

# ELECTRICAL BOARD RULES AND REGULATIONS

## *(PROPOSED RULES AUGUST 5, 2010)*

### CHAPTER 1 GENERAL PROVISIONS

**Section 1. ~~Law under Which the Board Created and Operates Authority.~~** ~~The Electrical Board (Board) is created by and operates under and in accordance with W.S. 35-9-101 through 35-9-130, hereinafter called the "Act." In the event any rule of the Board is inconsistent with any provision of the Act, the Act shall control. These rules are adopted pursuant to W.S. 35-9-124 (a) and W.S. 16-3-102.~~

**Section 2. — Jurisdiction.** ~~This Board has, and the Act grants it:~~

(a) — ~~Jurisdiction of all applicants and applications for licenses to perform electrical installations in the State of Wyoming;~~

(b) — ~~Enforcement power of the minimum requirements of the National Electrical Code in the State of Wyoming, including the duty to review civil penalties, cancel or suspend any license for any of the causes specified in the Act.~~

**Section 3~~2~~.** **Membership of the Board.** ~~As provided in W.S. 35-9-103 (c), the Act, this Board consists of five (5) members appointed by the governor for six (6) year terms. At least one (1) member and no more than (2) two shall be, journeymen electricians, one (1) and no more than (2) two shall be master electricians, and at least one (1) and no more than (2) two shall be electrical contractors.~~

**Section 4~~3~~.** **Officers of the Board.** ~~The Board at its first meeting after March 1, shall choose from its members a Chairman, a Vice Chairman, and a Secretary. A quorum shall consist of three (3) members.~~

**Section 5. — Purpose.** ~~The Board has the duty to adopt rules and regulations regarding installation of electrical equipment and electrical safety standards, hear appeals to determine the suitability of alternate materials and type of construction and to interpret and grant variances from rules and regulations of the Board pursuant to W.S. 35-9-124.~~

# ELECTRICAL BOARD RULES AND REGULATIONS

## CHAPTER 1 GENERAL PROVISIONS

**Section 1.** These rules are adopted pursuant to W.S. 35-9-124 (a) and W.S. 16-3-102.

**Section 2. Membership of the Board.** As provided in W.S. 35-9-103 (c), the Board consists of five (5) members appointed by the governor for six (6) year terms. At least one (1) member and no more than (2) two shall be journeymen electricians, one (1) and no more than (2) two shall be master electricians, and at least one (1) and no more than (2) two shall be electrical contractors.

**Section 3. Officers of the Board.** The Board at its first meeting after March 1, shall choose from its members a Chairman, a Vice Chairman, and a Secretary. A quorum shall consist of three (3) members.

## **CHAPTER 2 DEFINITIONS**

**Section 1. Definitions.** For the purpose of these Rules and Regulations, the following definitions shall apply:

(a) "Apprentice Electrician" means a person who has insufficient qualifications to be a journeyman electrician and is hired by a licensed electrical contractor to assist a licensed journeyman or master electrician. From and after March 1, 1994, an apprentice electrician must be registered with the Department of Fire Prevention and Electrical Safety, and must be enrolled in a bona fide program of training approved by the Bureau of Apprenticeship and Training, United States Department of Labor, or present evidence directly to the Board that he is enrolled in an apprentice training program which provides training equivalent to a program approved by the Bureau of Apprenticeship and Training, United States Department of Labor.

(b) "Apprentice Technician" means a person who has insufficient qualifications to be a low voltage or a limited technician and is hired by a licensed electrical contractor, low voltage contractor, or limited contractor to assist a licensed low voltage or limited technician. An apprentice technician must be registered with the Department of Fire Prevention and Electrical Safety and must be enrolled in a training program as approved by the Board.

(c) "Chief Electrical Inspector" means the administrator of the electrical safety division, who is a Wyoming master electrician, certified as an electrical inspector by the International Association of Electrical Inspectors or the International Conference of Building Officials.

(d) "Department" means the Department of Fire Prevention and Electrical Safety.

(e) "Documented Evidence of Work Experience" means notarized letters from employees (past and present), notarized letters from IBEW local union or a copy of a current electrical license from another state licensing board which has work history requirement equal to or greater than the State of Wyoming.

(f) "Documented School Experience" means official transcripts which indicate the number of credit hours or actual number of classroom hours of electrically related courses.

(g) "Electrical Board" (Board) consists of five (5) members appointed by the governor for six (6) year terms. One (1) member and no more than two (2) shall be journeymen electricians, one (1) and no more than two (2) shall be a master electricians, and one (1) and no more than two (2) shall be electrical contractors.

(h) "Electrical Contractor" means a person licensed by the Department to contract with another to plan, lay out and supervise the installation of electric equipment. "Electrical Contractor" excludes a person who only plans or designs electrical installations.

(i) "Electrical Safety Division" is the Division that is responsible for the licensing of companies and individuals who are performing electrical installations. The Division is also responsible for issuing electrical wiring permits as well as performing inspections of electrical installations.

(j) "Electrical Work" means the installation, alteration, reconstruction, or repair of electrical wiring and/or systems as described by the National Electrical Code (NEC) Article 90-2.

(k) "Electrical Work Experience" means electrical installations performed by the applicant and governed by the National Electrical Code.

(l) "Electrical Wiring" means any electrical conductor, conduit, material, device, fitting, apparatus, appliance, fixture, or equipment, constituting a part of or connected to any installation attached or fastened to any building, structure, or premises, and which installation or portion thereof is designed, intended, or used to generate, transmit, transform, or utilize electrical energy within the scope and purpose of the NEC.

(m) "Installation of Electric Equipment" includes installing, altering and repairing the wiring of apparatus, equipment and conductors subject to the National Electrical Code.

(n) "Journeyman Electrician" means a person licensed by the Department who has four (4) years experience in the electrical wiring industry and technical knowledge to install and supervise the installation of electrical equipment for any purpose in accordance with the National Electrical Code and city, county and state ordinances and regulations.

(o) "License" means permission to perform electrical installations in the State of Wyoming.

(p) "Limited Electrical Contractor" means a person, licensed by the Department to contract with another to plan, lay out and supervise the installation of electrical equipment associated with the type of limited electrical contractor license held. "Limited Electrical Contractor" excludes a person who only plans or designs electrical installations.

(q) "Limited Technician" means a person licensed by the Department who has two (2) years experience in the portion of the electrical wiring industry covered by his limited license and technical knowledge to install and supervise the installation of electrical equipment associated with the type of limited electrical license held in accordance with the National Electrical Code and city, county and state ordinances and regulations.

(r) "Low Voltage Electrical Contractor" means a person licensed by the Department to contract with another to plan, lay out and supervise the installation of electrical equipment associated with the type of limited electrical contractor license held. "Low Voltage Electrical Contractor" excludes a person who only plans or designs electrical installations.

(s) "Low Voltage Technician" means a person licensed by the Department who has two (2) years experience in the portion of the electrical wiring industry covered by his low voltage license and technical knowledge to install and supervise the installation of electrical equipment associated with the type of low voltage electrical license held in accordance with the National Electrical Code and city, county and state ordinances and regulations.

