

Enrolled
Senate Bill 983

Sponsored by COMMITTEE ON BUSINESS AND TRANSPORTATION

CHAPTER

AN ACT

Relating to manufactured structures; creating new provisions; amending ORS 446.423, 447.060, 455.117, 455.129, 455.230, 479.540, 479.840, 693.020 and 705.145; and repealing ORS 446.210.

Be It Enacted by the People of the State of Oregon:

ELIMINATION OF ELECTRICIAN LICENSE CATEGORY

SECTION 1. ORS 446.210 is repealed.

SECTION 2. ORS 446.423 is amended to read:

446.423. Except as otherwise provided in ORS 455.220 (1), all moneys deposited to the Consumer and Business Services Fund that are derived pursuant to ORS 446.003 to 446.200, [446.210,] 446.225 to 446.285, 446.395 to 446.420, 446.566 to 446.646, 446.661 to 446.756 and 455.220 (1) are continuously appropriated to the Department of Consumer and Business Services for carrying out any of the duties, functions and powers of the department under ORS 446.003 to 446.200, [446.210,] 446.225 to 446.285, 446.395 to 446.420, 446.566 to 446.646 and 446.661 to 446.756, and rules adopted thereunder.

SECTION 3. ORS 455.117 is amended to read:

455.117. (1) Except as provided in subsection (3) of this section, a regulatory body listed in subsection (2) of this section may adopt rules to administer the licensing, certification or registration of persons regulated by the body. The rules adopted under this section may include, but need not be limited to:

(a) The form and content of an application for issuance or renewal of a license, certificate or registration;

(b) Training and continuing education requirements to maintain a license, certificate or registration;

(c) The form and content of and the process for preparing and administering examinations and examination reviews;

(d) The term of a license, certificate or registration; and

(e) The creation of a system for combining two or more licenses, certificates or registrations issued to an individual by an advisory board or the Department of Consumer and Business Services into a single license, certificate, registration or other authorization.

(2) Subsection (1) of this section applies to the following:

(a) Subject to ORS 446.003 to 446.200, 446.225 to 446.285 and 446.395 to 446.420, with the approval of the Residential and Manufactured Structures Board, the Department of Consumer and Business Services for purposes of licenses, certificates and registrations issued under ORS 446.003 to 446.200, 446.225 to 446.285 and 446.395 to 446.420.

(b) Subject to ORS 447.010 to 447.156 and ORS chapter 693, the State Plumbing Board for purposes of licenses issued under ORS 447.010 to 447.156 and ORS chapter 693.

(c) Subject to ORS 460.005 to 460.175, after consultation with the Electrical and Elevator Board, the department for purposes of licenses issued under ORS 460.005 to 460.175.

(d) Subject to ORS 479.510 to 479.945, the Electrical and Elevator Board for purposes of licenses issued under ORS [446.210 or] 479.510 to 479.945.

(e) Subject to ORS 480.510 to 480.670, the Board of Boiler Rules for purposes of licenses issued under ORS 480.510 to 480.670.

(3) This section does not authorize the adoption of rules regulating:

(a) Building officials, inspectors, plan reviewers or municipalities;

(b) Persons engaged in the manufacture, conversion or repair of prefabricated structures, prefabricated components or recreational vehicles; or

(c) Master builders certified under ORS 455.800 to 455.820.

SECTION 4. ORS 455.129 is amended to read:

455.129. (1) As used in this section, "relative" means an individual related within the third degree as determined by the common law, a spouse, an individual related to a spouse within the third degree as determined by the common law or an individual in an adoptive relationship within the third degree as determined by the common law.

(2) Subject to ORS chapter 183, a regulatory body listed in subsection (3) of this section may deny a license, certificate, registration or application or may suspend, revoke, condition or refuse to renew a license, certificate or registration if the regulatory body finds that the licensee, certificate holder, registrant or applicant:

(a) Has failed to comply with the laws administered by the regulatory body or with the rules adopted by the regulatory body.

