

**Mark-up Copy. Stricken language would be deleted from and underlined language would be added to the regulations, as they existed on July 21, 2009.**

**010.13-009                      Definitions**

A. The various classes of licenses shall be defined as follows:

1. “Master electrician” shall mean an individual with an unlimited license classification and who is authorized to plan, lay out, and supervise the installation, maintenance, and extension of electrical conductors and equipment.
2. “Journeyman electrician” shall mean an individual who is limited by license classification to install, maintain, and extend electrical conductors and equipment. A journeyman electrician can not contract with the general public to plan, lay out or supervise the installation, maintenance and extension of electrical conductors and equipment without employing at least one (1) full-time master electrician.
3. “Residential master electrician” shall mean an individual who is limited by license classification to performing electrical work for one and two family dwellings, including planning and supervising the installation, maintenance and extension of electrical facilities. A residential master electrician may perform electrical work on a commercial or other project under the direct supervision of a journeyman electrician or master electrician in the same manner and with the same ratio as an electrical apprentice.
4. “Residential journeyman electrician” shall mean an individual who is limited by license classification to install, maintain, alter, repair, maintain, or renovate electrical facilities for one and two family dwellings under the general supervision of a residential master electrician or a master electrician. A residential journeyman may perform electrical work on a commercial or other project under the direct supervision of a journeyman electrician or master electrician in the same manner and with the same ratio as an electrical apprentice.
5. “Air conditioning electrician” shall mean an individual who is limited by license classification to the installation, maintenance, and extension of electrical conductors and equipment solely for the purpose of supplying heating and air conditioning and refrigeration units.
6. “Industrial maintenance electrician” shall mean an individual who is limited by license classification to the repair, maintenance, alteration, and extension of electrical conductors and equipment for electrical power and control systems on or within industrial, manufacturing, or similar type facilities. For employees of industrial facilities, it is not necessary to possess this or any other class of license. *See* Ark. Code Ann. § 17-28-102(a)(2) and Regulation 010.13.010(A).

7. “Specialist Sign Electrician” means any individual who is limited to a license classification possessing the necessary qualifications, training, and technical knowledge for installing, maintaining and repairing electrically illuminated or operated signs and gaseous tubing for illumination, making all connection to an approved outlet of sufficient capacity within twenty-five (25) feet of the sign to be connected.

B. "Board" shall mean the Board of Electrical Examiners of the State of Arkansas.

C. "Director" shall mean the Director of the Arkansas Department of Labor.

D. “Direct supervision” shall mean:

1. an apprentice is being supervised by an individual licensed to perform the electrical work being supervised;

2. during the entire working day of the apprentice, the licensed electrician is physically present at the location or site where the apprentice is performing electrical work and immediately available to the apprentice;

3. the licensed electrician is physically present and immediately available to the apprentice at all times for assistance and direction;

4. electronic supervision does not meet the requirement of physically present and immediately available;

5. the licensed electrician shall review the electrical work performed by the apprentice before the electrical work is operational; and

6. the licensed electrician is able and does determine that all electrical work performed by the apprentice is performed in compliance with the standards adopted by these regulations. The licensed electrician is responsible for all the electrical work performed by an apprentice under his or her supervision.

7. With respect to an apprentice requiring direct supervision, this shall mean that the supervising electrician must be within eyesight and no more than fifty (50) feet away when the apprentice is working on energized parts.

E. "Electrical Apprentice" means any person whose principal occupation is the learning of and assisting in the installation of electrical work under the direct supervision of a journeyman electrician or master electrician.

F. “Electrical work” means:

a1. As defined by Ark. Code Ann. §§ 17-28-101(4) and 20-31-102(5):

- a. Installations of electric conductors and equipment within or on public and private buildings or other structures, including recreational vehicles, and floating buildings, and other premises such as yards, carnivals, parking and other lots, and industrial substations;
- b. Installations of conductors that connect to the supply of electricity; and
- c. Installations of other outside conductors on the premises.

G. "HVACR" shall mean heating, ventilation, air conditioning and refrigeration.

H. "Manager" shall mean any employee:

1. whose primary duty consists of oversight of the technical and business functions of the electrical company in which he or she is employed; and
2. who customarily and regularly directs the work of one or more other employees therein; and
3. who has a good working knowledge of electrical theory, electrical materials and equipment, and electrical installation procedures; and
4. who customarily and regularly exercises discretion and independent judgment; and
5. who has the authority to hire or fire other employees, or whose suggestions and recommendations as to the hiring or firing and as to the advancement and promotion or any other change of status of other employees will be given particular weight; and
6. who normally maintains oversight of the electrical work performed by the electrical company in which he or she is employed during such time that company holds itself out to perform such work.