(t) "Master Electrician" means a person licensed by the Department who has eight (8) years experience in the electrical wiring industry and technical knowledge to plan, lay out and supervise the installation of electric equipment in accordance with the National Electrical Code and city, county and state ordinances and regulations.

(u) "Master Electrician of Record" means a Wyoming licensed master electrician who is actively employed by a licensed electrical contractor in a full-time capacity, and who assumes responsibility to ensure that the National Electrical Code, W.S. 35-9-120 through 35-9-130 and applicable rules of the Department of Fire Prevention and Electrical Safety are adhered to on all electrical work undertaken by the electrical contractor in the State of Wyoming, and who is not the master electrician of State record for, or employed by, any other electrical contractor.

(v) "National Electrical Code (NEC)" is the current electrical code created by the National Fire Protection Association whose purpose is the practical safeguarding of persons and property from hazards arising from the use of electricity.

(w) "Technician of Record" means a Wyoming licensed low voltage or limited technician who is actively employed by a licensed low voltage or limited electrical contractor in a full time capacity, and who assumes responsibility to ensure that the National Electrical Code, W.S. 35-9-120 through 35-9-130 and applicable rules of the Department of Fire Prevention and Electrical Safety are adhered to on all low voltage or limited electrical work undertaken by the low voltage or limited electrical contractor in the State of Wyoming, and who is not the technician of record for, or employed by, any other low voltage or limited electrical contractor.

(x) "Temporary Work Permit" means a permit that allows an applicant to engage in the work of a journeyman electrician, low voltage technician, or a limited technician who applies, furnishes satisfactory evidence of experience to qualify for the examination, and pays the required fees.

**CHAPTER 3  
REPEALED**

**CHAPTER 4  
REPEALED**



## **CHAPTER 5**

### **ELECTRICAL LICENSING**

#### **Section 1. Electrical Contractors, Low Voltage Electrical Contractors and Limited Electrical Contractors.**

(a) All work done by an electrical contractor subject to the National Electrical Code shall be under the direction and supervision of a licensed journeyman electrician or a licensed master electrician

(i) An electrical contractor may employ licensed low voltage technicians and/or licensed limited technicians and apprentice technicians. The scope of work for low voltage and limited technicians and apprentice technicians working for electrical contractors shall be limited by the type of technician license or apprentice technician registration held. Low voltage and/or limited electrical work may be supervised by a licensed low voltage or limited technician of the proper category.

(b) All work done by a low voltage or limited electrical contractor subject to the National Electrical Code must be within the category of low voltage or limited electrical contractor's license held and shall be under the direction and supervision of a licensed low voltage or limited technician of the proper category.

(i) A low voltage or limited electrical contractor may employ licensed journeyman or licensed master electricians. The scope of work for journeyman or master electricians working for low voltage or limited electrical contractors shall be limited by the category of low voltage or limited electrical contractor's license held by the contractor.

(c) Electrical contractors, low voltage electrical contractors, and limited electrical contractors shall ensure that all their electrical installations comply fully with the current edition of the National Electrical Code and amendments thereto, unless written permission for an exception is issued by the Board. Such permission is limited by the requirements set forth in Article 90 of The National Electrical Code.

(d) An electrical contractor who has lost their master of record may have up to but not more than thirty (30) days to register a new master of record.

(i) During the time that an electrical contractor is without a master of record they shall submit to the Electrical Safety Division each Monday a list of all licensed employees that worked on projects the previous week in Wyoming. The list must show which projects the electricians were working on and number of hours worked. The list shall include each apprentice, the year of registration, their on-the-job supervisor and how many hours the supervisor was available on the project.

(e) A low voltage electrical contractor or limited electrical contractor who has lost their technician of record may have up to but not more than thirty (30) days to register a technician of record.

(i) During the time that a low voltage electrical contractor or limited electrical contractor is without a technician of record they shall submit to the Electrical Safety Division each Monday a list of all licensed employees that worked on projects the previous week in Wyoming. The list must show which projects the technicians were working on and number of hours worked. The list shall include each apprentice, the year of registration, their on-the-job supervisor and how many hours the supervisor was available on the project.

(f) Low Voltage - Licensing categories of systems of under ninety (90) volts by low voltage electrical contractors shall be as follows:

(i) LV-G Low Voltage General - Installations of under ninety (90) volts for systems such as sound systems, burglar alarm systems, fire alarm systems, communication systems, television and satellite systems, cathodic protection systems, and other low voltage systems.

(ii) LV-A Low Voltage Alarms - Installation and repair or remodel of burglar alarms, fire alarms, and other alarm signaling systems.

(iii) LV-C Low Voltage Communication - Installation and repair or remodel of telephone systems, intercom systems, related fiber optics, computer systems, and other communication systems.

(iv) LV-S Low Voltage Sound - Installation and repair or remodel of sound systems.

(v) LV-T Low Voltage TV - Installation and repair or remodel of cable TV systems, satellite receivers, and community antenna systems.

(vi) LV-X Low Voltage Control - Installation and repair or remodel of low voltage control and instrumentation systems and related fiber optics.

(vii) LV-L Low Voltage Lawn Sprinklers – Installation and repair or remodel of lawn sprinkler systems under (90) volts.

(g) Limited - Licensing categories of limited electrical work by limited electrical contractors shall be as follows:

(i) LM-E Elevators - Installation and repair or remodel of elevator systems limited to wiring on the load side of the equipment disconnect.

(ii) LM-S Signs - Installation and repair or remodel of electrical sign systems limited to wiring on the load side of the equipment disconnect.

(iii) LM-W Water Wells and Irrigation Systems - Installation and repair or remodel of water well and irrigation systems limited to electrical wiring on the load side of the equipment disconnect.

(iv) LM-L Light Fixtures - Routine checking and repair of light fixtures, limited to replacement of lamps, ballasts and fixture parts located in buildings and their premises.

(v) LM-H - Installation and repair or remodel of heating, ventilating, air conditioning, refrigeration, and HVAC energy management systems limited to electrical wiring on the load side of the equipment disconnect.

**Section 4. Master Electricians, Journeyman Electricians, Low Voltage Technicians and Limited Technicians.**

(a) An applicant for a journeyman electrician license by exam must present evidence of a four (4) year (8,000 hour) apprenticeship or experience in the electrical wiring industry. The 8,000 hours of experience must have been obtained during a time frame of no less than four (4) years. Work shall have been governed by the minimum standards of the NEC, under the direct supervision of a licensed journeyman or licensed master electrician. Electrical work experience is to consist of installation in residential, commercial, and industrial. No more than 75 percent of time may be in any one category. However, in special circumstances, the Board may waive this requirement. Up to two (2) years (4,000 hours) credit toward work history requirements shall be given for the number of hours of study in an accredited electrical school exceeding the 576 hours of electrically related classroom instruction required in Section 5(a)(i).

(i) An applicant for a journeyman electrician or master electrician license must also present evidence of 144 hours per year, or 576 hours over a four year apprenticeship, of successfully completed electrically related classroom instruction obtained through approved electrical apprenticeship training programs.

(ii) Applicants who have a current journeyman or master electrician's license, in good standing, from a city, county or state which has requirements equal to or greater than the requirements of the State of Wyoming shall be able to use that license as proof to qualify to take the examination.