(b) Has failed to comply with an order of the regulatory body or the Director of the Department of Consumer and Business Services, including but not limited to the failure to pay a civil penalty.

(c) Has filed an application for a license, certificate or registration that, as of the date the license, certificate or registration was issued or the date of an order denying the application, was incomplete in any material respect or contained a statement that, in light of the circumstances under which it was made, was incorrect or misleading in any respect.

(d) Has performed work without appropriate licensing, certification or registration or has employed individuals to perform work without appropriate licensing, certification or registration.

(e) Has advertised or otherwise held out as being a licensed, certified or registered specialty code contractor without holding the appropriate specialty code contractor license, certificate or registration.

(f) As a partner, officer, member or employee of a business, has advertised or held out that the business is a licensed, certified or registered specialty code contractor if the business does not possess the appropriate specialty code contractor license, certificate or registration.

(g) Has engaged in business as a specialty code contractor without holding a valid specialty code contractor license, certificate or registration required for the business.

(h) Has failed to meet any condition or requirement to obtain or maintain a license, certificate or registration.

(i) Has acted in a manner creating a serious danger to the public health or safety.

(j) Has performed work or operated equipment within the scope of a specialty code license, certificate or registration in a manner that violates an applicable minimum safety standard or a statute or rule regarding safety.

(k) Has been subject to a revocation, cancellation or suspension order or to other disciplinary action by the Construction Contractors Board or has failed to pay a civil penalty imposed by the board.

(L) Has been subject to a revocation, cancellation or suspension order or to other disciplinary action by another state in regard to construction standards, permit requirements or construction-

related licensing violations or has failed to pay a civil penalty imposed by the other state in regard to construction standards, permit requirements or construction-related licensing violations.

(m) Has, while performing work that requires or that is related to work that requires a valid license or certificate under ORS 446.003 to 446.200, 446.225 to 446.285, 446.395 to 446.420, 479.510 to 479.945, 479.950 or 480.510 to 480.670 or this chapter or ORS chapter 447, 460 or 693, violated any statute or rule related to the state building code.

(n) Has performed a code inspection or plan review on a project to construct, alter, repair or make an installation in a structure if the inspector or reviewer, or an employer or relative of the inspector or reviewer, has a financial interest in or business affiliation with the project or structure.

(o) Is a business, the owner or an officer of which has an outstanding obligation to pay a civil penalty assessed under ORS 455.895 or has been the subject of action against the license, certificate or registration by the Department of Consumer and Business Services, the director or an appropriate advisory board.

(p) Is a business, owner or officer of a reorganized business entity as defined in ORS 657.682, if an owner, officer, shareholder or partner of the reorganized business entity, or a member if the reorganized business entity is a member-managed limited liability company, has been subject to a revocation or suspension order or to a condition or civil penalty under ORS 446.003 to 446.200, 446.225 to 446.285, 446.395 to 446.420, 479.510 to 479.945, 479.950 or 480.510 to 480.670 or this chapter or ORS chapter 447, 460, 693 or 701, or by another state in regard to construction standards, permit requirements or construction-related licensing violations.

(q) Is ordered to pay damages under a judgment or arbitration award that relates to construction and that has become final by operation of law or on appeal.

(r) Is a business, the owner or an officer of which was an owner or officer in another business at the time:

(A) The other business was assessed a civil penalty under ORS 455.895 that remains unpaid; or

(B) An act or failure to act by any owner or officer of the other business resulted in action being taken against the license, certificate or registration of the other business by the department, the director or any advisory board.

(3) Subsection (2) of this section applies to:

(a) The State Plumbing Board for purposes of licenses issued under ORS 447.010 to 447.156 or ORS chapter 693.

(b) The Electrical and Elevator Board for purposes of licenses issued under ORS [446.210 or] 479.510 to 479.945.

(c) The Board of Boiler Rules for purposes of licenses issued under ORS 480.510 to 480.670.

