

**WEST VIRGINIA
SECRETARY OF STATE
JOE MANCHIN, III
ADMINISTRATIVE LAW DIVISION**

Form #3 ■

Do Not Mark In This Box

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2003 FEB 18 P 2:42

STATE OF WEST VIRGINIA
SECRETARY OF STATE

**NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE
AND
FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE**

AGENCY: State Fire Marshal's Office TITLE NUMBER: 103

CITE AUTHORITY: 29-3C-4

AMENDMENT TO AN EXISTING RULE: YES ☐ NO ☒

IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: 1

TITLE OF RULE BEING PROPOSED: "Certification of Electrical Inspectors"

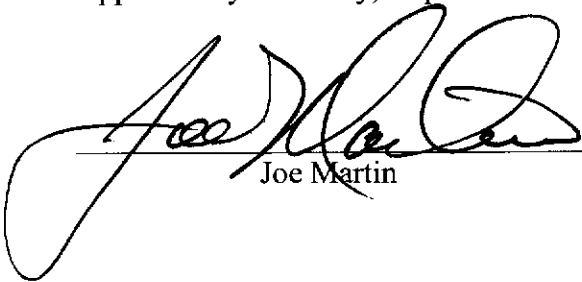
THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE FOR THEIR REVIEW.


Authorized Signature

WEST VIRGINIA
CERTIFICATION OF ELECTRICAL INSPECTORS

Rules
Of the West Virginia
State Fire Marshal

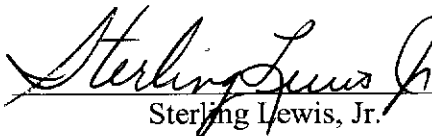
Approved by Secretary, Department of Military Affairs and Public Safety



Joe Martin

18 Feb 02
Date

Approved by State Fire Marshal



Sterling Lewis, Jr.

2-18-03
Date

STATE FIRE MARSHAL'S OFFICE
1207 Quarrier Street, 2nd Floor
Charleston, WV 25301



The Department of Military Affairs and Public Safety

Sterling Lewis, Jr.
State Fire Marshal

Bob Wise, Governor
Joe Martin, Cabinet Secretary

Phone: (304) 558-2191
Fax: (304) 558-2537

STATE FIRE MARSHAL'S OFFICE

1207 Quarrier St, 2nd Floor
Charleston, WV 25301

SUMMARY OF LEGISLATIVE RULE FOR CERTIFICATION OF ELECTRICAL INSPECTORS

Proposed legislative rule §103-1 "Certification of Electrical Inspectors" establishes the following as a Legislative Rule:

Standards and procedures for certification, including applications, examinations required, fee schedule, qualifications and classifications, procedures for investigating complaints, revoking or suspending certifications and for certification renewal. In addition, this rule establishes electrical inspector's responsibilities, prohibited acts and penalties for non-compliance.

This rule is necessary to fulfill statutory obligations imposed by §29-3C. Many private electrical inspectors and some electrical power utilities are awaiting approval and implementation of legislative rule to comply with said statute. Currently, some electrical utilities require an electrical inspection of electric service prior to activation. Legislative rules are necessary for this agency to effectively regulate and certify electrical inspectors. Also this legislative rule establishes rules and guidelines for the electrical trade to adhere to and reference.

QUESTIONNAIRE

(Please include a copy of this form with each filing of your rule: Notice of Public Hearing or Comment Period; Proposed Rule, and if needed, Emergency and Modified Rule.)

DATE: February 18, 2003

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: (Agency Name, Address & Phone No.) State Fire Marshal's Office
1207 Quarrier Street, 2nd Floor
Charleston, WV 25301

Attn: Anthony W. Carrico
Deputy State Fire Marshal 558-2191 (ext. 206)

LEGISLATIVE RULE TITLE: 103-1 "Certification of Electrical Inspectors"

1. Authorizing statute(s) citation 29-3C-4

2. a. Date filed in State Register with Notice of Hearing or Public Comment Period:

November 22, 2002

b. What other notice, including advertising, did you give of the hearing?

Numerous phone calls to intrested parties involved. Public Service Commission, Allegheny Power Company and various current electrical inspectors.

c. Date of Public Hearing(s) *or* Public Comment Period ended:

January 3, 2003

d. Attach list of persons who appeared at hearing, comments received, amendments, reasons for amendments.

Attached XXX No comments received _____

- e. Date you filed in State Register the agency approved proposed Legislative Rule following public hearing: (be exact)

February 18, 2003

- f. **Name, title, address and phone/fax/e-mail numbers** of agency person(s) to receive all *written correspondence* regarding this rule: (Please type)

Anthony W. Carrico

Deputy State Fire Marshal

1207 Quarrier Street, 2nd Floor

Charleston, WV 25301

Phone: 558-2191 Ext. 206 Fax: 558-2537 Email: acarrico@wvfiremarshal.org

- g. **IF DIFFERENT FROM ITEM 'f'**, please give **Name, title, address and phone number(s)** of agency person(s) who wrote and/or has responsibility for the contents of this rule: (Please type)

3. If the statute under which you promulgated the submitted rules requires certain findings and determinations to be made as a condition precedent to their promulgation:

- a. Give the date upon which you filed in the State Register a notice of the time and place of a hearing for the taking of evidence and a general description of the issues to be decided.

N/A

b. Date of hearing or comment period:

N/A

c. On what date did you file in the State Register the findings and determinations required together with the reasons therefor?

N/A

d. Attach findings and determinations and reasons:

Attached N/A

TITLE 103
LEGISLATIVE RULE
STATE FIRE MARSHAL

FILED

SERIES 1
CERTIFICATION OF ELECTRICAL INSPECTORS

2003 FEB 18 P 2:43

WEST VIRGINIA
LEGISLATIVE STATE

§ 103-1-1. General.

1.1. Scope. -- These rules establish the procedures to be followed to protect the health, safety and welfare of the public as well as public and private property by assuring the competence of those who perform electrical inspections of dwellings and other structures through certification by the state fire marshal.

1.2. Authority. -- W. Va. Code § 29-3C-4

1.3. Filing Date. --

1.4. Effective Date. --

§ 103-1-2. Definitions.

2.1. "Certified Electrical Inspector" - Means a person in good standing with the requirements of W. Va. Code 29-3C and these rules who is certified by the state fire marshal as qualified to perform electrical inspections. As used in this rule, "electrical inspector" does not include an inspector employed by the office of miner's health, safety and training pursuant to the provisions of section eleven, article one, chapter twenty-two-a of the W.Va. code.

2.2. "Electrical Inspection" - Means any inspection required by W. Va. Code 29-3, 29-3B, 29-3C and these rules and any inspection of a building to which electrical service is connected, wherein the inspector certifies that the electrical system in the building is in compliance with the national electrical code, state fire code and/or the state building code.