(iii) All properly documented work experience obtained while working for an exempt entity in the State of Wyoming as defined in W.S. 35-9-123 (a)(ii) through (v) will be acceptable. Such work shall have been governed by the minimum standards of the NEC, under the direct supervision of a licensed journeyman or licensed master electrician. Applicants with acceptable work history obtained while working for an exempt entity must also document an equal number of hours of related classroom instruction as required for apprentice electricians enrolled in approved electrical apprenticeship training programs.

(b) An applicant for a master electrician license by exam must present evidence of eight (8) years (16,000 hours) experience in the electrical wiring industry and having held a journeyman electrician license for a minimum of four (4) years. The 16,000 hours of "Documented Evidence of Work Experience" means notarized letters from employees (past and present), notarized letters from IBEW local union or a copy of a current electrical license from another state licensing board which has work history requirement equal to or greater than the State of Wyoming.

(c) An applicant for a low voltage license must present evidence of the required experience that meets minimum standards of the NEC for the category of license indicated on the application. Classroom instruction is not required for a low voltage license. Experience requirements for the various categories of a low voltage license are as follows:

(i) LV-G Low Voltage General – 4000 hours during a period of not less than two (2) years for any category of low voltage license not specifically addressed below.

(ii) LV-A Low Voltage Alarms – 3000 hours during a period of not less than two (18) months.

(iii) LV-C Low Voltage Communication – 500 hours during a period of not less than three (3) months.

(iv) LV-S Low Voltage Sound – 500 hours during a period of not less than three (3) months.

(v) LV-T Low Voltage TV – 500 hours during a period of not less than three (3) months.

(vi) LV-X Low Voltage Control – 1000 hours during a period of not less than six (6) months.

(vii) LV-L Low Voltage Lawn Sprinklers – 80 hours during a period of not less than two (2) months.

(d) An applicant for a limited technician license must present evidence of the required experience that meets minimum standards of the NEC for the category of license indicated on the application. Classroom instruction is not required for a limited technician license. Experience requirements for the various categories of a limited technician license are as follows:

(i) LM-L Light Fixtures – 1000 hours during a period of not less than six (6) months.

(ii) All other limited technician categories – 4000 hours during a period of not less than two (2) years.

(e) Master electrician applicants shall receive a passing grade of 75 percent on the examination. Journeyman electrician applicants shall receive a passing grade of 70 percent on the examination. Low voltage technician and limited technician applicants shall receive a passing grade of 70 percent on the examination.

(f) Anyone who has tested (and failed) for an electrical license within the State of Wyoming is not eligible for a reciprocal license until they have held the license from that state for a period of (3) years and also must show proof of an approved continuing education seminar of sixteen (16) hours on electrical code which is currently enforced in the State of Wyoming.

#### **Section 5. License Updating.**

(a) Each journeyman and master electrician licensed by the State in order to renew their license shall provide proof of attendance at not less than sixteen (16) hours of training in the National Electrical Code or in advances in the electrical industry meeting the criteria established by the Board on or before the date his license expires. At least eight (8) of the required sixteen (16) hours of training shall specifically cover the National Electrical Code. The classes, seminars, or courses must:

(i) Concern material covered by the current or future edition of the Code, and/or in advances in the electrical industry.

(ii) Be taught by a certified electrical inspector, a licensed master electrician who has been certified by the Department, an individual who has electrical expertise in the electrical subject being presented, or an instructor otherwise qualified by the Department.

## **Section 6. Reciprocal Licensing**

(a) "Reciprocal Licensing" is a master, journeyman, low voltage, and limited technician license that has been reciprocated into the State of Wyoming from a state that has a reciprocal agreement with the State of Wyoming. In order to receive a master, journeyman, low voltage, and limited technician reciprocal license the applicant must have obtained their license by examination. A journeyman, low voltage, or limited technician must have a score of 70%, while a master must have passed with a score of 75%. The applicant must have held their license for at least one year in the state the applicant is reciprocating from and the license must be active and in good status with no violations. Proof of the current license must be shown/verified from which the state they are reciprocating from. To apply for a reciprocal license you must fill out the appropriate application and pay the appropriate fees.

## **Section 7. Apprentice Electricians, Apprentice Electrician Training Programs and Apprentice Technicians.**

(a) An apprentice electrician is any person working as an apprentice for a licensed electrical contractor and under the direct supervision of a licensed journeyman electrician, or a licensed master electrician.

(i) Apprentice electricians renewing their registration with the Department of Fire Prevention and Electrical Safety will be required to provide proof of the following:

(A) The total number of hours of on-the-job electrical work experience obtained during the twelve (12) month period from July 1 of the previous year to June 30 of the current year. Work shall have been governed by the minimum standards of the NEC, under the direct supervision or attestation of a licensed journeyman or licensed master electrician. A breakdown indicating number of hours obtained in residential, commercial, and industrial work categories shall be included. Documentation of work history shall be through notarized letters on company letterhead from past or present employers.

(B) The total number of hours of successfully completed electrically related classroom instruction obtained through accredited schools or through approved apprenticeship programs during the twelve (12) month period from July 1 of the previous year to June 30 of the current year. Documentation of all electrically related classroom instruction, time spent in electrical school, and time spent in approved on-line classroom instruction shall be through transcripts from an accredited school or classroom training records from an approved electrical apprenticeship program.

(ii) Apprentice electricians will not be advanced to the next year of apprenticeship training until proof of one (1) year (2,000 hours) of on-the-job electrical work experience and 144 hours of successfully completed electrically related classroom instruction or approved on-line classroom instruction, obtained through an approved electrical apprenticeship program, can be documented for the current year of their apprenticeship registration.

(iii) Each apprentice electrician shall be supervised by a licensed master or journeyman electrician during his entire training period.

(A) First (1st) year apprentice who has less than 2,000 hours on-the-job training and less than 144 hours related classroom training shall be supervised 100 percent of the workday by a licensed master or licensed journeyman, who must be present on the job.

(B) Second (2nd) year apprentice who has at least 2,000 hours on-the-job training and 144 hours of related classroom training but less than 4,000 on-the-job-training or 288 hours of related training shall be supervised 100 percent of the workday by a licensed master or licensed journeyman, who must be present on the job.

(C) Third (3rd) year apprentice who has at least 4,000 hours on-the-job training and at least 288 hours of related classroom training, but less than 6,000 hours on-the-job-training or 432 hours of related training shall be supervised at least 50 percent of the workday by a licensed master or licensed journeyman, who must be present on the job.

(D) Fourth (4th) year apprentice who has at least 6,000 hours on-the-job training and 432 hours of related classroom training but less than 8,000 hours on-the-job-training or 576 hours of related training shall be supervised 25 percent of the workday by a licensed master or licensed journeyman, who must be present on the job.

(E) Fifth (5th) year apprentice who has at least 8,000 hours on-the-job-training and 576 hours of related training shall be supervised 25 percent of the workday by a licensed master or licensed journeyman, who must be present on the job.

(F) An apprentice who has at least 10,000 hours on-the-job-training regardless of hours of related training shall be supervised 100 percent of the workday by a licensed master or licensed journeyman, who must be present on the job.