I. "Superintendent" shall mean any employee:

1. whose primary duty consists of oversight of the electrical work performed by the electrical company in which he or she is employed; and
2. who has a good working knowledge of electrical theory, electrical materials and equipment, and electrical installation procedures; and
3. who customarily and regularly directs the work of one or more other employees therein; and

4. who has the authority to hire or fire other employees, or whose suggestions and recommendations as to the hiring or firing and as to the advancement and promotion or any other change of status of other employees, will be given particular weight; and
5. who customarily and regularly exercises discretion and independent judgment; and
6. who normally maintains oversight of the electrical work performed by the electrical company in which he or she is employed during such time that company holds itself out to perform such work.

**010.13-011 Examinations**

- A. The Board shall make provisions for examinations on the following classes of licenses: master electrician, journeyman electrician, industrial maintenance electrician, residential master electrician, residential journeyman electrician, specialist sign electrician and air conditioning electrician to be given at least every six (6) months.
- B. The examination of each class of license shall be of length and type to ensure proficiency in the tested area. The exact content of any examination shall be within the discretion of the Board. Said examinations shall be confined to questions, the answers to which will aid in determining the fitness and competency of the applicant for the intended service and shall be of uniform grade throughout the state.
- C. Persons applying for a license shall pay the following examination fees as instructed by the director:
 

1. Master Electrician	\$ <u>506.00</u>
2. Journeyman Electrician	\$ <u>506.00</u>
3. Industrial Maintenance Electrician	\$ <u>5025.00</u>
4. Residential Master Electrician	\$ <u>506.00</u>
5. Residential Journeyman Electrician	\$ <u>506.00</u>
6. Air Conditioning Electrician	\$ <u>506.00</u>
7. <u>Specialist Sign Electrician</u>	\$ <u>50.00</u>
- D. Any applicant who shall fail to pass the examination shall continue to be approved for subsequent examinations of the same class without further action by the Board, provided the applicant completed an apprenticeship training program. Any applicant who shall fail to pass the examination and who failed to complete an apprenticeship program may be required by the Board to complete up to two (2) years of an apprenticeship program before being approved for any subsequent examination.

## **010.13-012 Qualification for Examination and Licensure**

- A. All applications for licensure of any class must be received by the Board five (5) business days prior to the date of the scheduled meeting of the Board or the Screening Committee. After review of the applications, the Board will issue a list of approved applicants eligible for examination.
- B. An applicant for a master electrician's license shall have:
1. a degree in electrical engineering plus two (2) years of construction related experience; or
  2. six (6) years experience in the construction industry, both residential and commercial, including two (2) years experience as a licensed journeyman electrician; or
  3. any combination of training and experience as the Board may approve, such as formal electrical apprenticeship programs specifically approved by the board, on-the-job training specifically approved by the Board, or a combination of training and construction experience that is determined by the Board to be equivalent to that as specified in paragraph 010.13-012(B)(1) or (2) above.
- C. An applicant for a journeyman electrician license shall have the following qualifications, as appropriate:
1. **Applicants who completed an apprenticeship program.** Applicants who have completed a 4-year electrical construction apprenticeship program approved by the U. S. Department of Labor, Bureau of Apprenticeship and Training shall have:
    - a. a “Notice of Apprenticeship Committee Action – Released for Test/Completion” form from the applicant’s training program and approved by the Arkansas Department of Workforce Education; or
    - b. if the applicant completed an apprenticeship program in another state, certification from the Bureau of Apprenticeship and Training or the state agency responsible for oversight of apprenticeship programs of completion.
    - c. The Board may approve an applicant without a Released for Test form in extenuating circumstances.
  2. **Applicants who seek reciprocity.** Applicants who seek reciprocity shall have certification from the sister state that:
    - a. the applicant is currently licensed as a journeyman and in good standing;

b. the applicant has held his/her license in the sister state for a period of one (1) year; and

c. the applicant was tested in the sister state.

3. **Applicants who have not completed an apprenticeship program.** Applicants who have not completed a 4-year electrical construction apprenticeship program approved by the Bureau of Apprenticeship and Training shall have 8 years (16,000 hours) of electrical construction experience or training as may be approved by the Board. This training or experience may include electrical experience gained in the military. *See* Regulation 010.13-012(HI) for experience that does not qualify.

