

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control _____ Department or Agency: Alabama Board of Electrical Contractors

Rule No.: 303-X-2-.08

Rule Title: Exemptions

_____ New X Amend _____ Repeal _____ Adopt by Reference

Would the absence of the proposed rule significantly Harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's Police power and the protection of the public health, Safety, or welfare? Yes

Is there another, less restrictive method of regulation Available that could adequately protect the public? No

Does the proposed rule have the effect of directly or Indirectly increasing the costs of any goods or services Involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public Than the harm that might result from the absence of The proposed rule? No

Are all facets of the rulemaking process designed solely For the purpose of, and so they have, as their primary Effect, the protection of the public? Yes

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama, 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama, 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer [Handwritten Signature]

Date: December 18, 2014

(DATE FILED)
(STAMP)

Alabama Board of Electrical Contractors

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Electrical Contractors

RULE NO. & TITLE: 303-X-2-.08 License Exemptions

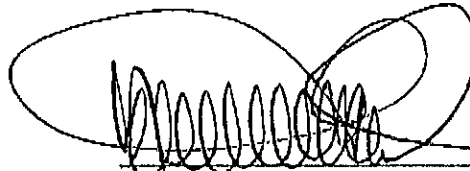
INTENDED ACTION: Amended

SUBSTANCE OF PROPOSED ACTION: The Board proposes to remove the exemption where no governing ordinances or laws require a license. This contradicts the intent of the law that now specifically states you are required to hold a license to perform electrical work in the state.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Written comments will be received by the Board until 4:00 p.m. on Wednesday, February 4, 2015. Comments should be directed to Keith E. Warren, Executive Director at 2777 Zelda Road, Montgomery, AL 36106 or via electronic mail at keith@warrenandco.com or via telephone at 334-420-7232.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:
Wednesday, February 4, 2015.

CONTACT PERSON AT AGENCY: Keith E. Warren
Executive Director
2777 Zelda Road
Montgomery, AL 36106
(334) 420-7232



Keith E. Warren, Executive Director
Alabama Board of Electrical Contractors

303-X-2-.08 License Exemptions

- (1) The Board shall not apply the provisions of this act:
- (a) to installation, construction or maintenance of power systems for the generation and secondary distribution of electrical currents constructed under the provisions of the national electrical safety code which regulates the safety requirements of utilities;
 - (b) to the installation, construction, maintenance or repair of telephone or signal systems by or for public utilities or their corporate affiliates, when such work pertains to the services furnished by such utilities;
 - (c) to any technician employed by a municipal franchised CATV system;
 - (d) to any journeyman electrician employed by a state licensee of the Board or a licensee of a county or municipality where the contract work is being performed;
 - ~~(e) to persons engaging in the electrical contracting business or working as a master electrician or journeyman electrician where there is no governing ordinance or laws requiring a license;~~
 - (~~f~~ e) to the owner of any premises or any employee of any such owner when performing electrical work or installing, constructing, maintaining, altering or repairing electrical wiring, equipment or apparatus on such premises;
 - (~~g~~ f) to an employee or an electric utility when installing or repairing electric appliance and equipment for a customer;
 - (~~h~~ g) to any retail merchant, or its employees making the direct replacement of or the repair or maintenance on any appliance that the merchant has sold, or to any modular or manufacturer of the housing industry within the state which is regulated by state and federal governments;
 - (~~f~~ h) to the installation, construction or maintenance of systems that operate on 25 volts or less.
 - (j i) To the installation, construction or maintenance of direct broadcast satellite services.

Authority: Code of Alabama 1975, §34-36-13, et seq.
History: Repealed February 11, 2011; Filed February 11, 2011
Author: Hendon B. Coody