(d) The department for purposes of licenses issued under this chapter.

(e) The department, subject to Electrical and Elevator Board approval, for purposes of licenses issued under ORS 460.005 to 460.175.

(f) The department, subject to Residential and Manufactured Structures Board approval, for purposes of licenses, certificates and registrations issued under ORS 446.003 to 446.200, 446.225 to 446.285 and 446.395 to 446.420.

(4) The department may administer and enforce subsection (2) of this section in the same manner and to the same extent as any advisory board.

SECTION 5. ORS 455.230 is amended to read:

455.230. (1) Except as otherwise provided by law, all moneys appropriated or credited to the Consumer and Business Services Fund and received under this chapter, ORS 447.010 to 447.156, 447.992, 460.005 to 460.175, 460.310 to 460.370, 479.510 to 479.945, 479.995, 480.510 to 480.670 and ORS chapter 693 hereby are appropriated continuously for and shall be used by the director for the purpose of carrying out the duties and responsibilities imposed upon the department under this chapter, ORS 446.566 to 446.646, 446.661 to 446.756, 447.010 to 447.156, 447.992, 460.005 to 460.175, 460.310 to 460.370, 479.510 to 479.945, 479.995 and 480.510 to 480.670 and ORS chapter 693.

(2) Except as otherwise provided by law, all moneys appropriated or credited to the Consumer and Business Services Fund and received under ORS 446.003 to 446.200, [446.210,] 446.225 to 446.285,

446.395 to 446.420, 446.566 to 446.646, 446.661 to 446.756 and 455.220 (1) hereby are appropriated continuously for and shall be used by the director for the purpose of carrying out the duties and responsibilities imposed upon the department under ORS 446.003 to 446.200, [446.210,] 446.225 to 446.285, 446.395 to 446.420, 446.566 to 446.646 and 446.661 to 446.756, and education and training programs pertaining thereto.

SECTION 6. ORS 479.840 is amended to read:

479.840. (1) Upon receiving payment of the applicable application fee, the Department of Consumer and Business Services may issue or renew a license or permit applied for under ORS 479.510 to 479.945. The fee to apply for or renew a license is:

(a) \$125 per year for an electrical contractor license for each place of business operated by the applicant.

(b) \$125 per year for a limited energy contractor, restricted energy contractor or limited sign contractor license.

(c) \$25 per year for a pump specialty contractor or limited maintenance specialty contractor license.

(d) \$150 per year for an elevator contractor license.

(e) \$100 for a three-year license for a:

(A) General journeyman electrician;

(B) General supervising electrician;

(C) Limited supervising industrial electrician;

(D) Limited supervising manufacturing plant electrician;

(E) Limited maintenance industrial electrician; **or**

[*F*] Limited maintenance manufactured dwelling or recreational vehicle electrician; *or*]

[*G*] **(F)** Limited journeyman manufacturing plant electrician.

(f) \$50 for a three-year license for a:

(A) Limited elevator journeyman;

(B) Class A or Class B limited energy technician;

(C) Limited journeyman sign electrician;

(D) Limited journeyman stage electrician; *or*

(E) Limited building maintenance electrician.

(2) The Electrical and Elevator Board shall set uniform permit fees, by rule, not to exceed the cost of administration.

(3) The fees provided for in this section do not apply to persons paying inspection fees under the terms of ORS 479.560 (3) or 479.630 (10).

(4) Each electrical contractor may furnish to the department a corporate surety bond to be approved by the department, an irrevocable letter of credit issued by an insured institution as defined in ORS 706.008 or a cash bond under procedures approved by the department, in the sum of \$2,000 guaranteeing the payment of all fees provided for under ORS 479.510 to 479.945. Before commencing any electrical job an electrical contractor who has a current bond or letter of credit under this subsection may apply to the department for a working permit which shall cost an amount established by the department by rule. The working permit shall authorize the electrical contractor to commence work. The total of all fees due for permits for each job, and the time such fees are payable, shall be determined by the department by administrative rule under ORS 479.730. The contractor shall keep the bond or letter of credit in force at all times. Any cancellation or revocation of the bond or letter of credit shall revoke and suspend the license issued to the principal until such time as a new bond or letter of credit shall be filed and approved. The department may bring an action against the surety named in the bond or the letter of credit issuer with or without joining in such action the principal named in the bond or letter of credit.

SECTION 7. ORS 705.145 is amended to read:

705.145. (1) There is created in the State Treasury a fund to be known as the Consumer and Business Services Fund, separate and distinct from the General Fund. All moneys collected or received by the Department of Consumer and Business Services, except moneys required to be paid

into the Workers' Benefit Fund, shall be paid into the State Treasury and credited to the Consumer and Business Services Fund. Moneys in the fund may be invested in the same manner as other state moneys and any interest earned shall be credited to the fund.

(2) The department shall keep a record of all moneys deposited in the Consumer and Business Services Fund that shall indicate, by separate account, the source from which the moneys are derived, the interest earned and the activity or program against which any withdrawal is charged.

(3) If moneys credited to any one account are withdrawn, transferred or otherwise used for purposes other than the program or activity for which the account is established, interest shall accrue on the amount withdrawn from the date of withdrawal and until such funds are restored.

(4) Moneys in the fund are continuously appropriated to the department for its administrative expenses and for its expenses in carrying out its functions and duties under any provision of law.

(5) Except as provided in ORS 705.165, it is the intention of the Legislative Assembly that the performance of the various duties and functions of the department in connection with each of its programs shall be financed by the fees, assessments and charges established and collected in connection with those programs.

(6) There is created by transfer from the Consumer and Business Services Fund a revolving administrative account in the amount of \$100,000. The revolving account shall be disbursed by checks or orders issued by the director or the Workers' Compensation Board and drawn upon the State Treasury, to carry on the duties and functions of the department and the board. All checks or orders paid from the revolving account shall be reimbursed by a warrant drawn in favor of the department charged against the Consumer and Business Services Fund and recorded in the appropriate subsidiary record.

(7) For the purposes of ORS chapter 656, the revolving account created pursuant to subsection (6) of this section may also be used to:

(a) Pay compensation benefits; and

(b) Refund to employers amounts paid to the Consumer and Business Services Fund in excess of the amounts required by ORS chapter 656.

(8) Notwithstanding subsections (2), (3) and (5) of this section and except as provided in ORS 455.220 (1), the moneys derived pursuant to ORS 446.003 to 446.200, [446.210,] 446.225 to 446.285, 446.395 to 446.420, 446.566 to 446.646, 446.661 to 446.756 and 455.220 (1) and deposited to the fund, interest earned on those moneys and withdrawals of moneys for activities or programs under ORS 446.003 to 446.200, [446.210,] 446.225 to 446.285, 446.395 to 446.420, 446.566 to 446.646 and 446.661 to 446.756, or education and training programs pertaining thereto, must be assigned to a single account within the fund.

(9) Notwithstanding subsections (2), (3) and (5) of this section, the moneys derived pursuant to ORS 455.240 or 460.370 or from state building code or specialty code program fees for which the amount is established by department rule pursuant to ORS 455.020 (2) and deposited to the fund, interest earned on those moneys and withdrawals of moneys for activities or programs described under ORS 455.240 or 446.566 to 446.646, 446.661 to 446.756 and 460.310 to 460.370, structural or mechanical specialty code programs or activities for which a fee is collected under ORS 455.020 (2), or programs described under subsection (10) of this section that provide training and education for persons employed in producing, selling, installing, delivering or inspecting manufactured structures or manufactured dwelling parks or recreation parks, must be assigned to a single account within the fund.

(10) Notwithstanding ORS 279.835 to 279.855 and ORS chapters 279A and 279B, the department may, after consultation with the appropriate specialty code advisory boards established under ORS 455.132, 455.135, 455.138, 480.535 and 693.115, contract for public or private parties to develop or provide training and education programs relating to the state building code and associated licensing or certification programs.

EXEMPTION FOR RECREATIONAL VEHICLE ELECTRICAL WORK

SECTION 8. ORS 479.540 is amended to read:

479.540. (1) Except as otherwise provided in this subsection, a person is not required to obtain a license to make an electrical installation on residential or farm property that is owned by the person or a member of the person's immediate family if the property is not intended for sale, exchange, lease or rent. The following apply to the exemption established in this subsection:

(a) The exemption established for a person under this subsection does not exempt the work performed by the person from having to comply with the requirements for such work under ORS chapter 455 or this chapter and rules adopted thereunder.

(b) If the property is a building used as a residence and is for rent, lease, sale or exchange, this subsection establishes an exemption for work on, alterations to or replacement of parts of electrical installations as necessary for maintenance of the existing electrical installations on that property, but does not exempt new electrical installations or substantial alterations to existing electrical installations on that property. As used in this paragraph, "new electrical installations or substantial alterations" does not include the replacement of an existing garbage disposal, dishwasher or electric hot water heater with a similar appliance of 30 amps or less, single phase, by a landlord, landlord's agent or the employee of the landlord or landlord's agent.

(2) An electrical contractor license is not required in connection with an electrical installation:

(a) Of meters and similar devices for measuring electricity by a person principally engaged in the business of generating or selling electricity in connection with the construction or maintenance of electrical lines, wires or equipment.

(b) Of ignition or lighting systems for motor vehicles.

(c) To be made by a person on the person's property in connection with the person's business.

(d) To be made by a public utility, consumer-owned utility as defined in ORS 757.270, telecommunications carrier as defined in ORS 133.721, competitive telecommunications provider as defined in ORS 759.005 or municipality for generation, transmission or distribution of electricity on property that the utility, carrier, provider or municipality owns or manages.

(3) A person whose sole business is generating or selling electricity in connection with the construction or maintenance of electrical lines, wires or equipment, is not required to obtain a license to transform, transmit or distribute electricity from its source to the service head of the premises to be supplied thereby.

(4)(a) A person is not required to obtain a license for the repair or replacement of light fixtures, light switches, lighting ballast, electrical outlets or smoke alarms in a building used for housing purposes that is owned, leased, managed or operated by a housing authority and the person doing the repair or replacement is a member of the housing authority's regular maintenance staff.

(b) A license is not required for:

(A) Temporary demonstrations;

(B) A street lighting system located on a public street or in a right of way if the system is similar to a system provided by a public utility and the installation or maintenance, or both, is performed by a qualified employee of a licensed electrical contractor principally engaged in the business of installing and maintaining such systems; or

(C) An outdoor transmission or distribution system, whether overhead or underground, if the system is similar to a system provided by a public utility and the installation or maintenance, or both, is performed by a qualified employee of a licensed electrical contractor principally engaged in the business of installing and maintaining such systems.

(c) For the purposes of this subsection, "qualified employee" means an employee who has registered with or graduated from a State of Oregon or federally approved apprenticeship course designed for the work being performed. The supervising electrician signature required under ORS 479.560 (1)(b) does not apply to contractors working under this subsection.

(5) The provisions of ORS 479.510 to 479.945 and 479.995 do not apply:

(a) To electrical products owned by, supplied to or to be supplied to a public utility as defined in ORS 757.005, consumer-owned utility as defined in ORS 757.270, telecommunications carrier as defined in ORS 133.721 or competitive telecommunications provider as defined in ORS 759.005;

(b) To electrical installations made by or for a public utility, consumer-owned utility, telecommunications carrier or competitive telecommunications provider if the electrical installations are an integral part of the equipment or electrical products of the utility, carrier or provider; or

(c) To any electrical generation plant owned or operated by a municipality to the same extent that a utility, telecommunications carrier or competitive telecommunications provider is exempted under paragraphs (a) and (b) of this subsection.

(6) A permit is not required:

(a) For the repair or replacement of light fixtures, light switches, lighting ballast, electrical outlets or smoke alarms in a building used for housing purposes that is owned, leased, managed or operated by a housing authority; or

(b) For the repair, alteration or replacement of existing electrical products or electrical installations authorized by ORS 479.560 (3) at an industrial plant, a commercial office building, a building that is owned, leased, managed or operated by the state or a local government entity or other facilities designated by the Electrical and Elevator Board when the owner, operating manager or electrical contractor of the facility meets the provisions of ORS 479.630 (1) and (2) and:

(A) Obtains a master permit for inspection under ORS 479.560 (3); or

(B) Obtains a master individual inspection permit under ORS 479.565.

(7) In cases of emergency in industrial plants, a permit is not required in advance for electrical installation made by a person licensed as a general supervising electrician, a general journeyman electrician or an electrical apprentice under ORS 479.630 if an application accompanied by appropriate fee for a permit is submitted to the Department of Consumer and Business Services within five days after the commencement of such electrical work.

(8)(a) A license or permit is not required for the installation or assembly of industrial electrical equipment by the duly authorized agents of the factory, vendor or owner.

(b) The license and permit exemptions of this subsection do not apply to activity in an area where industrial electrical equipment is installed in or enters a hazardous location or penetrates or enters a fire rated assembly or plenum rated assembly.

(c) As used in this subsection:

(A) "Duly authorized agents" means individuals trained by the factory or a vendor or by experience and who are knowledgeable in the operation, maintenance, repair and installation of industrial electrical equipment.

(B) "Installation or assembly" means the reassembly at a job site of equipment that is wired and assembled at the factory and then disassembled for shipping purposes or of existing equipment that is relocated. "Installation or assembly" does not include work involving field fabricated assemblies or any other electrical product that is not an original part of the industrial electrical equipment. "Installation or assembly" does not include the connection of industrial electrical equipment to a power source.

(9) The provisions of ORS 479.510 to 479.945 and 479.995 do not apply to:

(a) Electrical installations and repairs involving communication and signal systems of railroad companies.

(b) Electrical installations and repairs involving remote and permanent broadcast systems of radio and television stations licensed by the Federal Communications Commission if the systems are not part of the building's permanent wiring.

(c) The installing, maintaining, repairing or replacement of telecommunications systems on the provider side of the demarcation point by a telecommunications service provider.

(d) The maintaining, repairing or replacement of telecommunications equipment on the customer side of the demarcation point by a telecommunications service provider.

(e) Installations, by a telecommunications service provider or an appropriately licensed electrical contractor, of telecommunications systems on the customer side of the demarcation point except:

(A) Installations involving more than 10 telecommunications outlets; and

(B) Installations of any size that penetrate fire-resistive construction or air handling systems or that pass through hazardous locations.

(f) Notwithstanding paragraph (e) of this subsection, installation of telecommunications systems on the customer side of the demarcation point in:

(A) One and two family dwellings; and

(B) Multifamily dwellings having not more than four dwelling units if the installation is by a telecommunications service provider.

(g) Notwithstanding paragraph (e) of this subsection, installation or replacement of cord or plug connected telecommunications equipment on the customer side of the demarcation point.

(h) Notwithstanding paragraph (e) of this subsection, installation of patch cord and jumper cross-connected equipment on the customer side of the demarcation point.

(10)(a) The board may grant partial or complete exemptions by rule for any electrical product from any of the provisions of ORS 455.610 to 455.630 or 479.510 to 479.945 and 479.995 if the board determines that the electrical product does not present a danger to the health and safety of the people of this state.

(b) If the board grants an exemption pursuant to subsection (1) of this section, the board may determine that the product may be installed by a person not licensed under ORS 479.510 to 479.945.

(11) ORS 479.760 does not apply to products described in this subsection that comply with the electrical product safety standards established by concurrence of the board and the Director of the Department of Consumer and Business Services as described under ORS 479.730. This subsection does not exempt any products used in locations determined to be hazardous in the electrical code of this state. The following apply to this subsection:

(a) Except as provided in paragraph (b) of this subsection, the exemption under this subsection applies to:

(A) The rotating equipment portion of power generation equipment.

(B) Testing equipment used in a laboratory or hospital.

(C) Commercial electrical air conditioning equipment.

(D) Prefabricated work performed by an electrical contractor with licensed electrical personnel in the contractor's place of business for assembly on the job site if the work is composed of parts that meet the electrical product safety standards established by concurrence of the board and the director.

(b) Notwithstanding paragraph (a) of this subsection, the board may require any of the products described in paragraph (a) of this subsection to be subject to the certification requirements under ORS 479.760 if the board determines that the product or class of products has presented a fire or life safety hazard in use. A determination under this paragraph shall be effective as to any such product or class of products installed after the date of the determination becomes final. The board may reinstate any exemption removed under this paragraph if the board determines that the reasons for the removal of the exemption have been corrected.

(12)(a) ORS 479.610 does not apply to installations of industrial electrical equipment unless the board determines that the product or class of products may present a fire or life safety hazard.

(b) The board may reinstate an exemption removed under this subsection if the product qualifies for reinstatement under:

(A) An equipment safety program approved by the board;

(B) Equipment minimum safety standards established by concurrence of the board and the director;

(C) An evaluation by an approved field evaluation firm;

(D) A listing from a nationally recognized testing laboratory;

(E) An evaluation of a first model of a product by the board; or

(F) Any other method approved by the board.

(13) ORS 479.760 does not apply to electrical equipment that has been installed and in use for one year or more.

(14) A person who holds a limited maintenance specialty contractor license or a limited pump installation specialty contractor license issued under ORS 479.510 to 479.945 or a person who is the employee of such license holder and who is listed with the board as an employee is not required to have a journeyman license or supervising electrician's license to perform work authorized under the person's license.

(15) A person is not required to obtain a permit for work on, alterations to or replacement of parts of electrical installations as necessary for maintenance of existing electrical installations on residential property owned by the person or by a member of the person's immediate family. This subsection does not establish an exemption for new electrical installations or substantial alterations to existing electrical installations.

(16) A permit is not required for those minor electrical installations for which the board has authorized an installation label.

(17) A residential home, as defined in ORS 443.580, and an adult foster home, as defined in ORS 443.705, is not a multifamily dwelling and only electrical installation standards and safety requirements applicable to single family dwellings apply to such homes.

(18) The permit requirements of ORS 479.550 and the license requirements of ORS 479.620 do not apply to cable television installations.

(19) The provisions of any electrical products code or rule adopted pursuant to ORS 479.510 to 479.945 and 479.995 apply to cable and such products installed as part of a cable television installation.

(20) A person is not required to obtain a license to make an electrical installation in a prefabricated structure, as defined in ORS 455.010, that is designed for residential use and intended for delivery in another state.

(21) A person is not required to obtain a license to make electrical installations, repairs or replacements in a recreational vehicle as defined by the board by rule.

[21] **(22)** As used in this section, "smoke alarm" has the meaning given that term under ORS 479.250.

EXEMPTION FOR RECREATIONAL VEHICLE PLUMBING WORK

SECTION 9. ORS 447.060 is amended to read:

447.060. (1) ORS 447.010 to 447.156 do not apply to a person:

(a) Engaging in plumbing work when not so engaged for hire.

(b) Using the services of regular employees in performing plumbing work for the benefit of property owned, leased or operated by the person. For purposes of this paragraph, "regular employee" means a person who is subject to the provisions of ORS 316.162 to 316.221 and who has completed a withholding exemptions certificate required by ORS 316.162 to 316.221.

(c) Using the services of an employee or contractor of a utility company, energy service provider or water supplier to install an approved low-flow showerhead or faucet aerator in existing plumbing fixtures. The devices installed under this paragraph are exempt from the certification, permit and inspection requirements of ORS 447.010 to 447.156 and ORS chapter 693.

(d) Engaging in plumbing work on a recreational vehicle as defined by the State Plumbing Board by rule.

(2) A landscape contracting business licensed under ORS 671.560 is not required to be licensed under ORS 447.010 to 447.156 to install, repair or maintain backflow assemblies for irrigation systems and ornamental water features if the work is performed by an individual who is licensed as required by ORS 671.615 and is an owner or employee of the landscape contracting business. The repair and maintenance of the backflow assembly must be performed by a tester certified under ORS 448.279. The licensing exemption established under this subsection does not exempt the landscape contracting business from the inspection and permit requirements of ORS 447.010 to 447.156.

(3) This section applies to any person, including but not limited to, individuals, corporations, associations, firms, partnerships, joint stock companies, public and municipal corporations, political subdivisions, this state, the federal government and state or federal agencies.

SECTION 10. ORS 693.020 is amended to read:

693.020. (1) Except as provided in subsection (2) of this section, this chapter does not apply to:

(a) A person working on a building or premises owned by the person, regardless of whether the person holds a license under this chapter, if the person complies with all the rules adopted under this chapter and ORS 447.010 to 447.156 and ORS chapter 455.

(b) A person testing, repairing, servicing, maintaining, installing or replacing new or existing potable water pump equipment not exceeding seven and one-half horsepower on residential property and piping between the pumps and storage tanks for the pumps, regardless of whether the person holds any license under this chapter.

(c) A person installing exterior storm drains that are not connected to a sanitary sewer or combination sanitary storm sewer.

(d) An employee or contractor of a utility, energy service provider or water supplier who is installing an approved low-flow showerhead or faucet aerator in existing plumbing fixtures. The devices installed under this paragraph are exempt from the certification, permit and inspection requirements of this chapter and ORS 447.010 to 447.156.

(e) A person who owns, leases or operates residential property and who repairs, or uses regular employees to repair, existing plumbing on property owned, leased or operated by the person, regardless of whether the person or employee holds a license under this chapter. As used in this paragraph:

(A) "Repair" means the act of replacing or putting together plumbing parts that restore the existing plumbing system to a safe and sanitary operating condition.

(B) "Regular employee" means a person who is subject to the provisions of ORS 316.162 to 316.221 and who has completed a withholding exemptions certificate required by the provisions of ORS 316.162 to 316.221.

(f) A person installing plumbing in a prefabricated structure, as defined in ORS 455.010, that is designed for residential use and intended for delivery in another state.

(g) A person making plumbing installations, repairs or replacements in a recreational vehicle as defined by the State Plumbing Board by rule.

(2) Subsection (1)(a) to (d) of this section does not allow a person other than a journeyman plumber or apprentice plumber to install, remodel or alter plumbing in a commercial or industrial building being constructed or offered for sale, exchange, rent or lease. As used in this subsection, "install, remodel or alter" means activities that involve installations or changes to the plumbing inside a wall, floor, crawl space or ceiling, or a change in the configuration of a plumbing system.

(3) This section applies to any person, including but not limited to individuals, corporations, associations, firms, partnerships, joint stock companies, public and municipal corporations, political subdivisions, this state and any agencies thereof and the federal government and any agencies thereof.

(4) Except as provided in subsection (1)(d) of this section, nothing in this section exempts a person from the plumbing inspection requirements of ORS 447.010 to 447.156.

CAPTIONS

SECTION 11. The unit captions used in this 2017 Act are provided only for the convenience of the reader and do not become part of the statutory law of this state or express any legislative intent in the enactment of this 2017 Act.

Passed by Senate April 19, 2017

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House June 6, 2017

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Tina Kotek, Speaker of House

Received by Governor:

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Approved:

.....M,....., 2017

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2017

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Dennis Richardson, Secretary of State