2.3. "Master electrician" - Means a person who holds a valid Master's Electrician License as issued by the state fire marshal and as defined in section two, article three-b, chapter twenty-nine of the W. Va. code.

2.4. "Electrical work" - Means the installation of wires, conduits, apparatus, fixtures, other appliances, equipment or

systems for transmitting, carrying, controlling or using electricity as defined in the scope of the national electrical code.

2.5. "License" - Means a valid and current electrician's license issued by the state fire marshal.

2.6. "Electrical contractor" - Means a person, firm or corporation who engages in the business of electrical work or employs master electricians, journeyman electricians, apprentice electricians or other workers for the construction, alteration or repair of any electrical system as defined in the scope of the national electrical code.

2.7. "Design" - Means to plan or layout electrical systems in sketches or drawings for use by licensed electricians. It includes, but is not limited to, determining the service components of electrical systems, the type and sizes of conductors, circuit breakers and other components of electrical systems necessary to accommodate the demand load.

2.8. "National Electrical Code" - Means the National Electrical Code for licensing of electricians is that Code promulgated by the National Fire Protection Association. Copies of the National Electrical Code may be obtained at the expense of the party making request by contacting: The National Fire Protection Association, Batterymarch Park, Quincy, MA 02269. 1-800-344-3555.

2.9. "State Fire Marshal" - Means the West Virginia State Fire Marshal and/or his/her designated representatives.

2.10. "State fire commission" - Means the state agency composed of the appointed state fire commissioners and the office of the state fire marshal.

§ 103-1-3. Certification of electrical inspectors required.

3.1. After the first day of January, two thousand three, no electrical inspections may be performed, offered or engaged in for compensation or hire within the state of West Virginia by any person who is not certified pursuant to this rule. Provided, That any person who is employed by this state or any subdivision of this state and who in the normal course of his or her employment conducts electrical inspections may perform electrical inspections as within the scope of his or her employment without certification pursuant to this rule.

§ 103-1-4. Classification of Electrical Inspectors.

4.1. Certification of electrical inspectors will compose of the following three (3) classifications:

4.1.1 - "Class A Electrical Inspector Certification" - This classification authorizes the electrical inspector to perform electrical inspections on one and two family dwellings only.

4.1.2. - "Class B Electrical Inspector Certification" - This classification authorizes the electrical inspector to perform electrical inspections on all structures including but not limited to one and two family dwellings.

4.1.3. - "Class C Electrical Inspector Certification" - This classification authorizes the electrical inspector to perform electrical plan review and perform electrical inspections on all structures including but not limited to one and two family dwellings.

§ 103-1-5. Qualifications for Certification.

5.1. To apply for a "Electrical Inspector's Certification" a person must possess a valid and current Master's Electrician License issued by the state fire marshal. An applicant must also show proof of successfully passing the respective tests as offered by the National Certification Program for Construction Code Inspectors and administered by Experior, Inc. 2100 NW 53rd Avenue, Gainesville, FL 32653, or its equivalent as determined by the state fire marshal and/or his or her designees.

5.1.1. For a "Class A Electrical Inspector Certification", in addition to the electrical licensure requirement, an applicant must show proof of passing "Test 2A Electrical One and Two Family Dwelling" of the National Certification Program for Construction Code Inspectors, or its equivalent as determined by the state fire marshal and/or his or her designees.

5.1.2 For a "Class B Electrical Inspector Certification", in addition to the electrical licensure requirement, an applicant must show proof of passing "Test 2A Electrical One and Two Family Dwelling" and "Test 2B Electrical General" of the National Certification Program for Construction Code Inspectors, or its equivalent as determined by the state fire marshal and/or his or her designees.

5.1.3 For a "Class C Electrical Inspector Certification", in addition to the electrical licensure requirement, an applicant must show proof of passing "Test 2C Electrical Plan Review", "Test 2A Electrical One and Two Family Dwelling" and "Test 2B

Electrical General" of the National Certification Program for Construction Code Inspectors, or its equivalent as determined by the state fire marshal and/or his or her designees.

§ 103-1-6. Procedure for application.

6.1. Form of Request - Each applicant requesting an electrical inspector's certification under the provisions of these rules must, as a condition precedent to such issuance of certification, furnish the state fire marshal with:

6.1.1. A completed application on forms furnished by the state fire marshal.

6.1.2. Proof of professional liability insurance (errors and omissions) in the amount of not less than two hundred and fifty thousand (\$250,000.00) dollars. Proof of renewal shall be forwarded to the state fire marshal's office prior to the expiration date of the policy and shall cover at a minimum the period for which the Electrical Certification is issued.

6.1.3 A copy of a valid West Virginia business license as issued by the West Virginia Department of Tax and Revenue.

6.1.4. Any other documentation that the fire marshal or one of his/her designees may require to ensure compliance with qualifications for certification.

6.2. Failure to Meet Experience and/or Qualifications - Any person who fails to meet the required minimum qualifications will forfeit their application fee. Any applicant who attains the minimum requirements at a latter date must submit to the state fire marshal a new application for certification.

6.3. Upon review of application and approval by the state fire marshal and receipt of the certification fee, the state fire marshal will issue the individual electrical inspector's certification.

§ 103-1-7. Expiration and Renewal.

7.1. Expiration - All electrical inspectors' certifications issued by the state fire marshal shall expire on the last day of the anniversary month (twelve months) from date of issuance of said certification. (i.e., license issued on August 15, 2003 will expire on August 30, 2004 and on August 30th each successive year).

7.2. Renewal Fee Required - Any electrical inspector's certification in good standing may be renewed prior to the expiration date by submitting the authorized renewal certification fee to the state fire marshal. It shall be the individual electrical inspector's responsibility to submit their certification renewal to the state fire marshal prior to the expiration date.

7.3. Renewal After Expiration - All electrical inspectors' certifications not renewed in accordance with the provisions of this rule will be required to submit a new application to the state fire marshal. No person shall perform electrical inspection work during the period of time their certification is expired. Any person failing to renew their certification will be required to reapply for the electrical inspector's certification for which he/she qualifies in accordance with these rules.

7.4. As a condition of renewing any electrical inspector's certificate, the state fire marshal shall require proof of completion of three (3) Continuing Education Units every three years. Upon providing the state fire marshal with the required documentation, the state fire marshal will issue the certification.

§103-1-8. Fees.

8.1. Certification fee - Means a fifty (\$50.00) dollar fee per certification.

8.2. Renewal fee - Means a one hundred (\$100.00) dollar fee per certification annually.

8.3. Application fee - Means a twenty-five (\$25.00) dollar fee per application submitted.

8.4. Duplicate license fee - A person who has lost or had their electrical inspector's certification destroyed, may submit a duplicate application fee of ten (\$10.00) dollars payable to the state fire marshal and a notarized statement stating that said license was lost or destroyed.