(b) Electrical contractors employing apprentice electricians in the State of Wyoming must have an electrical apprenticeship training program to provide classroom instruction for all apprentice electricians in their employ. Requirements for apprenticeship training programs shall be as follows:

(i) The training program must provide at least 144 hours per year, 576 hours over a four (4) year apprenticeship program, of a structured and comprehensive sequence of instruction in subjects, such as electrical theory, the National Electrical Code, and other technical subjects related to the electrical trade.

(ii) Classes for electrical apprenticeship training programs must be conducted on a regular pre-scheduled basis with enough scheduled classes to accommodate the 144 hour per year requirement.

(iii) Instructors for electrical apprenticeship training programs must be licensed journeyman electricians, licensed master electricians, or other persons with adequate electrical expertise as determined by the Department.



**CHAPTER 6  
REPEALED**

## CHAPTER 7 HEARING PROCEDURES

**Section 1. Authority.** These rules are promulgated by authority of W.S. 16-3-102, and W.S. 35-9-124.

**Section 2. Definitions.** The following definitions will apply under these rules:

(a) Respondent – A person(s), against whom an action has been brought to fine, revoke, or suspend his electrician’s license, or the Department in case of an appeal of an action or decision of the Chief Electrical Inspector.

(b) Department - Wyoming Department of Fire Prevention and Electrical Safety.

(c) Board - The Wyoming Electrical Board.

(d) Petitioner - The party who requests and is granted a hearing before the Board to hear an action to fine, suspend or revoke an electrician’s license or an appeal of an action or decision of the Chief Electrical Inspector.

**Section 3. Purpose.** These rules are established to provide a fair and efficient method for administrative hearings relative to civil penalties, suspension or revocation of licenses by the Board brought under W.S. 35-9-124.

(a) If a hearing is sought by the Department as petitioner, the respondent shall be accorded the rights as set forth below. However, when a serious threat to the public safety exists, due to code violations or other cause, the Board may shorten the time allowed between notice and hearing to not less than 5 days.

(b) When a party outside the Department requests and is granted a hearing, that party, as petitioner, shall also be accorded the rights of a respondent as set forth below. However, when the petitioner is outside the Department, in requesting the hearing he shall provide the Department with the written information required in Section 4(b) below. Also, during the hearing, the petitioner rather than the Department shall proceed first and may briefly rebut the Department's case in response.

(c) These hearing procedures shall not alter the practice of holding informal hearings whenever possible.

**Section 4. Commencement of Action.** Commencement of action shall be by one of the following methods:

(a) Upon an appropriate showing of violation of W.S. 35-9-101 through 35-9-130 or the Rules and Regulations, the Department may commence proceedings to fine, suspend or revoke the license of the alleged offender or take other disciplinary action. In a Petition to fine, suspend or revoke a license, the Department shall notify the respondent of the:

(i) The legal authority and jurisdiction under which the hearing is to be held;

(ii) The particular Section of the statutes and rules, regulations or codes involved; and

(iii) A short and plain statement of the violations alleged. No answer is required, and at the hearing, the respondent may appear and show why he should not be fined or his license should not be suspended or revoked.

(b) Any party aggrieved by an action or decision of the Chief Electrical Inspector made pursuant to W.S. 35-9-124 may appeal the action or decision by filing a written appeal at the office of the Chief Electrical Inspector within 30 days from the date of Action or decision. The written appeal shall contain:

(i) A heading in the words: "Electrical Board, State of Wyoming."

(ii) A caption reading: "Appeal of \_\_\_\_\_," giving the names of all respondents participating in the appeal.

(iii) A brief statement setting forth the legal interest of each of the appellants in the decision of the Chief Electrical Inspector involved in the order.

(iv) A brief statement of the specific order or action protested, in ordinary and concise language, together with any material facts claimed to support the contentions of the appellant.

(v) A brief statement of the relief sought, in ordinary and concise language, and the reasons why it is claimed that the protested order or action should be reversed, modified or otherwise set aside.

(vi) The signatures of all parties named as appellants, and their official mailing addresses.

(vii) The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal.

**Section 5. Time and Place of Hearing.** Time and place of hearings shall be determined as follows:

(a) Upon receiving a Petition or notice of an appeal, the Board shall set the matter for hearing. The hearing may be held no less than twenty (20) days after service of the Petition upon the respondent, so that he may have adequate time for preparation. Upon motion and for good cause, the hearing may be postponed by the Board until a later date. However, when a serious threat to the public safety exists, due to code violations or other cause, the Board may shorten the time allowed between notice and hearing to not less than five days.

(b) As soon as practical after receiving the written Petition or notice of appeal, the Board shall fix a date, time, and place for the hearing of the matter by the Board. Such date shall be not less than five (5) days nor more than ninety (90) days from the date the appeal was filed with the Board.

(c) Hearings shall be conducted in a location determined by the Board.

**Section 6. Service.** The notice of hearing by the Board shall be served personally or by mail, to the place of business of the petitioner and respondent, or to the most recent residence address of the respondent filed with the Department, or to the respondent at his address shown on the appeal.

**Section 7. Matters to be Considered.** Only those matters or issues specifically raised by the respondent shall be considered in the hearing of an appeal.

**Section 8. Enforcement to be Stayed.** Except for orders to abate or vacate immediate hazards, used under W.S. 35-9-116, enforcement of any notice and order of the Chief Electrical Inspector shall be stayed while the matter is before the Board.

**Section 9. Hearing Officer.** The Board may request the Office of Administrative Hearings to designate an attorney from the Office of Administrative Hearings to conduct the hearing, or it may appoint one or more hearing examiners to conduct the hearings. If a hearing examiner is appointed, the hearing examiner shall be responsible for scheduling and setting the matter for hearing as specified in Section 5 and 6 above. The examiner hearing the case shall exercise all powers relating to the conduct of hearings until it is submitted by him to the Board for final decision.

(a) A party may move to disqualify a hearing officer by filing written motion and supporting affidavits of personal bias with the Board. After careful consideration of the evidence presented, the Chairman of the Board shall rule upon the motion.

**Section 10. Authority of Hearing Officers.** The hearing officer or the Chairman of the Board [hereafter Chairman], if there is no hearing officer, has the authority to:

(a) Administer oaths and affirmations;

- (b) Issue subpoenas;
- (c) Rule upon offers of proof and receive relevant evidence;
- (d) Take or cause depositions to be taken in accordance with the provisions of the Administrative Procedure Act, W.S. 16-3-101 through 16-3-115;
- (e) Regulate the course of the hearing;
- (f) Hold conference for the settlement or simplification of the issues;
- (g) Dispose of procedural requests or similar matters;
- (h) Make recommended decisions when directed to do so by the Board; and
- (i) Take any action authorized by agency rules, the Administrative Procedure Act, or W.S. 35-9-101 et seq.

**Section 11. Counsel.** All parties may appear at the hearing with or without counsel. No attorney from any other state shall be entitled to enter his appearance in, prosecute or defend any action or proceeding pending before the Board unless he is either licensed to practice in the State of Wyoming or associated with a Wyoming licensed attorney. The filing of a pleading or other appearance by an attorney constitutes his appearance for the party for whom made. In accordance with the Wyoming Administrative Procedures Act.

