

Notice of Agency Rulemaking Proposal

AGENCY: 02-318, Department of Professional and Financial Regulation, Electricians' Examining Board

CHAPTER NUMBER AND TITLE:

Chapter 180: Licensure by Endorsement

TYPE OF RULE (*check one*): ☒ Routine Technical ☐ Major Substantive

PROPOSED RULE NUMBER (*leave blank; to be assigned by Secretary of State*):

BRIEF SUMMARY:

The Electricians' Examining Board is proposing to adopt Chapter 180 that outlines a pathway for licensure if a person is licensed by another jurisdiction within the United States that maintains substantially equivalent licensing standards pursuant to 10 M.R.S. § 8003-H.

Go to <https://www.maine.gov/pfr/professionallicensing/professions/electricians> to find the proposed rule and related rulemaking documents.

Date, time and location of PUBLIC HEARING (*if any*): N/A. Pursuant to 5 M.R.S. § 8052(1) and § 8053(3)(B), interested persons may request a public hearing by submitting a request in writing to the contact person for this filing.

COMMENT DEADLINE: Friday, February 23, 2024 at 5:00 p.m. Comments may be submitted in writing to Kristin Racine, Deputy Director, Office of Professional and Occupational Regulation, 35 State House Station, Augusta, ME 04333-0035, kristin.racine@maine.gov, tel (207) 624-8615, TTY users call Maine Relay 711

CONTACT PERSON FOR THIS FILING (*include name, mailing address, telephone, fax, TTY, email*): Kristin Racine, Deputy Director, Office of Professional and Occupational Regulation, 35 State House Station, Augusta, ME 04333-0035, kristin.racine@maine.gov, tel (207) 624-8615, TTY users call Maine Relay 711

CONTACT PERSON FOR SMALL BUSINESS IMPACT STATEMENT (*if different*): N/A

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES (*if any*): N/A

STATUTORY AUTHORITY FOR THIS RULE: 10 M.R.S. § 8003-H; 32 M.R.S. § 1201-B

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED (*if different*): N/A

AGENCY WEBSITE: <https://www.maine.gov/pfr/professionallicensing/professions/electricians>

EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON: kristin.racine@maine.gov

* Check one of the following two boxes.

☒ The summary provided above is for publication in both the newspaper and website notices.

☐ The summary provided above is for the newspaper notice only. Title 5 §8053, sub-§5 & sub-§7, ¶D. A more detailed summary is attached for inclusion in the rulemaking notice posted on the Secretary of State's website. Title 5 §8053, sub-§3, ¶D & sub-§6.

Please approve bottom portion of this form and assign appropriate AdvantageME number.

APPROVED FOR PAYMENT _____ DATE: _____
(authorized signature)

FUND	AGENCY	ORG	APP	OBJ	PROGRAM	FUNDING Profile JVC	FUND Pri JVC	FUND Line JVC
014	02A	4220	01	4946				

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Additional Information for the Web *(if any)*

DETAILED SUMMARY:

The proposed rulemaking would add a new Chapter 180 that would contain standards for implementing 10 M.R.S. §8003-H, *Licensure by Endorsement*. Licensure by endorsement allows a person who holds an electrician license in another jurisdiction of the United States to bypass testing and other requirements when applying for a license of the same level in Maine when the licensing requirements of the initial licensing state are substantially the same as licensing requirements in Maine. Chapter 180 sets standards applicants must meet when filing for licensure by endorsement and sets minimum standards for what constitutes substantially similar requirements at the journeyman and master level of licensing.

Rulemaking Fact Sheet

(5 MRS §8057-A)

AGENCY: 02-318, Department of Professional and Financial Regulation, Electricians' Examining Board

NAME, ADDRESS, PHONE NUMBER, EMAIL OF AGENCY CONTACT PERSON:

Kristin Racine, Deputy Director, Office of Professional and Occupational Regulation, 35 State House Station, Augusta, ME 04333-0035, kristin.racine@maine.gov, tel (207) 624-8615, TTY users call Maine Relay 711

CHAPTER NUMBER AND RULE TITLE:

Chapter 180: Licensure by Endorsement

TYPE OF RULE (*check one*): ☒ Routine Technical ☐ Major Substantive

STATUTORY AUTHORITY: 10 M.R.S. § 8003-H; 32 M.R.S. § 1201-B

DATE, TIME AND PLACE OF PUBLIC HEARING: N/A. Pursuant to 5 M.R.S. § 8052(1) and § 8053(3)(B), interested persons may request a public hearing by submitting a request in writing to the contact person for this filing.

