the effective date of this legislation and meeting the minimum requirements of section  
654 thirty two of chapter one hundred sixty-six for their position shall be deemed qualified and  
655 certified in the position held on said date upon satisfactory evidence of such appointment  
656 furnished to the board of state examiners of electricians by a city or town clerk. Such certificate  
657 shall be renewable upon the conditions established in section thirty-two B of said chapter one  
658 hundred sixty-six.

659