- (a) An individual may appear and be heard in his own behalf.
- (b) A partnership may appear and be represented by a partner.
- (c) A corporation may appear and be represented by a corporate officer or a full time employee of the corporation.

**Section 12. Inspection of File.** Each party, or his authorized representative, shall be permitted to inspect and copy, at his own expense at the offices of the Department, all documents filed in the civil penalty or license suspension or revocation proceedings, all documents filed in appeals or orders or actions and all documents regarding the subject of the hearing contained in the Department's files permitted by law to be inspected and copied.

**Section 13. Record of Proceedings.** The hearing shall be reported verbatim, stenographically, or by any other appropriate means determined by the Board or hearing officer. A copy will be furnished to any party upon written request to the Board and payment of a reasonable fee. If one or more parties desires the hearing transcribed by a certified court reporter, he must make the necessary arrangements and bear the cost.

**Section 14. Continuances.** The Board or hearing officer may grant continuances for good cause shown.

**Section 15. Reasonable Dispatch.** The Board and its representatives shall proceed with reasonable dispatch to conclude any matter before it. Due regard shall be shown for the convenience and necessity of any parties or their representatives.

**Section 16. Notice to Respondent.** The notice to respondent shall be substantially in the following form, but may include other information: "You are hereby notified that a hearing will be held before (the Board or name of hearing examiner) at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ at the hour of \_\_\_\_\_. You may be present at the hearing. You may be represented by counsel. You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You may request the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents, or other things by filing an affidavit therefore with the Board or the hearing examiner."

**Section 17. Evidence.** Hearings need not be conducted according to the technical rules relating to evidence and witnesses.

- (a) Oral evidence shall be taken only on oath or affirmation.
- (b) Each party shall have these rights, among others:
  - (i) To call and examine witnesses on any matter relevant to the issues of the hearing.
  - (ii) To introduce documentary and physical evidence.
  - (iii) To cross-examine opposing witnesses on any matter relevant to the issues of the hearing.
  - (iv) To impeach any witness regardless of which party first called him to testify.
  - (v) To rebut the evidence against him.
  - (vi) To represent himself or to be represented by anyone of his choice.

**Section 18. Order of Procedure at Hearing.** Hearings shall be conducted substantially as follows:

- (a) The hearing officer or Chairman shall announce that the hearing is called to order and announce the matter to be heard, briefly summarizing the case and issues.

(b) The hearing officer or Chairman shall take up any preliminary motions or matters to be discussed.

(c) The Department may present a brief opening statement of the charges, explain the theory of the case and what the evidence will show.

(d) The respondent may present his opening statement in the same manner.

(e) The Department shall then present the evidence of the Electrical Safety Division, subject to cross examination by the respondent and the hearing officer or Board.

(f) The respondent shall present his evidence, subject to cross examination by the Department and the hearing officer or Board.

(g) Closing statements may be made at the conclusion of the evidence by both parties. These statements may include summaries of the evidence and legal arguments. The Department shall precede the respondent and may also briefly rebut respondent's closing statement.

(h) The hearing officer or Chairman may ask for proposed findings of fact and conclusions of law from both parties, to be submitted within a reasonable time.

**Section 19. Official Notice may be Taken.** In reaching a decision, official notice may be taken, either before or after submission of the case for decision, of any fact which may be judicially noticed by the courts of this state or of official record of the Board and laws of the State of Wyoming or rules and regulations of the Board. Parties present at the hearing shall be informed of the matters to be noticed and these matters shall be noted in the record, referred to therein, or appended thereto.

**Section 20. Opportunity to Refute the Officially Noticed Matters.** Parties present at the hearing shall be given a reasonable opportunity, on request, to refute the officially noticed matters by evidence or by written or oral presentation of authority, the manner of such refutation's to be determined by the Board or hearing examiner.

**Section 21. Voting Limitation.** Where a contested case is heard before the Board itself, no member thereof who did not hear the evidence or has not read the entire record of the proceedings shall vote on or take part in the decision.

**Section 22. Decision of Board.**

(a) If a hearing officer is appointed, the hearing officer shall prepare proposed findings of fact and conclusions of law for submittal to the Board. In addition parties have the right to submit findings of fact and conclusions of law and order.

(b) After the hearing, or after submittal of proposed findings of fact and conclusions of law from the hearing officer, if any, the Board shall enter a decision and final order signed by the Chairman. In its decision the Board may adopt or reject the proposed decision in its entirety, or may modify the proposed decision.

(c) The decision shall be in writing and shall contain findings of fact, a determination of the issues presented, and the requirements to be complied with. A copy of the decision shall be delivered to the respondent personally, with written receipt, or sent to him by certified mail, postage paid, return receipt requested.

**Section 23. Re-assignment.** If the proposed decision is not adopted as provided in Section 22 of this chapter, the Board may decide the case upon the evidence; or may refer the case to the same or another hearing examiner to take additional evidence. If the case is re-assigned to a hearing examiner, he shall prepare a report and proposed decision as provided in Section 22 hereof after any additional evidence is submitted.

**Section 24. Appeals to District Court.** A respondent may appeal a Board decision to district court as provided in W.S. 16-3-114 and W.S. 35-9-124.



## CHAPTER 2

### DEFINITIONS

**Section 1. Definitions.** For the purpose of these Rules and Regulations, the following definitions shall apply:

(a) "Apprentice Electrician" means a person who has insufficient qualifications to be a journeyman electrician and is hired by a licensed electrical contractor to assist a licensed journeyman or master electrician. From and after March 1, 1994, an apprentice electrician must be registered with the Department of Fire Prevention and Electrical Safety, and must be enrolled in a bona fide program of training approved by the Bureau of Apprenticeship and Training, United States Department of Labor, or present evidence directly to the Board that he is enrolled in an apprentice training program which provides training equivalent to a program approved by the Bureau of Apprenticeship and Training, United States Department of Labor.

(b) "Apprentice Technician" means a person who has insufficient qualifications to be a low voltage or a limited technician and is hired by a licensed electrical contractor, low voltage contractor, or limited contractor to assist a licensed low voltage or limited technician. An apprentice technician must be registered with the Department of Fire Prevention and Electrical Safety and must be enrolled in a training program as approved by the Board.

(c) "Chief Electrical Inspector" means the administrator of the electrical safety division, who is a Wyoming master electrician, certified as an electrical inspector by the International Association of Electrical Inspectors or the International Conference of Building Officials.

~~(d) "Cured" means the person cited becomes duly licensed in accordance with Wyoming law.~~

~~(e)~~(d) "Department" means the Department of Fire Prevention and Electrical Safety.

~~(f)~~(e) "Documented Evidence of Work Experience" means notarized letters from employees (past and present), notarized letters from IBEW local union or a copy of a current electrical license from another state licensing board which has work history requirement equal to or greater than the State of Wyoming.

~~(g)~~(f) "Documented School Experience" means official transcripts which indicate the number of credit hours or actual number of classroom hours of electrically related courses.

~~(h)~~(g) "Electrical Board" (Board) consists of five (5) members appointed by the governor for six (6) year terms. One (1) member and no more than two (2) shall be journeymen electricians, one (1) and no more than two (2) shall be a master electricians, and one (1) and no more than two (2) shall be electrical contractors.

~~(i)~~(h) "Electrical Contractor" means a person licensed by the Department to contract with another to plan, lay out and supervise the installation of electric equipment. "Electrical Contractor" excludes a person who only plans or designs electrical installations.

~~(j)~~(i) "Electrical Safety Division" is the Division that is responsible for the licensing of companies and individuals who are performing electrical installations. The Division is also responsible for issuing electrical wiring permits as well as performing inspections of electrical installations.

~~(k)~~(j) "Electrical Work" means the installation, alteration, reconstruction, or repair of electrical wiring and/or systems as described by the National Electrical Code (NEC) Article 90-2.

~~(l)~~(k) "Electrical Work Experience" means electrical installations performed by the applicant and governed by the National Electrical Code.

~~(m)~~(l) "Electrical Wiring" means any electrical conductor, conduit, material, device, fitting, apparatus, appliance, fixture, or equipment, constituting a part of or connected to any installation attached or fastened to any building, structure, or premises, and which installation or portion thereof is designed, intended, or used to generate, transmit, transform, or utilize electrical energy within the scope and purpose of the NEC.

~~(n)~~(m) "Installation of Electric Equipment" includes installing, altering and repairing the wiring of apparatus, equipment and conductors subject to the National Electrical Code.

~~(o)~~(n) "Journeyman Electrician" means a person licensed by the Department who has four (4) years experience in the electrical wiring industry and technical knowledge to install and supervise the installation of electrical equipment for any purpose in accordance with the National Electrical Code and city, county and state ordinances and regulations.

~~(p)~~(o) "License" means permission to perform electrical installations in the State of Wyoming.

~~(e)~~(p) "Limited Electrical Contractor" means a person, licensed by the Department to contract with another to plan, lay out and supervise the installation of electrical equipment associated with the type of limited electrical contractor license held. "Limited Electrical Contractor" excludes a person who only plans or designs electrical installations.

~~(e)~~(q) "Limited Technician" means a person licensed by the Department who has two (2) years experience in the portion of the electrical wiring industry covered by his limited license and technical knowledge to install and supervise the installation of electrical equipment associated with the type of limited electrical license held in accordance with the National Electrical Code and city, county and state ordinances and regulations.

~~(s)~~(r) "Low Voltage Electrical Contractor" means a person licensed by the Department to contract with another to plan, lay out and supervise the installation of electrical equipment associated with the type of limited electrical contractor license held. "Low Voltage Electrical Contractor" excludes a person who only plans or designs electrical installations.

~~(t)~~(s) "Low Voltage Technician" means a person licensed by the Department who has two (2) years experience in the portion of the electrical wiring industry covered by his low voltage license and technical knowledge to install and supervise the installation of electrical equipment associated with the type of low voltage electrical license held in accordance with the National Electrical Code and city, county and state ordinances and regulations.

~~(u)~~(t) "Master Electrician" means a person licensed by the Department who has eight (8) years experience in the electrical wiring industry and technical knowledge to plan, lay out and supervise the installation of electric equipment in accordance with the National Electrical Code and city, county and state ordinances and regulations.

~~(v)~~(u) "Master Electrician of Record" means a Wyoming licensed master electrician who is actively employed by a licensed electrical contractor in a full-time capacity, and who assumes responsibility to ensure that the National Electrical Code, W.S. 35-9-120 through 35-9-130 and applicable rules of the Department of Fire Prevention and Electrical Safety are adhered to on all electrical work undertaken by the electrical contractor in the State of Wyoming, and who is not the master electrician of State record for, or employed by, any other electrical contractor.

~~(w)~~(v) "National Electrical Code (NEC)" is the current electrical code created by the National Fire Protection Association whose purpose is the practical safeguarding of persons and property from hazards arising from the use of electricity.

~~(x)~~ "Owner" means the person holding legal title to a building or real property.

~~(y)~~ "Permanent Power" means an electrical service that has been installed to provide power in or on a building, mobile home and premises.

~~(z)~~ "Temporary Power" means an electrical service that has been installed to provide power during construction or remodeling and will be removed after permanent power is installed.

~~(aa)~~ "Public Building" means a building intended for access by the general public.

~~(bb)~~ "Remodeling" includes repairing, altering or adding to a building or its electrical system.

~~(ee)~~(w) "Technician of Record" means a Wyoming licensed low voltage or limited technician who is actively employed by a licensed low voltage or limited electrical contractor in a full time capacity, and who assumes responsibility to ensure that the National Electrical Code, W.S. 35-9-120 through 35-9-130 and applicable rules of the Department of Fire Prevention and Electrical Safety are adhered to on all low voltage or limited electrical work undertaken by the low voltage or limited electrical contractor in the State of Wyoming, and who is not the technician of record for, or employed by, any other low voltage or limited electrical contractor.

~~(dd)~~(x) "Temporary Work Permit" means a permit that allows an applicant to engage in the work of a journeyman electrician, low voltage technician, or a limited technician who applies, furnishes satisfactory evidence of experience to qualify for the examination, and pays the required fees.

## CHAPTER 3

### ADVERSE ACTION REPEALED

**Section 1. — Statement of Purpose.** ~~These rules and regulations are adopted to implement the Board's authority to conduct investigations, hearings and proceedings concerning alleged violations, and the Board is authorized to review civil penalties imposed by the Department, suspend or cancel any license for flagrant violation of this act or the rules and regulations of the Board pursuant to W.S. 35-9-124(e).~~

**Section 2. — Grounds.** ~~The Board shall take action to review civil penalties, and to hear petitions to suspend or cancel the license of any person(s) for:~~

- ~~(a) — Any flagrant violation of W.S. 35-9-101 through W.S. 35-9-130.~~
- ~~(b) — Any flagrant violation of the rules and regulations of the Board.~~
- ~~(c) — Failure to supervise apprentices pursuant to W.S. 35-9-127 and Chapter V of these rules.~~
- ~~(d) — Failure to obtain an electrical license pursuant to W.S. 35-9-123 and Chapter V of these rules.~~
- ~~(e) — Failure to obtain an electrical wiring permit before starting the electrical installation pursuant to W.S. 35-9-120 and Chapter VI of these rules.~~
- ~~(f) — A master of record working as a master of record for more than one company pursuant to W.S. 35-9-125.~~
- ~~(g) — A technician of record working as a technician of record for more than one company pursuant to W.S. 35-9-125.~~
- ~~(h) — Practice the electrical trade under cover of any diploma, license or record illegally or fraudulently obtained, signed or issued unlawfully or under fraudulent representation.~~
- ~~(i) — Providing false, misleading or non-responsive information on any application filed to obtain any license issued by the electrical division.~~
- ~~(j) — Knowingly employ unlicensed persons in the practice of the electrical trade.~~

~~(k) — Knowingly conceal information relating to violations of these rules and regulations or W.S. 35-9-101 through 35-9-130.~~

~~(l) — Writing a check with insufficient funds to the Department of Fire Prevention & Electrical Safety to acquire or renew an electrical license, work permit or apprentice registration pursuant to W.S. 35-9-125, 35-9-126, and 35-9-127.~~

~~**Section 3. — Complaints.** All complaints regarding licensing received from outside the Department shall be filed with the Chief Electrical Inspector in writing and shall contain:~~

- ~~(a) — Name, address and telephone number of licensee;~~
- ~~(b) — Name, address and telephone number of complainant;~~
- ~~(c) — Nature of alleged violation;~~
- ~~(d) — A short and concise statement of facts related to the alleged violations; and~~
- ~~(e) — Signature of complainant.~~

~~**Section 4. — Investigation.**~~

~~(a) — The Chief Electrical Inspector shall consider the complaint to determine if further investigation of the matter is warranted. If further investigation is deemed necessary, the Chief Electrical Inspector shall assign one or more of his deputies to further investigate the complaint.~~

~~(b) — Upon completion of the investigation, the Chief Electrical Inspector shall:~~

~~(i) — Prepare and file a formal complaint with the Board, for a contested case hearing pursuant to Chapter VII of these rules; or~~

~~(ii) — Impose a civil penalty on behalf of the Department in the form of a fine; or~~

~~(iii) — Issue a written letter of warning to the person(s); or~~

~~(iv) — Dismiss the complaint.~~

~~(e) — The Board may resolve a complaint at any time before the contested hearing by:~~

~~(i) — Accepting a voluntary surrender of a license;~~

- (ii) — Accepting conditional terms for settlement;
- (iii) — Dispensing with it in an informal manner; or
- (iv) — Dismissal.





CHAPTER 4

APPEALS  
REPEALED

**Section 1. — Statement of Purpose.** ~~These rules and regulations are adopted to implement the Board's authority to hear appeals pursuant to W.S. 35-9-124.~~

~~(a) — The Board shall hear appeals regarding the installation of electrical equipment and electrical safety standards;~~

~~(b) — The Board shall hear appeals to determine the suitability of alternate materials and type of construction related to the electrical equipment and electrical safety standards; and~~

~~(c) — The Board shall hear the appeal of a license applicant whose application was denied by the Chief Electrical Inspector.~~

~~(d) — The Board shall hear the appeal of a person(s) who has been imposed with a civil penalty.~~

## CHAPTER 5

### ELECTRICAL LICENSING

#### **Section 1. — Application and Renewal of Licenses.**

(a) — License applications shall be submitted on the form provided by the Department and shall be accompanied by the appropriate fees as established by these rules. All information solicited shall be provided.

(b) — Examinations are scheduled by contacting testing agency after approval by the Chief Electrical Inspector. Location and frequency of the examinations will be determined by the Chief Electrical Inspector and the Board.

(c) — Master electrician applicants shall receive a passing grade of 75 percent on the examination. Journeyman electrician applicants shall receive a passing grade of 70 percent on the examination. Low voltage technician and limited technician applicants shall receive a passing grade of 70 percent on the examination.

(d) — Approximately ninety (90) days prior to expiration, the Department shall send written notification of the approaching expiration of each license to the most recent address that the licensee has provided to the Department. The Department is not responsible for failure of renewal notice to reach applicant.

(e) — Anyone who has tested (and failed) for an electrical license within the State of Wyoming is not eligible for a reciprocal license until they have held the license from that state for a period of three (3) years and also must show proof of an approved continuing education seminar of sixteen (16) hours on electrical code which is currently enforced in the State of Wyoming.

(f) — The accompanying application for renewal for electrical contractors, low voltage contractors, and limited contractors shall be completed.

(g) — In the case of contractors, the master acknowledgment of responsibility form shall be completed and the signature of the full time actively employed master electrician of record shall be notarized and returned with the application and the appropriate fee during the ninety (90) days preceding expiration. In the case of low voltage and limited electrical contractors, the technician acknowledgment of responsibility form shall be completed and the signature of the full time actively employed technician of record shall be notarized and returned with the application and the appropriate fee during the ninety (90) days preceding expiration.

~~(h) — Journeyman electricians and master electricians failing to renew their license prior to expiration may renew within forty five (45) days after the original expiration date for an additional penalty fee of \$50.00, provided they have obtained the required sixteen (16) hours of training.~~

~~(i) — All low voltage technicians and limited technicians failing to renew their license prior to expiration may renew within forty five (45) days after the original expiration date for an additional penalty fee of \$50.00.~~

~~(j) — All journeyman electricians, master electricians, low voltage technicians, and limited technicians failing to renew their license prior to the end of the forty five (45) day extension will be required to re-examine to obtain a new license.~~

~~(k) — Suspension or revocation of a license and the imposition of civil penalties shall be conducted in accordance with the procedures set forth in Chapter 7.~~

## **Section 2. — Temporary Work Permits.**

~~(a) — Temporary permits to engage in the work of a journeyman electrician, low voltage technician, or a limited technician shall be issued to applicants who apply, furnish documented evidence of experience to qualify for the examination, and pay the required fees.~~

~~(i) — A temporary work permit is valid, but no longer than 150 days. The expiration date shall be printed on the temporary work permit.~~

~~(ii) — A journeyman who has let their Wyoming electrical license expire shall be allowed one work permit that will expire two weeks after the next scheduled examination. The applicant must pay the required fees.~~

## **Section 31. Electrical Contractors, Low Voltage Electrical Contractors and Limited Electrical Contractors.**

~~(a) All work done by an electrical contractor subject to the National Electrical Code shall be under the direction and supervision of a licensed journeyman electrician or a licensed master electrician. concerning the planning, laying out, supervision, and installing, or the making of additions, alterations, and repairs in the installation or wiring of apparatus and equipment for electric light, heat, and power shall be under the direction and supervision of a licensed journeyman electrician or a licensed master electrician. Any contractor who fails to have all electrical work properly supervised by a licensed journeyman electrician or a licensed master electrician may have their contractor's license suspended, revoked or civil penalties reviewed by the Board.~~

(i) ~~It shall be permissible for a~~An electrical contractor ~~to~~ may employ licensed low voltage technicians and/or licensed limited technicians and apprentice technicians. The scope of work for low voltage and limited technicians and apprentice technicians working for electrical contractors shall be limited by the type of technician license or apprentice technician registration held. Low voltage and/or limited electrical work may be supervised by a licensed low voltage or limited technician of the proper category.

(b) All work done by a low voltage or limited electrical contractor subject to the National Electrical Code must be within the category of low voltage or limited electrical contractor's license held and shall be under the direction and supervision of a licensed low voltage or limited technician of the proper category. ~~concerning the planning, laying out, supervision, and installing or the making of additions, alterations, and repairs in the installation or wiring of apparatus and equipment associated with the category of low voltage or limited electrical contractor's license held, shall be under the direction and supervision of a licensed low voltage or limited technician of the proper category. Any low voltage or limited electrical contractor who fails to have all low voltage or limited electrical work properly supervised by a licensed low voltage or limited technician may have their low voltage or limited electrical contractor's license suspended, or revoked, or subjected to civil penalties sustained by the Board.~~

(i) ~~It shall be permissible for a~~ A low voltage or limited electrical contractor ~~to~~ may employ licensed journeyman or licensed master electricians. The scope of work for journeyman or master electricians working for low voltage or limited electrical contractors shall be limited by the category of low voltage or limited electrical contractor's license held by the contractor.