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PRINCIPAL REASON(S) OR PURPOSE FOR PROPOSING THIS RULE:

The Electricians' Examining Board is proposing to adopt Chapter 180 that outlines a pathway for licensure if a person is licensed by another jurisdiction within the United States that maintains substantially equivalent licensing standards pursuant to 10 M.R.S. § 8003-H.

IS MATERIAL INCORPORATED BY REFERENCE IN THE RULE? ☐ YES ☒ NO

ANALYSIS AND EXPECTED OPERATION OF THE RULE:

The proposed rule implements 10 M.R.S. § 8003-H allowing persons licensed to work on electrical installations in other jurisdictions within the United States to receive electrician licenses in Maine provided the issuing jurisdiction has substantially equivalent license requirements. The proposed describes the requirements for licensure by endorsement and sets forth specific parameters for determining if a jurisdiction has substantially similar licensing requirements.

BRIEF SUMMARY OF RELEVANT INFORMATION CONSIDERED DURING DEVELOPMENT OF THE RULE (including up to 3 primary sources relied upon)

Expertise of board members and staff members.

ESTIMATED FISCAL IMPACT OF THE RULE: None anticipated.

FOR EXISTING RULES WITH FISCAL IMPACT OF \$1 MILLION OR MORE, ALSO INCLUDE:

ECONOMIC IMPACT, WHETHER OR NOT QUANTIFIABLE IN MONETARY TERMS:
[see §8057-A(2)(A)]

INDIVIDUALS, MAJOR INTEREST GROUPS AND TYPES OF BUSINESSES AFFECTED
AND HOW THEY WILL BE AFFECTED: [see §8057-A(2)(B)]

BENEFITS OF THE RULE: [see §8057-A(2)(C)]

Note: If necessary, additional pages may be used.

Chapter 180: LICENSURE BY ENDORSEMENT

SUMMARY: This Chapter outlines a pathway for licensure if the applicant presents proof of licensure by another jurisdiction of the United States that maintains substantially equivalent license requirements.

1. LICENSURE BY ENDORSEMENT

An individual applying for a license by endorsement must meet the following requirements.

1. License from Another U.S. Jurisdiction

An applicant licensed by another jurisdiction who seeks licensure in Maine pursuant to 10 M.R.S. § 8003-H must:

- A. Demonstrate proof of a valid, active electrician license issued by another jurisdiction of the United States that maintains substantially equivalent license requirements for the type of license sought;
- B. Submit a completed application form; and
- C. Submit any fee as required by Chapter 10 of the rules of the Office of Professional and Occupational Regulation.

2. Substantially Equivalent License Requirements

“Substantially equivalent license requirements” means that the jurisdiction maintains a pathway for initial licensure that at a minimum requires the education, examination and licensed work experience as set forth in Sections 1(2)(A)-(B).

A. Licensed Journeyman Electrician

- i. Documented proof of either:
 - a. completion of an electrical program of study at an accredited institution; or
 - b. completion of an electrical course of study consisting of a minimum of 576 hours approved by the licensing authority;
- ii. Proof of a passing score on an examination that is approved by the licensing authority and required to qualify for initial licensure as a journeyman electrician; and

- iii. Documented proof a minimum of 8,000 hours of experience performing electrical work under the supervision of a licensed master electrician or a licensed journeyman electrician.

B. Licensed Master Electrician

- i. Documented proof of either:
 - a. completion of an electrical program of study at an accredited institution; or
 - b. completion of an electrical course of study consisting of a minimum of 576 hours approved by a licensing authority;
- ii. Proof of a passing score on an examination that is approved by the licensing authority and required to qualify for initial licensure as a master electrician; and
- iii. Documented proof a minimum of 10,000 hours of experience performing electrical work under the supervision of a licensed electrician with a license higher than the level of the individual gaining the experience.

To qualify as substantially equivalent for the purposes of this subsection, the other jurisdiction's requirement to complete a course of study could be at either the journeyman or master level of licensure.

3. Proof of Good Standing in all Jurisdictions

Any applicant must be in good standing in all jurisdictions in which the applicant holds or has held a license. For purposes of this subsection, "good standing" means that the applicant does not have a complaint, allegation or investigation pending, does not have a license that is suspended or subject to practice restrictions, and has never surrendered a license or had a license revoked.

STATUTORY AUTHORITY: 32 M.R.S. §§ 1153 and 1206; 10 M.R.S. § 8003-H

EFFECTIVE DATE: