

STATE OF WEST VIRGINIA



JOHN D. ROCKEFELLER IV
Governor

STATE FIRE MARSHAL
CHARLESTON, W. VA. 25305

FILED IN THE OFFICE OF
A. JAMES MANCHIN
SECRETARY OF STATE
THIS DATE 12-22-82
Administrative Law Division

2000 QUARRIER STREET
PHONE: (304) 348-2191

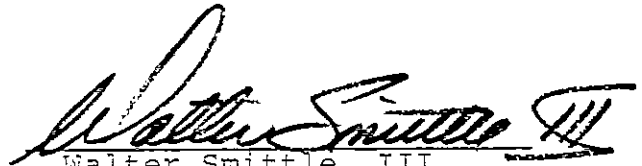
WALTER SMITTLE, III
State Fire Marshal

L. DARL CROSS
Deputy State Fire Marshal

TO WHOM IT MAY CONCERN:

I, Walter Smittle, III, State Fire Marshal, hereby submit two (2) copies of West Virginia Administrative Regulations, Chapter 8, Article 12, Section 14(a), Series II, (1973) amended, to replace West Virginia Administrative Regulations on Electrician Licensing. These regulations are promulgated under the authority of Chapter 8, Article 12, Section 14(a) of the West Virginia Code, 1931, as amended.

I hereby certify that the enclosed regulations are true and accurate copies of the official regulations filed in the office of the Secretary of State on February 22, 1974.


Walter Smittle, III
State Fire Marshal

12/22/82

FILED IN THE OFFICE
EDGAR F. HEISKELL III
SECRETARY OF STATE
THIS DATE 2/22/74

WEST VIRGINIA ADMINISTRATIVE REGULATIONS
THE STATE FIRE MARSHAL'S OFFICE

Chapter 8-12
Series II
1974

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Title 87
Legislative Rule

FILED IN THE OFFICE
EDGAR F. BRIGGELL III
SECRETARY OF STATE
THIS DATE 2/22/74

~~WEST VIRGINIA ADMINISTRATIVE REGULATIONS~~
~~THE STATE FIRE MARSHAL'S OFFICE~~ e Commission

Chapter 8-12 e
Series HC 2
1974 e

Subject: Standards and Procedures relating to the Issuance of Certificates of Competency to Master, Journeyman, or Helper Electricians.

Section 1. General

1:01. Purpose and Scope - This regulation establishes the standards to be observed and procedures to be followed by the State Fire Marshal in the execution of the authority granted him to issue certificates of competency to individuals properly qualifying as Master, Journeyman, or Helper Electricians, and to renew such certificates, pursuant to the provisions of Chapter 8, Article 12, Section 14a, of the West Virginia Code, 1931, as amended.

1:02. Authority - This regulation is issued under the authority of Chapter 8, Article 12, Section 14a, of the

West Virginia Code (1931, as amended), and pursuant to the provisions of Chapter 29A of the said Code.

1:03. Effective Date - This regulation was promulgated on February 22, 1974, and shall become effective on March 25, 1974.

1:04. Filing Date - This regulation was filed in the office of the Secretary of State on February 22, 1974.

~~1:05. Certification - This regulation is certified authentic by the State Fire Marshal by certification number II.~~

Section 2. Definitions

2:01. "Electrical Contractor" - means any person who engages in the business of or employs others for the construction, alteration or repair of any electrical wiring used for the purpose of furnishing heat, light or power.

2:02. "Electrician" - means any individual who either on his own or as an employee of an electrical contractor is engaged in the construction, alteration or repair of any electrical wiring.

2:03. "Electrical" - pertains to the installation of wires and conduits for the purpose of transmitting electricity, the installation of fixtures and equipment in connection therewith, or both.

2:04. Construction of Certain Terms - The terms "electrical contractor" and "electrician" as respectively defined in Subsections 2:01 and 2:02 of this Section shall not be construed so as to apply to:

- (A) Any electrician who performs electrical work with respect to any property owned or rented by him;
- (B) Any electrician who performs electrical work at any manufacturing plant or other industrial establishment as an employee of the person operating such plant or establishment;
- (C) Any electrician who, while employed by a person engaged in the business of selling appliances at retail, performs electrical work with respect to installation and repair of appliances as part of his regular duties; or
- (D) Any electrician who, while employed by a public utility or any of its affiliates, performs electrical work in connection with the furnishing of public utility service.

Section 3. Certificates of Competency; Generally

3:01. Unauthorized Electrical Work Within Municipality Prohibited - Under provisions of applicable law, the governing

body of every municipality in this State has plenary power and authority to provide by ordinance that no electrical work may be performed within the jurisdictional limits of such municipality by an electrical contractor or an electrician, unless such electrical work is performed by an electrician holding an unexpired Certificate of Competency for the level of electrical work in question issued by the State Fire Marshal.

3:02. Examination Required - After the effective date of this regulation, the State Fire Marshal shall issue Certificates of Competency only to those persons who have satisfactorily passed an examination for the level of competency applied for, and who have otherwise met and complied with the requirements of this regulation.

Section 4. Examinations; Generally

4:01. Form of Request - An applicant desiring to be examined under the provisions of this regulation must as a condition precedent to such examination furnish the State Fire Marshal with the following:

- (A) An indication of the level of Competency for which Certification is desired, i.e. Master, Journeyman, or Helper; and
- (B) A ten dollar (\$10.00) certification fee,

no part of which shall be returned to the applicant regardless of whether or not a passing examination grade is received.

4:02. Classification Level; Recommended - Applicants may find the following suggested experience guide helpful in determining the appropriate competency level for which to seek examination:

<u>MINIMUM ACCUMULATED EXPERIENCE AS WORKING ELECTRICIAN (IN YEARS)</u>	<u>RECOMMENDED COMPETENCY LEVEL</u>
0 to 4	Helper Electrician
4 to 8	Journeyman Electrician
8 and above	Master Electrician

NOTE: The above guide is not intended to represent a requirement of minimum experience. It is recognized that such factors as training, quality of supervision, education, aptitude, or natural ability may create variances in individual competency levels.

4:03. Time of Request - Applicants must comply with the requirements of Subsection 4:01 of this Section by no later than ten (10) working days in advance of the next regularly scheduled examination in order to receive authorization to be examined.

4:04. Authorization Form Required - All applicants otherwise complying with Subsections 4:01 and 4:03 of this Section, will be issued a written authorization form acknowledging receipt of the certification fee and setting

forth the level of competency for which testing is authorized. This authorization form will also evidence to the person conducting the examination that the holder thereof is properly authorized to be examined, and, therefore, no person will be permitted to take the examination who is unable to exhibit at the place of examination, a duly executed authorization form. In addition, persons to be examined may be requested to present further evidence of personal identification as a condition precedent to examination.

Section 5. Scheduling of Examinations

5:01. Generally - Under provisions of applicable law, the State Fire Marshal is directed to prepare and arrange for the giving of examinations at least four (4) times each year. Accordingly, arrangements have been made to conduct such examinations regularly on the first Tuesday in the months of March, May, July, September, November, and January. Notwithstanding the above, no examination will be scheduled in any month in which no person has made request to be examined in accordance with Section 4 of this regulation. The State Fire Marshal in his discretion may schedule examinations at such additional times as he deems necessary.

5:02. Time and Place of Examination - Examinations conducted under Subsection 5:01 shall be given at a time, date, and place set forth in the authorization form issued in accordance with Subsection 4:03 of this regulation.

Section 6. Content and Grading of Examinations

6:01. Source of Questions - Examinations for all levels of competency shall be based upon material contained in the National Electric Code published by the National Fire Protection Association. Examinations shall include questions covering each article of the National Electric Code. Copies of this Code may be procured at the expense of the party making request by writing: The National Fire Protection Association, 470 Atlantic Avenue, Boston, Massachusetts 02210.

6:02. Passing Grade Required - Under provisions of governing law [See: W. Va. Code 8-12-14a (c)] a passing grade of at least eighty percent (80%) is necessary to permit the State Fire Marshal to issue a Certificate of Competency to any applicant following examination.

Section 7. Certificates of Competency; Expiration and Renewal

7:01. Expiration - Under provisions of governing law [See: W. Va. Code 8-12-14a (c)] all Certificates of Competency issued by the State Fire Marshal shall expire on the thirtieth (30th) day of June following their issuance or renewal, as the case may be.

7:02. Renewal; Fee Required - The State Fire Marshal shall renew annually the Certificate of Competency of any certificate holder who qualifies and makes application therefor. Payment of a renewal fee of four dollars (\$4.00) is a

condition precedent to such renewal. It shall be the individual responsibility of every certificate holder to contact the State Fire Marshal and make specific request for certificate renewal. Certificates will not be automatically renewed.

7:03. Re-Examination After Expiration - All Certificates of Competency not renewed in accordance with the provisions of Subsection 7:02 of this Section will be treated as expired. Any certificate having so expired may be renewed without examination upon proper request to the State Fire Marshal in the manner prescribed in Subsection 7:02 of this Section: Provided, however, that after six (6) months from the date of such expiration, no expired certificate will be renewed until the applicant has been re-examined in accordance with the provisions of Sections 4, 5, and 6 of this regulation.

Section 8. Information

8:01. Questions - Questions concerning any matter encompassed by this regulation may be directed orally or in writing to: State Fire Marshal, 1800 Washington Street, East, Charleston, West Virginia 25305, Telephone (304) 348-2191.

Section 9. Separability

9:01. Partial Invalidity - If any provision of this

regulation shall be held invalid, the remainder of the regulation shall not be affected thereby.