§103-1-9. Prohibited Acts.

9.1. An electrical inspector may neither approved nor disapprove electrical work of which he or she does not have personal knowledge. He/she shall refrain from engaging in misrepresentation of his/her authority or responsibility. He/she may not use his/her certification as an electrical inspector to secure special favors or treatment.

9.2. An electrical inspector may not inspect any electrical installation for which he/she has performed any part of the work. A person may not perform an electrical inspection of any work furnished by a private contractor that employs him/her on a full-time, part-time or incidental basis, nor commit a conflict of interest under West Virginia law: Provided, That an employee of a contractor performing electrical installation may inspect electrical work performed by other employees of the same employer, so long as the inspection is not intended to be relied on by any person other than the employer and so long as the electrical inspector does not certify to an electric utility or to any person that the work is in compliance with applicable building codes, electrical codes or other standards.

§103-1-10. Effect of Noncompliance; Failure to obtain certification; Penalty.

10.1. Penalties are in accordance and as established by W. Va. Code §29-3C-9.

10.2. Each day during which such electrical inspection is performed without the required certification or while in non-compliance with any of the provisions of W. Va. Code §29-3-1 et seq., after official notice that such work is unlawful, is a separate offense.

§103-1-11. Disposition of Complaints.

11.1. Enforcement of Certification Requirements - In the course of investigating complaints as authorized under West Virginia Code, the state fire marshal and his/her designated representative shall inquire respecting the certification of persons in compliance with W. Va. Code §29-3-1, et seq. and these rules.

11.2. Any citizen, law enforcement official or other official of any state, county, or municipal government agency, upon observing an infraction of the certification requirements of W. Va. Code §29-3C-1 et seq. may make a written complaint to the office of the state fire marshal. The state fire marshal may provide a form for this purpose, but a complaint may be filed in any written form. When a complaint is made to the office of the state fire marshal, that office shall investigate the complaint. In addition to describing the alleged violation which prompted the complaint, the complaint should contain as a minimum the following information:

11.2.1 The name and address of the certified electrical inspector or applicant against whom the complaint is lodged.

11.2.2 The date of the alleged unlawful act.

11.2.3 The nature of the alleged unlawful act.

11.2.4 The location of the alleged unlawful act/occurrence.

11.3. Requests for comment on complaints sent to the certificate holders or applicants shall be considered properly served when sent to their last known address. It is the responsibility of the certificate holder or applicant to keep the state fire marshal informed of his/her current address.

11.4. After receipt and review of a complaint, the state fire marshal shall cause to be conducted any reasonable inquiry or investigation he/she considers necessary to determine the truth and validity of the allegations set forth in the complaint.

§ 103-1-12. Responsibilities of the Electrical Inspector.

12.1. Any certified electrical inspector, if he/she has knowledge of violations of any rule of the state fire marshal or any rule of the state fire commission or of the W. Va. Code, shall submit the information, together with available evidence to the state fire marshal.

12.2. All certified electrical inspectors shall submit a written report of any findings of his or her electrical inspection to the property owner and other appropriate parties. In addition, the electrical inspector shall include the name and electrical license number of the individuals performing the electrical work.

12.3. Shall submit an annual report to the state fire marshal indicating the number, type and locations of electrical inspections performed during the proceeding year. This annual report shall be filed with the state fire marshal no later than the thirty-first day of January the following year.

12.4. Shall submit annually to the state fire marshal a copy of his or her respective fee schedule.

12.5. Shall comply with all federal, state and local laws, rules and regulations.

§ 103-1-13. Denial of Cerification; Suspension or Revocation.

13.1. The state fire marshal may, upon complaint, or upon his or her inquiry, subject to the provisions of article one, chapter thirty of the W. Va. Code, suspend or revoke the license of any person upon finding that:

13.1.1 The certification was granted upon an application, or upon documents supporting the application, that materially misstated the applicant's qualifications or experience.

13.1.2 The certified electrical inspector incompetently performed an electrical inspection.

13.1.3 The certified electrical inspector failed to comply with a material provision of article three, article three b, and article three c, chapter twenty-nine of the W. Va. Code or any rule of the state fire commission or fire marshal.

ORIGINAL

BEFORE THE WEST VIRGINIA STATE FIRE COMMISSION

REC'D JAN 16 2003

RE: HOME INSPECTORS

TRANSCRIPT OF PROCEEDINGS had at the public hearing in the above referenced matter, held on January 3, 2003, at 10:00 A.M. at the Day's Inn, Flatwoods, Braxton County, West Virginia, pursuant to notice.

BEFORE: ANTHONY CARRICO, HEARING EXAMINER

PHYLLIS HAYNES EDENS

CERTIFIED COURT REPORTERS

2135 KAY NEVA LANE

Charleston, West Virginia 25312

(304) 984-3531 (800) 248-3531

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Clifton Bennett

4

Jack Jamison

6

William Kalb

7

Ronald Mathias

9

Tom Puckett

13

Reporter's CertificatePage 19

1 **EXAMINER CARRICO:** Good morning. My name
2 is Tony Carrico; I am Deputy State Fire Marshal in
3 charge of the Regulatory and Licensing Division at
4 the Fire Marshal's Office.

5 Needless to say, I have had a very active
6 part in the actual Statute, as well as the Rule.
7 For your information, the Rule was signed by the
8 Secretary of State on December 20th as an Emergency
9 Rule, as a place holder until we can get the Agency-
10 approved Rule in place. What that means is,
11 basically, on January 1, 2003, this Rule went into
12 effect.

13 I'm going to go ahead and ask now if any of
14 you have written comments, go ahead and submit them
15 up here on the table now and we will get on with the
16 oral comments in a minute.

17 (no response)

18 **EXAMINER CARRICO:** No written comments,
19 okay. This is my first time as a Hearing Examiner.
20 Basically, I will go down this list in no particular
21 order, but those of you who indicated you wish to
22 make an oral comment, I will ask you to come up and

1 make your presentation or your comments; and try to
2 limit them to five or seven minutes. I'm not going
3 to cut you off immediately if you have got a few
4 more things to say. We don't have 100 people here,
5 so I don't think we're going to have a problem
6 there.

7 That being said, I have some copies
8 basically of the application here, if you have not
9 seen it. I have a copy of the Rule and a copy of
10 the Statute and I also brought along the National
11 Construction Code Inspector's certification program
12 handbook that I'm sure I'll be getting a lot of
13 requests on.

14 That being said again, I'm going to go
15 ahead and open the floor. This will not be a
16 dialogue between myself and you; you make your
17 comments, they're recorded, and we move on. After
18 the hearing is over, we'll talk again, off the
19 record, some comments between yourself and me. But
20 during the actual hearing, I will not be engaging in
21 any dialogue.

