

**DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES**

**BUREAU OF CONSTRUCTION CODES**

**ELECTRICAL ADMINISTRATIVE BOARD**

**GENERAL RULES**

(By authority conferred on the electrical administrative board by sections 3 and 8c of Act No. 217 of the Public Acts of 1956, as amended, being SS338.883 and 338.888c of the Michigan Compiled Laws)

**R 338.1001 Rescinded.**

History: 1979 AC; 1994 AACS.

**R 338.1001a Definitions.**

Rule 1a. (1) As used in these rules:

(a) "Act" means Act No. 217 of the Public Acts of 1956, as amended, being S338.881 et seq. of the Michigan Compiled Laws.

(b) "Board" means the electrical administrative board.

(c) "Department" means the department of labor.

(2) A term defined in the act has the same meaning when used in these rules.

History: 1994 AACS.

**R 338.1002 Rescinded.**

History: 1979 AC; 1994 AACS.

**R 338.1002a Applications; form; fee; grounds for denial of applications and for forfeiture of fees.**

Rule 2a. (1) An applicant for examination shall submit, to the department, an application on the form prepared and furnished by the department.

(2) An application shall be accompanied by the fee prescribed in the act.

(3) Each question on the application shall be answered in its entirety.

(4) An incomplete application shall be returned to the applicant for completion and then resubmitted to the department within 15 days after the date of the department's request.

(5) Failure to comply with the requirement of subrule (4) of this rule is grounds for denial of the application.

History: 1994 AACS.

**R 338.1003 Rescinded.**

History: 1979 AC; 1994 AACS.

**R 338.1003a Electrical contractor, fire alarm contractor, and sign specialty contractor; license examination qualifications.**

Rule 3a. (1) To qualify for an electrical contractor examination, an applicant shall provide either of the following:

(a) A current master electrician license that is issued by the board or by a municipality providing for licensing pursuant to the provisions of section 6 of the act.

(b) Proof, on a form provided by the department, of the full-time employment of not less than 1 master electrician who is licensed under the act and who resides in this state and certification that the master electrician shall be actively in charge of, and responsible for, code compliance of all installations of electrical wiring and equipment.

(2) A master electrician shall not represent more than 1 electrical contractor, firm, or corporation at the same time.

(3) To qualify for a fire alarm contractor examination, an applicant shall provide either of the following:

(a) A current fire alarm specialty technician license that is issued by the board or by a municipality providing for licensing pursuant to the provisions of section 6 of the act.

(b) Proof, on a form provided by the department, of the full-time employment of not less than 1 fire alarm specialty technician who is licensed under the act and who resides in this state and certification that the fire alarm specialty technician shall be actively in charge of, and responsible for, code compliance of all installations of fire alarm system wiring and equipment.

(4) A fire alarm specialty technician shall not represent more than 1 fire alarm contractor, firm, or corporation at the same time.

(5) To qualify for a sign specialty contractor examination, an applicant shall provide either of the following:

(a) A current sign specialist license that is issued by the board or by a municipality providing for licensing pursuant to the provisions of section 6 of the act.

(b) Proof, on a form provided by the department, of the full-time employment of not less than 1 sign specialist who is licensed under the act and who resides in this state and certification that the sign specialist shall be actively in charge of, and responsible for, code compliance of all installations, manufacturing, maintenance, connection, and repair of electric signs, outline lighting, and related wiring.

History: 1994 AACS; 1996 AACS.

**R 338.1004 Rescinded.**

History: 1979 AC; 1994 AACS.

**R 338.1004a Master electrician license examination qualifications.**

Rule 4a. (1) To qualify for a master electrician license examination, a person shall meet the criteria set forth in the act and shall provide both of the following:

(a) A notarized statement from present or former employers to the effect that the applicant has a minimum of 12,000 hours of practical experience that has been obtained over a period of not less than 6 years in electrical construction, the maintenance of buildings, or electrical wiring under the supervision of a master electrician. When an applicant has provided documentation of 8,000 hours of practical experience that is required pursuant to the provisions of R 338.1005a(1), he or she shall provide a notarized statement from present or former employers to demonstrate the attainment of 4,000 hours of practical experience subsequent to initial journeyman license issuance.

(b) Evidence of holding a journeyman license for 2 years preceding the date of application. If the journeyman license was not issued by the board, a copy of the license that was issued by a municipality providing for licensing pursuant to the provisions of section 6 of the act or a statement from the licensing authority that verifies license issuance shall be furnished.

(2) If an applicant is unable to conform with any of the requirements in subrule (1) of this rule, he or she may present evidence to the board as to his or her eligibility for examination.

History: 1994 AACCS.

**R 338.1005 Rescinded.**

History: 1979 AC; 1994 AACCS.

**R 338.1005a Journeyman electrician examination qualifications.**

Rule 5a. (1) To qualify for a journeyman electrician license examination, a person shall meet the criteria set forth in the act and shall provide a notarized statement from present or former employers to the effect that the applicant has a minimum of 8,000 hours of practical experience obtained over a period of not less than 4 years in electrical construction, the maintenance of buildings, or electrical wiring under the direct supervision of a journeyman or master licensed pursuant to the act.

(2) Credit toward the 8,000 hours of practical experience prescribed in subrule (1) of this rule shall be provided to an applicant as follows:

(a) Not more than 2,000 hours upon furnishing a copy of a bachelor of science degree in electrical engineering.

(b) Not more than 1,000 hours upon furnishing documentation of participation in a training or educational program that is acceptable to the board.

(3) If an applicant is unable to conform with any of the requirements specified in subrules (1) and (2) of this rule, he or she may present evidence to the board as to his or her eligibility for examination.

History: 1994 AACCS.

**R 338.1005b Fire alarm specialty technician; license examination qualifications.**

Rule 5b.(1) To qualify for a fire alarm specialty technician license examination, a person shall meet the criteria set forth in the act and shall provide documentation of certification by the national institute for certification in engineering technology as an associate engineering technician, level II or the equivalent as determined by the board, in the field of fire alarm systems technology.

(2) The board may determine the equivalency of other certification in the field of fire alarm systems technology through documentation which is provided by the applicant and which is acceptable to the board.

History: 1996 AACCS.

**R 338.1005c Sign specialist; license examination qualifications.**

Rule 5c. (1) To qualify for a sign specialist license examination, a person shall meet the criteria set forth in the act and comply with both of the following provisions:

(a) Provide a notarized statement from present or former employers to the effect that the applicant has a minimum of 4,000 hours of practical experience obtained over a period of not less than 2 years in the manufacture, installation, maintenance, connection, or repair of electric signs, outline lighting, and related wiring.

(b) Demonstrate the successful completion of a course concerning the installation, maintenance, connection, or repair of electric signs and related wiring as contained in the sign electrician's workbook published by the American technical publishers, incorporated, or completion of a training course as specified in R 338.1005d.

(2) Credit toward the 4,000 hours of practical experience prescribed in subrule (1) of this rule shall be provided to an applicant as follows:

(a) Not more than 2,000 hours upon furnishing a copy of a bachelor or science degree in electrical engineering.

(b) Not more than 1,000 hours upon furnishing documentation of participation in a training and educational program that is acceptable to the board.

(3) If the applicant is unable to comply with any of the documentation requirements specified in subrules (1) and (2) of this rule, then he or she may present evidence to the board as to his or her eligibility for examination.

History: 1996 AACCS.

**R 338.1005d Sign specialty technician training course criteria.**

Rule 5d. (1) The board shall approve instructor-provided courses on sign wiring that are in compliance with the requirements of the act and these rules.

(2) The board shall approve instructors who demonstrate experience in the manufacturing and installation of electric signs.

(3) A certificate of completion shall be issued to a person who has successfully completed the sign technician course with a passing grade and required attendance. The certificate shall contain all of the following information:

- (a) A course approval number as granted by the board.
- (b) The name and address of the school, college, organization, company, or person who sponsors or administers the course.
- (c) The date the certificate was issued.
- (d) The student's name and address.
- (e) The instructor's signature certifying that the applicant completed the course as described in subrule (4) of this rule.

(4) The course shall contain instruction in all of the following subjects:

- (a) General information, including all of the following:
  - (i) Listing and labeling.
  - (ii) Clearances.
  - (iii) Safety.
  - (iv) Structural integrity.
  - (v) Indoor/outdoor installations.
- (b) Wiring design, including all of the following:
  - (i) Grounding.
  - (ii) Terminations.
  - (iii) Calculations.
  - (iv) Overcurrent protection.
- (c) Wiring methods and materials for 1000 volts or less and for more than 1000 volts.
- (d) General use equipment, including all of the following:
  - (i) Lighting fixtures.
  - (ii) Motors.
  - (iii) Transformers.
- (e) Types of signs, including all of the following:
  - (i) Incandescent.
  - (ii) Electric discharge lighting.
  - (iii) Electric discharge tubing.
  - (iv) Fixed outline lighting.
  - (v) Skeleton-type signs.
  - (vi) Outdoor portable signs.
  - (vii) Portable gas tube signs.

History: 1996 AACCS

### **R 338.1006 Rescinded.**

History: 1979 AC; 1994 AACCS.

### **R 338.1006a Examination eligibility of applicants from other states and countries; nonresident temporary journeyman's license.**

Rule 6a. (1) A person who is licensed as a master or journeyman electrician in another state or country or who possesses a fire alarm specialty technician license or sign specialist license from another state or country may qualify for examination upon a determination by the board that the license was obtained by the person through substantially the same or equal requirements as those of the state of Michigan in accordance with section 3a of the act.

(2) An applicant who is licensed in another state shall be approved by the board for the master examination as specified in R 338.1004a.

(3) An applicant who is licensed in another state shall be approved by the board for the journeyman examination as specified in R 338.1005a.

(4) A nonresident person who is licensed in another state may receive a temporary journeyman license for a period of not more than 90 days if the nonresident person qualifies under subrules (1) and (3) of this rule.

(5) An applicant who is licensed in another state shall be approved by the board for the fire alarm specialty technician license examination as specified in R 338.1005b.

(6) An applicant who is licensed in another state shall be approved by the board for the sign specialist's license examination as specified in R 338.1005c.

History: 1994 AACCS; 1996 AACCS.

### **R 338.1006b Specialty licenses not required.**

Rule 6b (1) A person, firm or corporation holding a valid electrical contractor license shall not be required to be licensed as a fire alarm contractor or sign specialty contractor to perform the installation of specialty category wiring.

(2) A person holding a valid master electrician license or an electrical journeyman license shall not be required to be licensed as a fire alarm specialty technician to perform installations of fire alarm system wiring at the direction of a licensed electrical contractor or fire alarm contractor.

(3) A person holding a valid master electrician license or an electrical journeyman license shall not be required to be licensed as a sign specialist to perform the installation of sign wiring at the direction of a licensed electrical contractor or sign specialty contractor.

(4) A person who is registered as an apprentice electrician shall not be required to be registered as a fire alarm apprentice to perform the installation of fire alarm system wiring providing the work is performed under the direct personal supervision of a licensed master electrician or electrical journeyman.

(5) A person who is registered as a fire alarm apprentice may perform installations of fire alarm system wiring under the direct personal supervision of a person who is licensed as a master electrician, an electrical journeyman, or a fire alarm specialty technician.

(6) A person who is licensed as a fire alarm specialty technician may perform installations of fire alarm systems under the direction of a licensed electrical contractor or fire alarm contractor.

(7) A person who is licensed as a sign specialist may perform electrical wiring of signs at the direction of a licensed electrical contractor or sign specialty contractor.

History: 1996 AACCS.

**R 338.1007 Rescinded.**

History: 1979 AC; 1994 AACCS.

**R 338.1007a Acceptance of application; admission card renewal.**

Rule 7a. (1) An application shall not be accepted, and an admission card shall not be issued, for a scheduled examination, unless the completed application has been on file in the Lansing office of the board for not less than 20 business days before the date of the next scheduled examination.

(2) An application may be accepted and an admission card issued if an applicant presents a satisfactory explanation to the department for the failure to file an application within the 20 days prescribed in subrule (1) of this rule.

(3) An admission card shall not be renewed unless the applicant provides a reasonable written explanation of his or her absence from the scheduled examination to the department within 10 business days after the scheduled examination.

History: 1994 AACCS.

**R 338.1008 Rescinded.**

History: 1979 AC; 1994 AACCS.

**R 338.1008a Time of examination.**

Rule 8a. The department shall conduct an examination at least once each calendar quarter at a time and place designated by the department.

History: 1994 AACCS.

**R 338.1009 Rescinded.**

History: 1979 AC; 1994 AACCS.

**R 338.1009a Examination; notice; identification.**

Rule 9a. (1) Notice of the time, place, and date of the examination shall be mailed to those applicants whose applications have been accepted and are on file in the Lansing office for not less than 20 business days before the date of the next scheduled examination.

(2) An applicant who appears for an examination shall present the admission card that is issued by the department and a current pictured piece of identification, such as a driver's license.

History: 1994 AACCS.

**R 338.1010a Failure to appear for examination; effect.**

Rule 10a. If an applicant fails to appear for the examination designated on the admission card and fails to make a satisfactory explanation for his or her absence to the department within 10 business days following the scheduled examination, then the application is canceled and the application fee is forfeited.

History: 1994 AACCS.

**R 338.1011 Rescinded.**

History: 1979 AC; 1994 AACCS.

**R 338.1011a Review and approval of form and content of examination; scope of examinations; minimum grade.**

Rule 11a. (1) The department and the board, acting jointly, shall review and approve the form and content of the examination or other test.

(2) The examination for a master or journeyman electrician license shall be a written examination that consists of questions that are designed to test an individual's knowledge of all of the following:

(a) The act.

(b) Any rules promulgated pursuant to the act.

(c) The provisions of Act No. 230 of the Public Acts of 1972, as amended, being S125.1501 et seq. of the Michigan Compiled Laws.

(d) The electrical code adopted pursuant to the provisions of section 4 of Act No. 230 of the Public Acts of 1972, as amended, being S125.1504 of the Michigan Compiled Laws.

(e) An electrical code adopted under section 8 of Act No. 230 of the Public Acts of 1972, as amended, being S125.1508 of the Michigan Compiled Laws.

(f) The theory relative to the codes specified in subdivisions (d) and (e) of this subrule.

(3) The electrical contractor examination, fire alarm contractor examination, and sign specialty contractor examination shall consist of a written examination that is designed to test an individual's knowledge of all of the following:

(a) The act.

(b) The provisions of Act No. 230 of the Public Acts of 1972, as amended, being S125.1501 et seq. of the Michigan Compiled Laws.

(c) The administration and enforcement procedures of any code that is adopted under section 8 or 9 of Act No. 230 of the Public Acts of 1972, as amended, being S125.1508 or S125.1509 of the Michigan Compiled Laws.



(4) To qualify for a license, an applicant shall receive a minimum examination grade of 75%.

(5) The examination for a fire alarm specialty technician license shall be a written examination that consists of questions which are designed to test an individual's knowledge of all of the following:

(a) The act.

(b) Any rules promulgated pursuant to the act.

(c) The electrical code relating to fire alarms that is adopted under section 4 of Act No. 230 of the Public Acts of 1972, as amended, being S125.1504 of the Michigan Compiled Laws.

(6) The examination for a sign specialist license shall be a written examination that consists of questions to test an individual's knowledge of all of the following:

(a) The act.

(b) Any rules promulgated pursuant to the act.

(c) The electrical code relating to electric signs and outline lighting that is adopted under section 4 of Act No. 230 of the Public Acts of 1972, as amended, being S125.1504 of the Michigan Compiled Laws.

History: 1994 AACCS; 1996 AACCS.

### **R 338.1012 Rescinded.**

History: 1979 AC; 1994 AACCS.

### **R 338.1012a Notification of results of examination.**

Rule 12a. An applicant shall be notified of the results of an examination within 30 days after completing the examination. A license shall be issued pursuant to the provisions of R 338.1015a within 10 business days after receipt of the license fee.

History: 1994 AACCS.

### **R 338.1013 Rescinded.**

History: 1979 AC; 1994 AACCS.

### **R 338.1013a Reexaminations for master and journeyman licenses, fire alarm specialty technician license, or sign specialist license; course approval.**

Rule 13a. (1) The examination fee will be forfeited if an applicant fails to receive a passing grade on an examination for a journeyman or master license, fire alarm specialty technician license, or a sign specialist license.

(2) If an applicant for a master electrician license or journeyman electrician license fails 2 examinations within 2 years, he or she shall be ineligible to qualify for another examination for 1 year. After 1 year, an applicant may qualify for reexamination by

submitting an application for reexamination on a form provided by the department. The application for reexamination shall include documentation of the successful completion of a board-approved course in the provisions of the electrical code, electrical fundamentals, or electrical theory.

(3) When an applicant for a sign specialist license fails 2 examinations within 2 years, he or she may qualify for reexamination by submitting an application for reexamination on a form provided by the department. The application for reexamination shall include documentation of the successful completion of a board-approved course in the applicable provisions of the electrical code and electrical fundamentals.

(4) All of the following types of courses may be approved:

(a) University, college, and community college courses.

(b) Home study courses, such as videotapes, audio cassettes, and correspondence courses.

(c) Private contractor technical courses.

(d) Association programs that are sponsored by professional trade organizations and inspector organizations.

(e) Training that is sponsored by nationally recognized, model code-promulgating organizations. The board may approve other educational or training programs which are offered by a provider and which address the categories listed in subrule (2) of this rule.

History: 1994 AACS; 1996 AACS.

### **R 338.1014 Rescinded.**

History: 1979 AC; 1994 AACS.

### **R 338.1014a Reexamination for electrical contractor license, fire alarm contractor license, and sign specialty contractor license.**

Rule 14a. An applicant for the electrical contractor, fire alarm contractor, or sign specialty contractor examination who fails to qualify for a license shall reapply for examination, on a form for reexamination provided by the department, and pay the fee prescribed in the act. An applicant for an electrical contractor license may be examined at the next scheduled examination.

History: 1994 AACS; 1996 AACS.

### **R 338.1015 Rescinded.**

History: 1979 AC; 1994 AACS.

### **R 338.1015a Licenses; issuance.**

Rule 15a. (1) The department shall issue a license only after an applicant has successfully completed all of the requirements of the act and these rules, including receiving the minimum passing grade prescribed in R 338.1011a, and has paid the license fee prescribed in the act.

(2) An applicant who qualifies for an electrical contractor license and who holds a master electrician license shall be issued a license upon completion of a form provided by the department.

(3) An applicant for an electrical contractor license who employs a master electrician to supervise all electrical installations in order to qualify for a contractor license shall furnish a notarized statement from the master electrician that certifies all of the following with respect to the master electrician:

(a) Residence in this state.

(b) Full-time employment by the contractor.

(c) He or she does not represent any other person, firm, or corporation as its master electrician.

(d) He or she does not represent any other person, firm, or corporation as the licensee in a business or industrial setting through an affidavit that is signed by the employer and the licensee as referenced in R 338.1039a.

(4) If a master electrician ceases to represent an electrical contractor, the contractor shall have 30 days in which to designate an employee or officer who is a licensed master electrician to qualify for the contractor license. After the 30-day period, the contractor license is not valid and shall be renewed in accordance with the requirements of these rules. Both the electrical contractor and the master electrician who is employed by the electrical contractor shall notify the board within 10 business days of any changes in the employment status of the master electrician.

(5) Before an electrical contractor license is issued, an applicant shall also pay the amount required under Act No. 497 of the Public Acts of 1980, as amended, being S570.1101 et seq. of the Michigan Compiled Laws, which amount shall be paid to the department of commerce for deposit into the homeowner construction lien fund.

(6) An applicant who qualifies for a fire alarm contractor license and who holds a fire alarm specialty technician license shall be issued a license upon completion of a form provided by the department.

(7) An applicant for a fire alarm contractor license who employs a fire alarm specialty technician to supervise all installations of fire alarm system wiring and equipment shall furnish a notarized statement from the fire alarm specialty technician that certifies all of the following with respect to the fire alarm specialty technician:

(a) Residence in this state.

(b) Full-time employment by the contractor.

(c) He or she does not represent any other person, firm, or corporation as its fire alarm specialty technician.

(8) If a fire alarm specialty technician ceases to represent a fire alarm contractor, the contractor shall have 30 days in which to designate an employee or officer who is a licensed fire alarm specialty technician to qualify for the contractor license. After the 30-day period, the contractor license is not valid and shall be renewed in accordance with the requirements of these rules. Both the fire alarm contractor and the fire alarm

specialty technician who is employed by the fire alarm contractor shall notify the board within 10 business days of any changes in the employment status of the fire alarm specialty technician.

(9) Before a fire alarm contractor license is issued, an applicant shall also pay the amount required under Act No. 497 of the Public Acts of 1980, as amended, being S570.1101 et seq. of the Michigan Compiled Laws, which amount shall be paid to the department of commerce for deposit into the homeowner construction lien fund.

(10) An applicant who qualified for a sign specialty contractor license and who holds a sign specialist license shall be issued a license upon completion of a form provided by the department.

(11) An applicant for a sign specialty contractor license who employs a sign specialist to supervise all installations, maintenance, connections, and repair of electric signs and related wiring shall furnish a notarized statement from the sign specialist that certifies all of the following with respect to the sign specialist:

(a) Residence in this state.

(b) Full-time employment by the contractor.

(c) He or she does not represent any other person, firm, or corporation as its sign specialist.

(12) If a sign specialist ceases to represent a sign contractor, the contractor shall have 30 days in which to designate an employee or officer who is a licensed sign specialist to qualify for the contractor license. After the 30-day period, the contractor license is not valid and shall be renewed in accordance with the requirements of these rules. Both the sign contractor and the sign specialist who is employed by the sign contractor shall notify the board within 10 business days of any changes in the employment status of the sign specialist.

(13) Before a sign specialty contractor license is issued, an applicant shall provide evidence of public liability insurance, which shall not be less than \$1,000,000.00 of coverage.

(14) A license shall expire on December 31 of each year and shall be renewed as prescribed in R 338.1016a.

History: 1994 AACS; 1996 AACS.

### **R 338.1016 Rescinded.**

History: 1979 AC; 1994 AACS.

### **R 338.1016a Renewal of licenses.**

Rule 16a. (1) Except as prescribed in subrule (2) of this rule, all licenses shall be renewed by March 1 of each year upon application and payment of the fee prescribed in the act.

(2) In addition to the requirements specified in subrule (1) of this rule, not later than 12 months after the adoption of the code, an applicant for journeyman or master license renewal shall show evidence of completing an approved course as prescribed in

R 338.1017a. A certificate of completion, as prescribed in R 338.1017a(4), shall accompany the application for renewal.

(3) An applicant who fails to complete the required course shall not be issued a license.

History: 1994 AACCS.

**R 338.1017 Rescinded.**

History: 1979 AC; 1994 AACCS.

**R 338.1017a Code update courses; instructors; standards.**

Rule 17a. (1) The board shall approve instructor-provided code update courses that are in compliance with the requirements of the act and these rules.

(2) Instructors shall be licensed as master or journeymen electricians or shall be approved by the board.

(3) A course for master and journeyman electricians shall consist of not less than 15 contact hours of instruction in changes in the code and basic code book usage.

(4) A course for fire alarm specialty technicians shall consist of not less than 15 hours of instruction in changes in the code relating to fire alarm systems and basic code book usage.

(5) A course for sign specialists shall consist of not less than 8 hours of instruction in changes in the code relating to electric sign wiring and basic code book usage.

(6) A certificate of completion shall be issued to a person who has successfully completed the code update class with a passing grade and required attendance. The certificate shall contain all of the following information:

(a) A course approval number as granted by the board.

(b) The name and address of the school, college, organization, company, or person who sponsors or administers the course.

(c) The date the certificate was issued.

(d) The student's name and address.

(e) The instructor's signature certifying that the applicant completed the course as described in subrule (3) of this rule.

History: 1994 AACCS; 1996 AACCS.

**R 338.1018 Rescinded.**

History: 1979 AC; 1994 AACCS.

**R 338.1018a Submission process and approval for code update course and instructor.**

Rule 18a. (1) A provider of a code update course shall apply for approval by submitting information on an application provided by the bureau. The information shall be evaluated by the board pursuant to the requirements of R 338.1017a.

(2) An application shall contain all of the following information:

(a) The name and address of the applicant.

(b) The name of the instructor and his or her license number where applicable.

(c) A copy of the teaching outline for the program.

(d) A determination of the number of contact hours that are required to conduct the course.

(e) A description of the criteria that is used to identify program participants who successfully complete the course.

(3) Approval of a course shall be evidenced by a course approval report that is prepared by the department and issued to the applicant. The report shall include all of the following information:

(a) The name and address of the applicant.

(b) A course identification number.

(c) The date of approval.

(d) The conditions of approval.

(e) The period of approval.

(4) A course or an amendment thereto that has been approved shall not be altered without prior authorization by the board. All changes shall be made a part of the written record of approval. The authorization shall be in writing. The board shall be notified immediately of any instructor changes.

(5) The board may withdraw the approval of a course if the approval was issued in error, if the approval was issued on the basis of incorrect information, or if the course is found to be in violation of these rules. Notice of withdrawal of approval shall be in writing and shall set forth the reason for the withdrawal of approval. An appeal from the withdrawal of approval shall be processed pursuant to the provisions of Act No. 306 of the Public Acts of 1969, as amended, being S24.201 et seq. of the Michigan Compiled Laws.

History: 1994 AACCS.

### **R 338.1019 Rescinded.**

History: 1979 AC; 1994 AACCS.

### **R 338.1020 Rescinded.**

History: 1979 AC; 1994 AACCS.

### **R 338.1021 Rescinded.**

History: 1979 AC; 1994 AACCS.

**R 338.1022 Rescinded.**

History: 1979 AC; 1994 AACS.

**R 338.1022a Minor violations and fines.**

Rule 22a. All of the following violations are minor violations and carry the following prescribed fines:

(a) Failure of a contractor to apply for a required permit before commencing electrical work. The fine is \$25.00. If the permit application is not received by the enforcing agency within 8 business days, an additional \$50.00 fine is assessed. Receipt of a permit application is verified by the postmark or date of receipt on the fee.

(b) Failure of an apprentice to register with the board as required pursuant to the provisions of section 3e of the act. The fine is \$5.00. An additional fine of \$50.00 shall be assessed if an apprentice fails to register within 15 business days of notification.

(c) Failure to produce pictured identification and a license or apprentice registration within 1 business day after requested by an inspector of the enforcing agency. The fine is \$25.00. If the identification and the license or apprentice registration specified in this subdivision is not produced, an additional fine of \$75.00 shall be assessed after 3 business days.

(d) Late renewal of a license or license registration. For late renewals, the fine is \$50.00 for each year that the license or license registration is not renewed up to 3 years. This fine is in addition to the license or registration fee for each year. A license that is not renewed within 3 years shall not be reissued without examination, except upon special approval by the board.

(e) Employment by an electrical contractor of a person who is in violation of the provisions of subdivision (b) or (c) of this rule. The fine is \$25.00. If the employed person does not register with the board pursuant to the provisions of subdivision (b) of this rule or does not produce pictured identification and a license or apprentice registration pursuant to the provisions of subdivision (c) of this rule, then the employing electrical contractor shall be fined an additional \$75.00. The fine will be imposed 3 days after the time provided in subdivisions (b) and (c) of this rule has expired.

(f) An enforcing agency shall be allowed to retain a fine imposed by this rule.

History: 1994 AACS.

**R 338.1023 Rescinded.**

History: 1979 AC; 1994 AACS.

**R 338.1023a Citation system; appeal process.**

Rule 23a. (1) If, as a result of an inspection or investigation, an enforcing agency finds that a minor violation of the act or these rules has been committed, the representative may issue a citation.

(2) A citation may be delivered personally to the person who is charged with a violation of the act or these rules or it may be mailed by the enforcing agency to the business or residence address of the person who is charged with the violation.

(3) A citation shall be written on a form prescribed by the department and shall include all of the following information:

(a) The date and time of the violation.

(b) The name of the person who is charged with the violation.

(c) The name of the enforcing agency representative who issued the citation.

(d) A specific reference to the provisions of the act or these rules that were violated.

(e) The amount due from the person who is charged with a violation.

(f) A statement that payment due for the violation shall be paid within 10 business days of receipt of the citation.

(g) The address to which payment shall be presented or mailed.

(h) A statement informing a person who is charged with a minor violation of a right to appeal the violation.

(4) An appeal shall be made in writing and may be made in any form that is reasonable to inform the department that an appeal is requested.

(5) An appeal shall be received by the department within 10 business days of receipt of the citation.

(6) If an appeal is made in a timely manner as set forth in this rule, the amount due for the minor violation appealed shall not be due until such time as the appeal is decided.

(7) If an appeal is not made within the time constraints of this rule, the right to appeal is waived and a person who is in receipt of a citation shall not have a further right of appeal.

(8) An appeal shall be noticed for hearing and conducted by the department pursuant to the provisions of Act No. 306 of the Public Acts of 1969, as amended, being S24.201 et seq. of the Michigan Compiled Laws.

(9) When the board, at the conclusion of an appeal hearing, affirms the citation issued by the department or enforcing agency, a person shall, within 10 business days, pay the amount due.

(10) When the amount due on a citation is not paid by the time imposed pursuant to the provisions of subrule (3)(f) of this rule and is not appealed, or is not paid by the time prescribed pursuant to the provisions of subrule (9) of this rule, the board shall impose 1 or more of the sanctions listed in section 8e(1) of the act.

(11) A licensee who requests an appeal shall be permitted to appear before the department representative who is hearing the appeal and shall be given an opportunity to be heard and to present evidence.

(12) The department or enforcing agency who issued the citation shall appear at the hearing and shall be given an opportunity to be heard and to present evidence.

(13) The department representative who is hearing the appeal shall make a decision at the conclusion of the hearing, and that decision may be heard on final appeal by the board at the board's discretion.



(14) When the decision of the department representative affirms the citation, the licensee shall, within 10 business days, pay the amount due or request, in writing, a final appeal before the board.

(15) When the amount due on a citation is not paid by the time imposed pursuant to the provisions of subrule (3)(f) of this rule and is not appealed, or is not paid by the time prescribed pursuant to the provisions of subrule (14) of this rule, the board shall impose 1 or more of the sanctions listed in section 8e(1) of the act.

History: 1994 AACCS.

**R 338.1024 Rescinded.**

History: 1979 AC; 1994 AACCS.

**R 338.1027a Apprentice registration; form; expiration and renewal.**

Rule 27a. (1) An applicant for apprentice registration shall submit a form provided by the department within 30 days after employment.

(2) An electrical apprentice registration will expire on August 31 of each year and shall be renewable within 30 days after that date upon payment of the fee prescribed in the act.

(3) A fire alarm apprentice registration will expire on August 31 of each year and shall be renewable within 30 days after that date upon payment of the fee prescribed in the act.

History: 1994 AACCS; 1996 AACCS.

**R 338.1031, R 338.1032 Rescinded.**

History: 1979 AC; 1994 AACCS.

**R 338.1033 Rescinded.**

History: 1979 AC; 1994 AACCS.

**R 338.1035a Hearings.**

Rule 35a. The department may hold hearings pursuant to the provisions of Act No. 306 of the Public Acts of 1969, as amended, being S24.201 et seq. of the Michigan Compiled Laws.

History: 1994 AACCS.

**R 338.1037a Sanctions and fines imposed by board.**

Rule 37a. In addition to the sanctions that the board can impose pursuant to the provisions of section 8e(a) to (d) of the act, the board may also impose fines for violations of the act pursuant to the provisions of sections 8e(2) and 10 of the act. Board action shall be preceded by a hearing pursuant to the provisions of Act No. 306 of the Public Acts of 1969, as amended, being S24.201 et seq. of the Michigan Compiled Laws.

History: 1994 AACCS.

**R 338.1039a Master electricians; permits; representation; notification of changes in affidavit.**

Rule 39a. (1) If business or industrial procedure requires the regular employment of a person who is licensed pursuant to the provisions of the act, a person, firm, or corporation may employ a licensed master electrician to actively supervise the installation of electrical equipment on the premises owned and occupied by the person, firm, or corporation. The master shall secure all necessary permits. An affidavit form that is furnished by the board shall be signed by both the employer and the licensed master electrician and shall contain all of the following information:

(a) The name and business address of the person who employs the licensed master electrician.

(b) The name, address, and current license number of the licensed master electrician.

(c) The license number and name of the licensing authority.

(d) A statement to the effect that the employer and the licensed master electrician are responsible for exercising the supervision and control of the electrical operations necessary to secure full compliance with the act, these rules, and all other laws and rules related to the installation of electrical equipment in this state.

(2) A licensed master electrician shall not represent more than 1 person, firm, or corporation as the licensee in a business or industrial setting through an affidavit that is signed by the employer and the licensee.

(3) A licensed master electrician who is employed in a business or industrial setting and his or her employer shall notify the board immediately of any changes in the written affidavit that is signed between the employer and the licensee.

(4) The affidavit becomes invalid 30 days after the designated licensed master electrician ceases to be an employee of the person, firm, or corporation.

History: 1994 AACCS.

**R 338.1041--R 338.1046 Rescinded.**

History: 1979 AC; 1994 AACCS.

**R 338.1051--R 338.1063 Rescinded.**

History: 1979 AC; 1994 AACS.

**R 338.1071--R 338.1077 Rescinded.**

History: 1979 AC; 1994 AACS.

**R 338.1081 Rescinded.**

History: 1979 AC; 1994 AACS.

**R 338.1082, R 338.1083 Rescinded.**

History: 1979 AC; 1994 AACS.

**R 338.1084--R 338.1087 Rescinded.**

History: 1979 AC; 1994 AACS.

**R 338.1088 Rescinded.**

History: 1979 AC; 1994 AACS.

**R 338.1099a Rescission.**

Rule 99a. R 338.1001 to R 338.1088 of the Michigan Administrative Code, appearing on pages 2463 to 2468 of the 1979 Michigan Administrative Code, are rescinded.

History: 1994 AACS.