D. An applicant for an industrial maintenance electrician's license shall have:

1. four (4) years experience under the supervision of an engineer, master electrician, journeyman electrician or industrial maintenance electrician in the maintenance of electrical conductors and equipment; or
2. any combination of training and experience as the Board may approve, such as formal apprenticeship programs approved by the Board, on-the-job training specifically approved by the Board, public or private electrical training programs, such as those conducted by the armed forces, colleges, or vocational-technical schools, specifically approved by the Board, or a combination of training and electrical maintenance experience that is determined by the Board to be equivalent to that as specified in paragraph 010.13-012(D)(1) above.

E. An applicant for a residential master electrician's license shall have:

1. three (3) years experience in the wiring of one (1) or two (2) family dwellings including one (1) year experience as a licensed residential journeyman; or
2. any combination of training and experience as the Board may approve as being equivalent to that as specified in paragraph 010.13-012(E)(1) above.

F. An applicant for a residential journeyman license shall have:

1. two (2) years experience in the wiring of one (1) or two (2) family dwellings;
2. a two-year combination of training and experience as the Board may approve, such as formal apprenticeship programs approved by the Board; and
3. a signed letter from the applicant's school verifying the applicant's hours.

G. An applicant for an air conditioning electrician's license shall have:

1. two (2) years experience in wiring HVACR equipment; or

2. any combination of experience and training as the Board may approve as being equivalent to that as specified in paragraph 010.13-012(G)(1) above.
3. the experience required in paragraph 010.13-012(G)(1) may be demonstrated by having held for two years:
  - a. a HVACR electrician's license issued by an Arkansas municipality, or
  - b. a HVACR Class A or Class B license issued by the state HVACR Licensing Board.

H. An applicant for an specialist sign electrician's license shall have:

1. two (2) years experience working for a electrical sign company or a licensed electrical licensee performing the work of installing, maintaining and repairing electrically illuminated or operated signs and gaseous tubing for illumination, making all connection to an approved outlet of sufficient capacity within twenty-five (25) feet of the sign to be connected; or
2. any combination of training and experience as the Board may approve as being equivalent to that as specified in paragraph 010.13-012(H)(1) above.
3. Applicants for a specialist sign electrician license pursuant to the provisions of this chapter shall be exempt from the examination requirement of §17-28-203, provided that the applicant:
  - a. Is qualified by experience requirements specified in 010.13-012(H)(1) or (2); and
  - b. Has not had a municipal electrician's license or a state electrician's license of any classification revoked or suspended for cause; and
  - c. Submits the appropriate fee; and
  - d. Applies for a license prior to September 1, 2009.
4. This license shall not be required of any Board licensee currently qualified to perform the type of work described by 010.13-012(H)(1).
5. All licensed specialist sign electricians shall submit to the Department a list of any employees performing work as described in Regulation 010.13-012(H). All such work shall be performed under direct supervision of a licensed sign electrician or other electrical licensee authorized to perform this type of work.

**HI.** For the purpose of determining experience qualification, the Board shall not consider the following:

1. any experience obtained in violation of Ark. Code Ann. § 17-28-304 (Repl. 2001) which required a state electrician's license beginning July 1, 1998; or
2. any experience obtained in a sister state in violation of that state's licensing or registration requirements.

**IJ.** Work experience shall be documented by official transcripts, notarized letters or affidavits from past or present employers, official letters from other licensing boards detailing the duration and character of the work, or equivalent evidence. Letters and employment verification shall be dated within six (6) months of application. Employment verification from the Social Security Administration may be required.

**010.13-021 Effective Date, Repealer and History.**

A. Effective June 1, 2008 all previous regulations promulgated by the Board are hereby repealed.

B. The effective date of these regulations is June 1, 2008.

C. History

1. The Board of Electrical Examiners first promulgated regulations effective September 12, 1979. These regulations were amended effective October 15, 1987.

2. All previous rules and regulations of the Board were repealed and new rules and regulations were adopted effective January 1, 1992. These regulations were amended effective January 19, 1993; September 29, 1993; January 15, 1996; June 1, 1999; and July 1, 1999

3. All previous rules and regulations of the Board were repealed and new rules and regulations were adopted effective September 1, 1999. These regulations were amended effective August 20, 2001; January 1, 2002; April 1, 2002; April 1, 2004; November 1, 2004; October 1, 2005; and June 1, 2006.

4. All previous rules and regulations of the Board of Electrical Examiners were repealed and new rules and regulations were adopted effective June 1, 2008. [Note: Rule 010.13-019 was amended effective September 1, 2008 by adding subsection (E)].

5. Regulations 010.13-009, 010.13-011, and 010.13-012 pertaining to Specialist Sign Electricians and examination fees were amended by emergency regulation effective July 31, 2009. These changes were adopted as permanent regulations effective February 1, 2010. Regulation 010.13-012(H)(5) was also added by the permanent regulation.