22 The first to speak would be Clifton Bennett

1 from Megco Inspection. Do you have a presentation?
2 When you do this, go ahead and repeat your name, who
3 you represent, if you're with a company or self-
4 employed.

5 **CLIFTON BENNETT:** I'm Clifton Bennett from
6 Megco Inspections. I would just like to state for
7 the record that I'm in favor of the proposal, and I
8 have several reasons why. The first of which is
9 that it provide a level of professional integrity.
10 Currently, if you can find somebody to accept your
11 inspections in the State of West Virginia, you're an
12 inspector, and you don't really have to have any
13 qualifications, other than those that are required
14 by the person that you're reporting to. I think it
15 would be good to have qualifications that are
16 required by every inspector.

17 My second point is I think it would provide
18 a level of accountability. We would all be licensed
19 by the State Fire Marshal and would be accountable
20 for the things that we do. I believe it would
21 provide a level playing field for all inspectors
22 that are out there; everybody would have to have the

1 same qualifications, have the same training, and,
2 you know, have to have gone through the same things.
3 And I hope that in the future it might provide a
4 consistency in the inspection process, because we
5 would all have to go through the same qualifications
6 and training to get those qualifications. It should
7 give us some level of consistency in what is
8 required to pass the inspections. That's all I
9 have.

10 **EXAMINER CARRICO:** Thank you. The next
11 one I have is Kenneth Boyer from Tri-State
12 Inspection Service.

13 (no response)

14 **EXAMINER CARRICO:** You have no comment.
15 Next will be Jack Jamison.

16 **JACK JAMISON:** I'm Jack Jamison, Jr., from
17 Morgantown for Megco Inspections. I am in favor of
18 the bill, and hope that it will put all in
19 consistency and establish a consistent level field
20 for us all to be doing inspections and give us some
21 credibility so hopefully fire and casualty insurance
22 will become obtainable and economically possible to

1 obtain in this state again. And if we don't get
2 some inspections and have some kind of control by
3 somebody, hopefully the State Fire Marshal, we are
4 going to be under the economic control of the
5 insurance industry. Thank you.

6 **EXAMINER CARRICO:** William Kalb.

7 **WILLIAM KALB:** My name as William Kalb,
8 I'm with Megco Inspections. And basically I have a
9 question and a request. Like my predecessors, I am
10 in favor of the bill. My question is this, and I
11 will give you a typical scenario. I drive three
12 hours, because I cover a large area, to do an
13 inspection and I get down to Summersville, for
14 argument sake, and I am filling out the application
15 and I find that the homeowner did not wire his own
16 house, he gives me the name of the so-called
17 electrician, but he doesn't know the license number,
18 he doubts very much whether he had a license, but he
19 is a good old boy, he's wired a lot of mines. And
20 previously I don't think I was required or even
21 allowed to ask for a man's license number; now, I'm
22 required to put it down. What do I do in this case?

1 Secondly, I find myself, as most of you
2 probably have, doing inspections on sealed meters
3 and you have to coordinate with gas and electric --
4 the electric power company to have someone come and
5 unseal the meter, pull it, and seal it back up after
6 you're done. If you're doing an inspection in your
7 local area, this is not a problem. But if you have
8 driven some distance and you probably have two or
9 three stops before you get there, and you may not
10 even know in advance that you have a sealed meter,
11 it's almost impossible to get someone out on a
12 moment's notice to unseal the meter.

13 I am requesting that the Fire Marshal try
14 to get some kind of coordination with the power
15 company, so that perhaps we can have a special seal
16 that we can put on. I can understand that they
17 wouldn't want to leave the boxes open. I can
18 understand that they wouldn't want to give us their
19 gray seals, but if we are all going to be master
20 electricians now, we certainly should be qualified
21 to work in a hot meter socket and we should have
22 some means of doing so without any problems. Thank

1 you.

2 **EXAMINER CARRICO:** Your questions are
3 noted. Ronald Mathias.

4 **RONALD MATHIAS:** My name is Ron Mathias,
5 and I'm sure most of you guys know me. You know I
6 have fought for this bill for the last three years.
7 The reason I've fought for the bill is because we're
8 out in the field every day; we see the garbage that
9 is being done on electrical services in this state.
10 Sometimes, and I know all you guys -- Kenny with
11 Tri-State -- we've talked about that it's a shame
12 that we only have the approval or the right or
13 authority to go to that last disconnect before the
14 branch circuits, because it's -- I mean it's a mess.
15 People wouldn't believe it. I would like for people
16 to spend one day with me in the field, or any of my
17 guys in the field. Even in the city, the city
18 inspectors, there's a bunch of stuff screwed up, and
19 I think that this Rule will allow a start, it's a
20 good start, and it's a tremendous start, and I would
21 like to compliment Tony on the work he's done and
22 everybody down there at the Fire Marshal's Office

1 who got this through. I know how tough it was,
2 because as I said, I've been working with it. I've
3 been working with -- that one reason -- to try to
4 get safe installations in the state. The other
5 reason is I get calls all the time wanting to know,
6 "Well, I need an inspector's number." "Well, I
7 don't have an inspector's number; there is no such
8 thing as an inspector in the State of West
9 Virginia." We are approved by Allegheny Power to do
10 the inspections that we do. We are only approved --
11 we are nobody, we're nothing. We're just like that
12 guy down the street that was mastered in in 1987,
13 whenever the electricians were mastered in, and you
14 guys know as well as I do there was a lot of non-
15 electricians that got their masters. This is going
16 to give us some respect. It's going to give us some
17 policing. We need -- I mean, as I look here today,
18 I guess our company is really interested, because
19 the majority of the people here are from Megco. We
20 want to be policed by somebody; we want somebody to
21 be able to answer a question for us to help us out,
22 because the Code's not black and white. Those are a

1 couple of the reasons.

2 The other reason, the day before -- New
3 Year's Eve I called my insurance agent at Erie
4 Insurance, Raymond Bernard. I said, "Raymond, I
5 need a favor." I said, "Take my house and flip it
6 over across the river, which is two miles away, into
7 Maryland. I know my premium is \$697. What would it
8 be in Maryland?" He said, "Well, just a minute."
9 He got on the computer and the exact, the exact same
10 coverage I have in West Virginia is \$300 in
11 Maryland. Now, why? Is it because we don't -- you
12 know, what is the reason? There's got to be a
13 reason. Everybody says, "Well, it's because the
14 courts award such large sums of money." In my mind,
15 it's that maybe Maryland has inspections that the
16 insurance companies say, "We will insure this house;
17 they had an inspector out, they had a county
18 inspector, they had a state inspector, they had an
19 individual inspector." We are licensed and
20 certified in the State of Maryland by the State Fire
21 Marshal; we are true inspectors in the State of
22 Maryland. We go out, we see something that we don't

1 like, that's it -- "No, you're not getting power
2 until this unsafe condition is no longer in
3 existence." We need that in West Virginia. We need
4 to have some power in West Virginia.

5 And as I said, the policing, the respect --
6 I think it's a good start, and I think that other
7 types of inspections are needed in West Virginia,
8 but in my opinion this is -- the electric is the
9 most dangerous for people. But once again, I am
10 definitely in favor of it and I hope that we can get
11 her going; and as soon as we get her going, I think
12 that we can do the residents of West Virginia a good
13 job.

14 One other thing, briefly, is the pricing,
15 what it would cost to have this inspection. Well,
16 in the Eastern Panhandle for the last 30 years,
17 anybody working in the Eastern Panhandle, and
18 everybody who has worked over there will tell you
19 that we have had whole structure inspections. I
20 meant to bring a check that I have, a copy of a
21 check for \$728 that I paid for an inspection on a
22 Chevrolet garage in Keyser, West Virginia. The

1 inspector showed up one time, did a service
2 inspection, took his \$728, and I've not seen him
3 since. That's been six years ago. He said, "I'll be
4 back to do your rough in. Let me know." I called,
5 no one ever showed up. As a contractor, I was held
6 up weeks because I couldn't put drywall up, because
7 this inspector was supposed to come back and do a
8 rough in. He got his money, and that's the name of
9 the game to the Eastern Panhandle companies, is get
10 your check, get your check. That's it. And this is
11 needed, this is needed bad. There's been a lot of
12 money that's gone down the drain. That's all I
13 have. Time's up. Thank you.

14 TOM PUCKETT: Tony, I didn't mark a
15 comment on there.

16 EXAMINER CARRICO: Do you want to speak?

17 TOM PUCKETT: Yes.

18 EXAMINER CARRICO: Yes, go ahead.

19 TOM PUCKETT: Good morning. I spoke to
20 just about all of you out in the hall before I came
21 in. I guess I feel I'm out of order here this
22 morning, as far as the part of the country I live

1 in. I'm from down in Monroe County, which I border
2 Virginia, Greenbrier County, Summers County, and
3 Giles County, Virginia. But I was listening to your
4 comment, and I'm sorry I stepped out to make a phone
5 call when you started yours. I guess what I am here
6 for this morning, and I talked to Tony a little
7 earlier last month and this month, and this is new
8 to me as far as -- I own a company, I own Puckett's
9 Electric Company. I have 40 years experience in
10 electrical work. I worked 35 years, 10 months, and
11 seven days with Peabody Coal Company as a Division
12 Supervisor for the state, electric supervisor. And
13 then I was blessed enough to retire at 53 years old
14 with that kind of service with Peabody Coal Company,
15 and got out -- maybe I'm speaking to some people
16 like that this morning.

17 But let me get on with what I'm here for,
18 and I understand your pay, insurance -- can I just
19 ask a question? We don't have this down south with
20 American Electric Power. The reason I am here is to
21 find out why -- I am interested in becoming an
22 electrical inspector under the Fire Marshal, and I

1 have all my papers and so on and so forth to see
2 what it takes for me to get that. But can I say
3 this concerning your insurance and why it's so high?
4 With what little bit of work that I do in
5 residential, commercial-type, put in some elevators
6 for Otis Elevator Company and did that kind of work
7 in some government jobs, are you sure that you're
8 having the right type of people to install this? Up
9 in Maryland, they may have a code up there that
10 every Joe Blow can't come and pull that in. But I
11 know it's -- down south I run into a bad problem, I
12 run into a man who does the estimating when I was
13 putting conduit in and doing this and doing that and
14 things of that nature, and I can understand why the
15 insurance company won't insure them, because it
16 wasn't done by a certified person.

17 And I think if we get together and enforce
18 what we've got, and I know that the State Fire
19 Marshal's Office is on this, I feel like, white on
20 rice, then maybe -- are you aware that Allstate will
21 not even write some insurance in this state no more
22 -- State Farm. I mean it's getting bad; it's

1 getting bad. I mean, in McDowell County, everybody
2 knows where McDowell County is -- I know Tony knows
3 about it -- Nationwide won't even write down there,
4 but it's not due to electrical fires. It's not due
5 to our type of work. But I am going to stand this
6 morning in support of this bill also, along with
7 you.

8 When I read about it in the paper, I called
9 -- I have got a copy of it on my computer at home,
10 which I should have printed myself a copy and
11 studied. But I would like to be introduced to this
12 bill, and I would like to stand as a contractor,
13 which I am not ashamed of none of my work and I'm
14 not ashamed to let you come out and inspect it. I
15 have never -- I go through MSHA and I go through the
16 State Department of Mines, and I'm pretty sure their
17 criteria is a whole lot more strict than maybe what
18 yours would be or what mine would be, coming and
19 inspecting in three phases. I go up to 138,000
20 volts and down to 120/240.

21 But I appreciate Tony and everybody for
22 letting me have a few minutes. But the insurance, I

1 don't understand why, except I guess you can go up
2 to the physicians' offices in Wheeling, West
3 Virginia, and ask them that question also, why is
4 their insurance so high. I am on the Virginia line
5 and we are losing doctors in Princeton, West
6 Virginia, because they've elected to go 10 miles
7 across the line to some Virginia hospital. That's a
8 good question and I'm hoping that we get some
9 answers as to why. Thank you very much for your
10 time. I appreciate it.

11 **EXAMINER CARRICO:** Thank you. Anyone else
12 want to change their mind on speaking?

13 (no response)

14 **EXAMINER CARRICO:** Seeing no other parties
15 have filtered in the door, I will wait officially
16 until 11:00 before I officially close the public
17 hearing. Until that time, if you have made your
18 comments, if you wish to leave or whatever, that's
19 fine; or if you want to hang around, off record we
20 will discuss some of these things; I may have the
21 answers to them and I may not. But I need to stay
22 here until at least until 11:00. If anyone

1 straggles in, I want to give them the opportunity to
2 speak. So I will be here and in this room or right
3 outside the room until at least 11:00. And at that
4 time, I'll make a decision of whether to close the
5 hearing.

6 (WHEREUPON, a short recess
7 was had.)

8 EXAMINER CARRICO: At this time, seeing no
9 interested parties or any further written comments
10 or oral requests, I am officially declaring this
11 public hearing closed. Thank you.

12 (WHEREUPON, the hearing in
13 the above-entitled matter
14 was concluded at 10:40 a.m.)

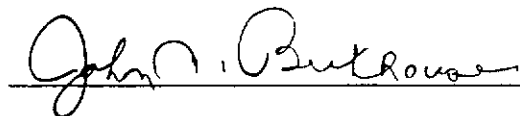
REPORTER'S CERTIFICATE

STATE OF WEST VIRGINIA,
COUNTY OF BRAXTON, to-wit:

I, John T. Berkhouse, Certified
Court Reporter and Notary Public for the State of
West Virginia, duly commissioned and qualified, do
hereby certify that the foregoing is to the best of
my skill and ability a true and accurate transcript
of proceedings had in the above-entitled
proceeding..

Given under my hand this 16TH day
of January, 2003.

My commission expires March 2,
2010.

A handwritten signature in cursive script, reading "John T. Berkhouse", is written over a horizontal line.

John T. Berkhouse
Certified Court Reporter
Notary Public



The Department of Military Affairs and Public Safety

Sterling Lewis, Jr.
State Fire Marshal

Bob Wise, Governor
Joe Martin, Cabinet Secretary

Phone: (304) 558-2191
Fax: (304) 558-2537

STATE FIRE MARSHAL'S OFFICE

1207 Quarrier St, 2nd Floor
Charleston, WV 25301

February 19, 2003

**AGENCY RESPONSE TO QUESTIONS SUBMITTED PUBLIC COMMENT AND PUBLIC HEARING
Certification of Electrical Inspectors
JANUARY 3, 2003
FLATWOODS, WV**

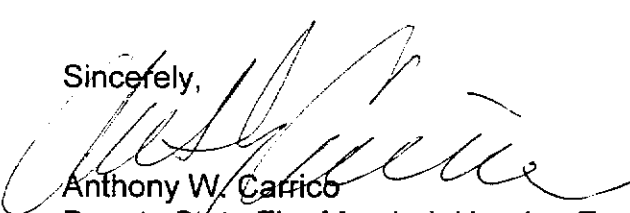
William Kalb pg. 7, line 16: "...he gives me the name of the so-called electrician, but he doesn't know the license number, but he is a good ole boy, he's wired a lot of mines. And previously I don't think I was required or even allowed to ask for a man's license number; now, I'm required to put it down. What do I do in this case"? *Under the provisions of the suggested rule, every certified electrical inspector must ascertain whether the work was performed by a licensed electrician, and if so, obtain the license number of said electrician to ensure compliance with this rule and the licensing requirements of Chapter 29, Article 3B "Supervision of Electrical Inspectors".*

William Kalb pg. 8, lines 1 through 22. Mr. Kalb basically states that the electric power utilities place locks on electric meter bases to discourage unauthorized opening and tampering. Mr. Kalb feels this may place an undue hardship on the electrical inspector as electric utility personnel are not always readily available to "break" their seals to allow for a complete inspection of the meter base. *There is no way for this agency to know the complexities of arranging such meetings between the electrical inspector and the utility representative. We feel this question is vague and hypothetical in nature and offer no concise answer. Possible meeting with the various electric utilities and the state association of electrical inspectors may lead to a mutual understanding to work around this possible delay in providing the end service.*

These were the only two questions directly related to this proposed rule. The hearing examiner stayed for over an hour after the conclusion of the hearing and answered questions and offered explanation of the rule and authorizing statute. In addition, this agency received NO written comments during or even after the cut-off date.

See Attached copy of transcript of Public Hearing.

Sincerely,


Anthony W. Carrico
Deputy State Fire Marshal, Hearing Examiner

Hinton News
P. O. Box 1000
Hinton, WV 25951

Parkersburg News
P. O. Box 1787
Parkersburg, WV 26101

Parkersburg Sentinel
P. O. Box 1787
Parkersburg, WV 26101

The News-Leader
4 Railroad Avenue
Richwood, WV 26261-1364

The Weston Democrat
P. O. Box 968
Weston, WV 26452

Wirt County Journal
P. O. Box 309
Elizabeth, WV 26143-0309

The Parsons Advocate
P. O. Box 403
Parsons, WV 26287

The Herald Record
202 E. Main Street
West Union, WV 26456

Grantsville News
Calhoun Chronicle
P. O. Box 400
Grantsville, WV 26147

The Webster Echo
Webster Republican
P. O. Box 749
Webster Springs, WV 26288

The Dominion Post
1251 Earl Core Road
Morgantown, WV 26505-6298

Senior News
Box 157
Mineral Wells, WV 26150

The Clarksburg Exponent
324 Hewes Avenue
Clarksburg, WV 26301-2744

Daily Athenaeum-WVU
284 Prospect Street
Morgantown, WV 26506

Jackson County Newspapers
410 Race Street
Ravenswood, WV 26164-1702

Clarksburg Telegram
324 Hewes Avenue
Clarksburg, WV 26301-2744

Preston County Journal
Preston County News
P. O. Box 587
Kingwood, WV 26537

Glenville Democrat
P. O. Box 458
Glenville, WV 26351-0458

Times-West Virginian
P. O. Box 2530
Fairmont, WV 26555

St. Marys Oracle
Pleasants County Leader
P. O. Box 27
St. Marys, WV 26170

Mountain Statesman
P. O. Box 218
Grafton, WV 26354

Braxton Citizens-News
P. O. Box 516
Sutton, WV 26601

Tyler Star News
P. O. Box 191
Sistersville, WV 26175

The Ritchie Gazette
P. O. Box 215
Harrisville, WV 26362

Braxton Democrat-Central
205 Main Street
Sutton, WV 26601

The Inter-Mountain
P. O. Box 2076
Buckhannon, WV 26201

The Pennsboro News
P. O. Box 368
Pennsboro, WV 26415-0368

Elk & Little Kanawha News
229 River Street
Gassaway, WV 26624

The Inter-Mountain
P. O. Box 1339
Elkins, WV 26241

The Barbour Democrat
P. O. Box 459
Philippi, WV 26416

The Nicholas Chronicle
P. O. Box 503
Summersville, WV 26651

West Virginia Hillbilly
P. O. Box 430
Richwood, WV 26261

The Shinnston News
The Harrison Co. Journal
P. O. Box 187
Shinnston, WV 26431-0187

Mineral Daily News-Tribune
P. O. Box 879
Keyser, WV 26726

The Monroe Watchman
P. O. Box 179
Union, WV 24983

The Times Record
Roane Co. Reporter
P. O. Box 647
Spencer, WV 25276-1602

Clay Free Press
P. O. Box 180
Clay, WV 25043

The Charleston Gazette
1001 Virginia St. East
Charleston, WV 25301

Bluefield Daily Telegraph
P. O. Box 1599
Bluefield, WV 24701

Clendenin Herald
P. O. Box 789
Clendenin, WV 25045

The Charleston Daily Mail
1001 Virginia St. East
Charleston, WV 25301

The Princeton Times
P. O. Box 1099
Princeton, WV 24740

The Yellow Jacket
West Virginia State College
Campus Box 175
Institute, WV 25112

Focus on the Valley
3002 Pennsylvania Avenue
Charleston, WV 25302

Welch Daily News
P. O. Box 569
Welch, WV 24801

Coal Valley News
P. O. Box 508
Madison, WV 25130

Golden Reporter
University of Charleston
2300 MacCorkle Avenue, SE
Charleston, WV 25304

The Industrial News
P. O. Box 180
laeger, WV 24844

Hometown News
P. O. Box 597
Madison, WV 25130

The Jackson Herald
P. O. Box 31
Ripley, WV 25271

The Independent Herald
P. O. Box 100
Pineville, WV 24874-0100

The Montgomery Herald
P. O. Box 240
Montgomery, WV 25136

Wild, Wonderful West Virginia
State Capitol Complex
Charleston, WV 25305

West Virginia Daily News
P. O. Box 471
Lewisburg, WV 24901-0471

Tech Collegian
WV Institute of Technology
Old Main, Box 1
Montgomery, WV 25136

The Greenbrier Valley Ranger
200 S. Court Street
Lewisburg, WV 24901

Valley Press
Twin City Press
P. O. Box 8
Nitro, WV 25143

The Mountain Messenger
122 N. Court Street
Lewisburg, WV 24901

St. Albans Community News
P. O. Box 1000
St. Albans, WV 25177

Pocahontas Times
810 Second Avenue
Marlinton, WV 24954

The Putnam Democrat
10 Main Street
Winfield, WV 25213

Mineral Daily News-Tribune
Attn: Ronda Wertman
Rt. 1, Box 229-G
Keyser, WV 26726

The Piedmont Herald
P. O. Box 68
Piedmont, WV 26750

Hampshire Review
P. O. Drawer 1036
Romney, WV 26757

North Fork Post
P. O. Box 121
Circleville, WV 26804

The Pendleton Times
P. O. Box 906
Franklin, WV 26807

The Moorefield Examiner
P. O. Box 380
Moorefield, WV 26836

Grant County Press
P. O. Box 39
Petersburg, W 26847

WVU-Fire Service Extension
P. O. Box 6610
Morgantown, WV 26505-6610

The Intelligencer
1500 Main Street
Wheeling, WV 26003

The Morgan Messenger
P. O. Box 567
Berkeley Springs, WV 25411

The Gilbert Times
P. O. Box 1135
Gilbert, WV 25621

Wheeling News-Register
1500 Main Street
Wheeling, WV 26003

Spirit of Jefferson Advocate
P. O. Box 966
Charles Town, WV 25414

Williamson Daily News
P. O. Box 1660
Williamson, WV 25661

The Catholic Spirit
1213 Byron Street
Wheeling, WV 26003

The Green & White
Salem-Teikyo University
Box 470
Salem, WV 25443

Huntington Quarterly
P. O. Box 384
Huntington, WV 25708

Hancock Co. Courier
P. O. Box 547
New Cumberland, WV 26047

The Shepherdstown Chronicle
P. O. Box 2088
Shepherdstown, WV 25443

Herald Dispatch
P. O. Box 2017
Huntington, WV 25720

Moundsville Daily Echo
P. O. Box 369
Moundsville, WV 26041-0369

The Cabell Record
P. O. Box 467
Culloden, WV 25510

Parthenon-Marshall University
311 Smith Hall
400 Hal Greer Blvd.
Huntington, WV 25755

Weirton Daily Times
114 Lee Avenue
Weirton, WV 26062

The Lincoln Journal
Weekly News-Sentinel
P. O. Box 308
Hamlin, WV 25523

The Register Herald
P. O. Box P or R
Beckley, WV 25801

The Brooke Co. Review
The Follansbee Review
P. O. Box 591
Wellsburg, WV 26070

Hurricane Breeze
P. O. Box 336
Hurricane, WV 25526

Post Report
Drawer P or R
Beckley, WV 25802

Trumpet
West Liberty State College
West Liberty, WV 26074

The Register
200 Main Street
Point Pleasant, WV 25550

The Mullens Advocate
217 Moran Avenue
Mullens, WV 25882

The WVU-P Chronicle
WVU at Parkersburg
Rt. 5, Box 167-A
Parkersburg, WV 26101

Wayne County News
Tri-State Shopper
310 Central Avenue
Wayne, WV 25570

Fayette Tribune
P. O. Box 139
Oak Hill, WV 25901

The Record Delta
P. O. Box 550
Buckhannon, WV 26201

Logan Banner
P. O. Box 720
Logan, WV 25601

WSLW
P. O. Box 610
White Sulphur Springs, WV
24986

WWVA, WOVK, WEEL,
WKWK
1015 Main Street
Wheeling, WV 26003

WBTH, WXCC
P. O. Box 261
Williamstown, WV 25661

WCIR-FM, WIWS-AM,
WMTD-AM/FM
21 Airport Industrial Park Road
Beaver, WV 25813

WAXS-FM
P. O. Box 1127
Beckley, WV 25802

WJLS-AM/FM
P. O. Box 5499
Beckley, WV 25801-7506

WTNJ-FM
P. O. Box 1127
Beckley, WV 25802

WWNR-AM
345 Prince Street
Beckley, WV 25801

WAMN-AM
P. O. Box 6350
Bluefield, WV 24701

WHAJ-FM, WHIS-AM
900 Bluefield Avenue
Bluefield, WV 24701

WKMY-FM, WKOY-AM
900 Bluefield Avenue
Bluefield, WV 24701

WDCI-FM
P. O. Box 371
Bridgeport, WV 26330

WBUC-AM/FM
Drawer C
Buckhannon, WV 26201

WCAW, WCHS, WKAZ, WKWS,
WVAF
1111 Virginia Street, East
Charleston, WV 25301

WQBE-AM/FM
817 Suncrest Place
Charleston, WV 25303

WXAF
P. O. Box 7575
Huntington, WV 25777

WSCW, WJYP
P. O. Box 8600
So. Charleston, WV 25303

WV Public Radio/WVPN
Attn: Sara Hensley
600 Capitol Street
Charleston, WV 25301

WXVA-AM/FM
Rural Rt. 1, Box 325-A
Charles Town, WV 25414

WHAR, WVHF, WXXK
P. O. Box 2208
Clarksburg, WV 25301

WPDX
105 Oak Mound Road
Clarksburg, WV 26301

WZAC
P. O. Box 87
Danville, WV 25053

WDNE
P. O. Box 1337
Elkins, WV 26241

WVMR
Route 38
Dunmore, WV 24934

WELK
228 Randolph Avenue
Elkins, WV 26241

WTUS
1489 Locust Avenue
Fairmont, WV 26554

WMMN, WTCS, WRLF
P. O. Box 1549
Fairmont, WV 26554

WFGM
P. O. Box 1549
Fairmont, WV 26554

WELD
HC 85, Box 1A
Fisher, WV 26818

The Journal
P. O. Box 807
Martinsburg, WV 25401

WVOW
P. O. Box 1776
Logan, WV 25601

WOTR
P. O. Box 505
Lost Creek, WV 26385

WEPM, WKMZ News Room
1606 W. King Street
Martinsburg, WV 25401

WRNR
Jeremy House
P. O. Box 709
Martinsburg, WV 25401

WHJC, WVKM
P. O. Box 68
Matewan, WV 25678

WXKM, WMON
1028 First Avenue
Montgomery, WV 25136

WCLG
P. O. Box 885
Morgantown, WV 26505

WAJR, WVAQ
1251 Earl Core Road
Morgantown, WV 26505

WRKP
2002 First St.
Moundsville, WV 26041

WETZ
P. O. Box 10
New Martinsville, WV 26155

WOAY
P. O. Box 140
Oak Hill, WV 25901

WADC, WGGE
#5 Rosemar Circle
Parkersburg, WV 26104

WKYG, WXXK
1715 St. Mary's Avenue
Parkersburg, WV 26102

WRZZ
P. O. Box 1346
Parkersburg, WV 26102

WXIL
P. O. Box 1228
Parkersburg, WV 26102

WWYO
Rt. 10
P. O. Box 1475
Pineville, WV 24874

WPVO, WAEY
Lilly Grove Addition
P. O. Box 5588
Princeton, WV 24740

WBGS, WBYG
303 Eighth St.
Pt. Pleasant, WV 25550

WMOV
P. O. Box 667
Ravenswood, WV 26164

WVAR
P. O. Box 349
Richwood, WV 26261

WCEF
P. O. Box 798
Ripley, WV 25271

WRON
276 Seneca Trail North
Ronceverte, WV 24970

WYKM
P. O. Box 627
Rupert, WV 25984

WVRC
106 Radio Street
Spencer, WV 25276

WCOZ, WKLC
100 Kanawha Terrace
St. Albans, WV 25177

WVWV, WRRR
P. O. Box 374
St. Mary's, WV 26170

WVAR, WCWV
713 Main Street
Summersville, WV 26651

WSGB, WCKA
189A Main Street
Sutton, WV 26601

WLTP, WNUS, WDMX
P. O. Box 5559
Vienna, WV 26105

WELC
P. O. Box 949
Welch, WV 24801

WVVA, Channel 6
P. O. Box 1930
Bluefield, WV 24701

WDTV, Channel 5
P. O. Box 480
Bridgeport, WV 26330

WCHS, Channel 8
P. O. Box 1138
Charleston, WV 25339

WOWK, Channel 13
P. O. Box 13
Huntington, WV 25706-0013

WSAZ, Channel 3
P. O. Box 2115
Huntington, WV 25721

NFCC, Channel 2
P. O. Box 122
Circleville, WV 26804

WVAH, Channel 11
11 Broadcast Plaza
Hurricane, WV 25526

WTOV, Channel 9
Riley Building
Wheeling, WV 26003

WOAY, Channel 4
P. O. Box 25
Oak Hill, WV 25901

WBOY, Channel 12
904 West Pike Street
Clarksburg, WV 26301-2555

WPBY, Channel 33
Third Avenue
Huntington, WV 25701

WTRF, Channel 7
96 16th Street
Wheeling, WV 26003

WSWP, Channel 9
P. O. Box AH
Beckley, WV 25802

WNPB, Channel 24
191 Scott Avenue
Morgantown, WV 26505-8802

WTAP, Channel 15
One Television Plaza
Parkersburg, WV 26101

WLPX TV-29
600-C Prestige Drive
Hurricane, WV 25526

Cathy Collins
40 W. Main St. Rm 103
Buckhannon, WV 26201

WFGH
P. O. Box 410
Fort Gay, WV 25514

WMJT
P. O. Box 27
Glendale, WV 26038

WTBZ
Box 2
Grafton, WV 26354

WCMI,WDGG,WRVC,WRVZ
Coal Exchange Bldg.
401 11th Street
Huntington, WV 25713

WIRO, WMLV
P. O. Box 309
Ironton, OH 45638

WKLC
910 Fourth Ave. Ste. 504
Huntington, WV 25701

WMEJ
P. O. Box 7575
Huntington, WV 25777

WCST-FM/AM
1010 Radio Station Road
Berkeley Springs, WV 25411

WBVB,WFXN,WHRD,WKEE,
WVZW
P. O. Box 2288
Huntington, WV 25722

WEMM
703 Third Avenue
Huntington, WV 25701

WKLP, WQZK
P. O. Box F
Keyser, WV 26726

WKMM
106 East Main St.
Kingwood, WV 26537

WFSP
P. O. Box 567
Kingwood, WV 26537

□
APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: 103-1 "Certification of Electrical Inspectors"

Type of Rule: XXX Legislative Interpretive Procedural

Agency: State Fire Marshal's Office

Address: 1207 Quarrier Street, 2nd Floor

Charleston, WV 25301

1. Effect of Proposed rule:

	ANNUAL FISCAL YEAR				
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
ESTIMATED TOTAL COST	\$7,500.00		\$3,750.00	\$7,500.00	\$7,500.00
PERSONAL SERVICES	\$2,500.00		\$1,250.00	\$2,500.00	\$2,500.00
CURRENT EXPENSE	\$5,000.00		\$2,500.00	\$5,000.00	\$5,000.00
REPAIRS & ALTERATIONS	\$0		\$0	\$0	\$0
EQUIPMENT	\$0		\$0	\$0	\$1,500.00
OTHER	\$0		\$0	\$0	\$0

2. Explanation of Above Estimates:

Increase expected in materials in certificates, printing and postage. Expect computer replacement every three years annually.

3. Objectives of These Rules:

To establish rules to implement the statutory mandate of Chapter Twenty-Nine, Article Three-C which authorizes the the state fire marshal to propose legislative rules to administer the certification program for electrical inspectors.

Rule Title: "Certification of Electrical Inspectors"

4. Explanation of Overall Economic Impact of Proposed Rule:

A. Economic Impact on State Government:

Confined to agency charged with administration of program.

B. Economic Impact on Political Subdivisions; Specific Industries; Specific Groups of

Citizens: Increase of costs to electrical inspectors due to certification fees and mandatory omissions and errors professional liability insurance.

C. Economic Impact on Citizens/Public at Large.

Possible cost increase passed onto the consumer at large due to increased costs to electrical inspector.

Date: 2-18-03

Signature of Agency Head or Authorized Representative:

