

1 SENATE BILL NO. 246

2 INTRODUCED BY J. SMALL

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING REQUIREMENTS FOR ELECTRICIAN
5 LICENSING; EXEMPTING EMPLOYEES OF A PUBLIC UTILITY, A CITY, A MUNICIPALITY, A COUNTY, OR
6 THE STATE FROM LICENSING REQUIREMENTS; REQUIRING A LICENSED CONTRACTOR FOR
7 INSTALLATION AND REPAIR OF TRAFFIC AND STREET LIGHTS; AND AMENDING SECTION 37-68-103,
8 MCA."

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10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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12 **Section 1.** Section 37-68-103, MCA, is amended to read:

13 **"37-68-103. Exemptions.** (1) This chapter does not apply to the installation, alteration, or repair of
14 electrical signal or communications equipment owned or operated by a public utility or a city, a municipality, a
15 county, or the state, except as provided in subsection (10). For purposes of this exemption, "communications
16 equipment" includes telephone wire inside a customer's premises. This chapter does not prohibit a public utility
17 or a city, a municipality, a county, or the state from doing inside wiring to install, alter, repair, or maintain
18 electrical equipment, installations, or facilities in buildings owned by the public utility or a city, a municipality, a
19 county, or the state, if the work is accomplished by an employee who is a licensed electrician. If the building
20 owned by the public utility or a city, a municipality, a county, or the state is open to the public and the inside
21 wiring constitutes major renovation or construction, the installation, alteration, repair, or maintenance of
22 electrical equipment, installations, or facilities is subject to the permits and inspections required by law.

23 (2) The licensing or inspection provisions of this chapter do not apply to regularly employed
24 maintenance electricians doing maintenance work on the business premises of their employer or to line work on
25 the business premises of the employer when ordinary and customary in-plant or onsite installations,
26 modifications, additions, or repairs are performed.

27 (3) (a) Except as provided in subsection (3)(b), this chapter does not require an individual to hold a
28 license to perform electrical work on the individual's own property or residence if the property or residence is

1 maintained for the individual's own use.

2 (b) Subsection (3)(a) does not include an exemption for an individual who is performing electrical
3 work on a grid-tied generator located at the individual's own property or residence.

4 (4) An individual, firm, partnership, or corporation may apply for licensure as an electrical contractor if
5 all electrical work performed by the individual, firm, partnership, or corporation is under the direction, control,
6 and supervision of a licensed master electrician or under the direction, control, and supervision of a licensed
7 journeyman electrician for residential construction consisting of less than five living units in a single structure.

8 (5) A person who plugs in an electrical appliance where an approved electrical outlet is already
9 installed may not be considered an installer.

10 (6) This chapter may not in any manner interfere with, hamper, preclude, or prohibit a vendor of any
11 electrical appliance from selling, delivering, and connecting any electrical appliance if the connection does not
12 necessitate the installation of electrical wiring of the structure in which the appliance is to be connected.

13 (7) (a) The licensing and inspection provisions of this chapter do not apply to an apprentice, as that
14 term is defined in 39-6-101, who is working under the supervision of a licensed electrician.

15 (b) Subsection (7)(a) includes an exemption for a person serving in an approved journeyman
16 apprenticeship program or a residential apprenticeship program during training if serving under the supervision
17 of a licensed electrician.

18 (8) The licensing provisions of this chapter do not apply to a student who is enrolled in an electrician
19 training program offered by an accredited college or university recognized by the board of regents if the student
20 is undertaking class assignments in a classroom or a hands-on laboratory setting. This subsection does not
21 authorize a student to engage in any electrical work that will be incorporated or used in an occupied structure.

22 (9) This chapter does not require an individual to hold a license to perform electrical work involving 90
23 volts or less of alternating current or direct current.

24 (10) The installation or repair of traffic control lights, highway lights, or street lights greater than 90
25 volts of alternating current or direct current must be performed by a licensed electrical contractor, unless the
26 installation or repair is performed by an employee of the public utility, city, municipality, county, or state that
27 owns the equipment."

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