(c) Electrical contractors, low voltage electrical contractors, and limited electrical contractors shall ensure that all their electrical installations comply fully with the current edition of the National Electrical Code and amendments thereto, unless written permission for an exception is issued by the Board. Such permission is limited by the requirements set forth in Article 90 of The National Electrical Code.

(d) An electrical contractor who has lost their master of record may have up to but not more than thirty (30) days to register a new master of record.

(i) During the time that an electrical contractor is without a master of record they shall submit to the Electrical Safety Division each Monday a list of all licensed employees that worked on projects the previous week in Wyoming. The list must show which projects the electricians were working on and number of hours worked. The list shall include each apprentice, the year of registration, their on-the-job supervisor and how many hours the supervisor was available on the project.

(e) A low voltage electrical contractor or limited electrical contractor who has lost their technician of record may have up to but not more than thirty (30) days to register a technician of record.

(i) During the time that a low voltage electrical contractor or limited electrical contractor is without a technician of record they shall submit to the Electrical Safety Division each Monday a list of all licensed employees that worked on projects the previous week in Wyoming. The list must show which projects the technicians were working on and number of hours worked. The list shall include each apprentice, the year of registration, their on-the-job supervisor and how many hours the supervisor was available on the project.

(f) Low Voltage - Licensing categories of systems of under ninety (90) volts by low voltage electrical contractors shall be as follows:

(i) LV-G Low Voltage General - Installations of under ninety (90) volts for systems such as sound systems, burglar alarm systems, fire alarm systems, communication systems, television and satellite systems, cathodic protection systems, and other low voltage systems.

(ii) LV-A Low Voltage Alarms - Installation and repair or remodel of burglar alarms, fire alarms, and other alarm signaling systems.

(iii) LV-C Low Voltage Communication - Installation and repair or remodel of telephone systems, intercom systems, related fiber optics, computer systems, and other communication systems.

(iv) LV-S Low Voltage Sound - Installation and repair or remodel of sound systems.

(v) LV-T Low Voltage TV - Installation and repair or remodel of cable TV systems, satellite receivers, and community antenna systems.

(vi) LV-X Low Voltage Control - Installation and repair or remodel of low voltage control and instrumentation systems and related fiber optics.

(vii) LV-L Low Voltage Lawn Sprinklers – Installation and repair or remodel of lawn sprinkler systems under (90) volts.

(g) Limited - Licensing categories of limited electrical work by limited electrical contractors shall be as follows:

(i) LM-E Elevators - Installation and repair or remodel of elevator systems limited to wiring on the load side of the equipment disconnect.

(ii) LM-S Signs - Installation and repair or remodel of electrical sign systems limited to wiring on the load side of the equipment disconnect.

(iii) LM-W Water Wells and Irrigation Systems - Installation and repair or remodel of water well and irrigation systems limited to electrical wiring on the load side of the equipment disconnect.

(iv) LM-L Light Fixtures - Routine checking and repair of light fixtures, limited to replacement of lamps, ballasts and fixture parts located in buildings and their premises.

(v) LM-H - Installation and repair or remodel of heating, ventilating, air conditioning, refrigeration, and HVAC energy management systems limited to electrical wiring on the load side of the equipment disconnect.

**Section 4. Master Electricians, Journeyman Electricians, Low Voltage Technicians and Limited Technicians.**

(a) An applicant for a journeyman electrician license by exam must present evidence of a four (4) year (8,000 hour) apprenticeship or experience in the electrical wiring industry. The 8,000 hours of experience must have been obtained during a time frame of no less than four (4) years. Work shall have been governed by the minimum standards of the NEC, under the direct supervision of a licensed journeyman or licensed master electrician. Electrical work experience is to consist of installation in residential, commercial, and industrial. No more than 75 percent of time may be in any one category. However, in special circumstances, the Board may waive this requirement. Up to two (2) years (4,000 hours) credit toward work history requirements shall be given for the number of hours of study in an accredited electrical school exceeding the 576 hours of electrically related classroom instruction required in Section 5(a)(i).

~~(i) Effective March 1, 1994, an applicant for a journeyman electrician or master electrician license must also present evidence of 144 hours per year, or 576 hours over a four year apprenticeship, of successfully completed electrically related classroom instruction obtained through approved electrical apprenticeship training programs.~~

~~(ii) An applicant who has properly documented work experience, obtained prior to July 1, 1994, will not be required to provide evidence of electrically related classroom instruction for work experience obtained before this date.~~

~~(iii)~~(ii) Applicants who have a current journeyman or master electrician's license, in good standing, from a city, county or state which has requirements equal to or greater than the requirements of the State of Wyoming shall be able to use that license as proof to qualify to take the examination.

(iv) (iii) All properly documented work experience obtained while working for an exempt entity in the State of Wyoming as defined in W.S. 35-9-123 (a)(ii) through (v) will be acceptable. Such work shall have been governed by the minimum standards of the NEC, under the direct supervision of a licensed journeyman or licensed master electrician. Applicants with acceptable work history obtained while working for an exempt entity must also document an equal number of hours of related classroom instruction as required for apprentice electricians enrolled in approved electrical apprenticeship training programs.

(b) An applicant for a master electrician license by exam must present evidence of eight (8) years (16,000 hours) experience in the electrical wiring industry and having held a journeyman electrician license for a minimum of four (4) years. The 16,000 hours of "Documented Evidence of Work Experience" means notarized letters from employees (past and present), notarized letters from IBEW local union or a copy of a current electrical license from another state licensing board which has work history requirement equal to or greater than the State of Wyoming.

~~(e) — An applicant for a low voltage or limited technician license must present evidence of two (2) years (4,000 hours) experience in the portion of the electrical wiring industry associated with the category of the license applied for. The 4,000 hours of experience must have been obtained during a time frame of no less than two (2) years. Work shall have been governed by the minimum standards of the NEC. No electrically related classroom instruction is required for applicants for a low voltage or limited technician license. Up to two (2) years (4,000 hours) credit toward work history requirements shall be given for the number of hours of study from an electrical school.~~

~~(d) — Electrically related classroom instruction, or time spent in electrical school, shall be documented with transcripts from a school or classroom training records from an apprenticeship program as approved by the Board or the Bureau of Apprenticeship and Training, United States Department of Labor.~~

~~(e) — New or renewed master electrician, journeyman electrician, low voltage technician, and limited technician licenses are valid for no more than three (3) years, with master license, low voltage technician license, and limited technician license expiring July 1 and journeyman license expiring January 1. New licenses shall expire on the appropriate date no more than three (3) years after issuance.~~

~~(f) — Renewal after expiration with the \$50.00 penalty may be made on or before August 15 for master electricians, low voltage technicians, and limited technicians, and February 15 for journeymen electricians.~~

~~g) — Failure to renew prior to August 15 for master electricians, low voltage technicians, and limited technicians, and February 15 for journeyman electricians will result in cancellation of the license and reinstatement of the license will require the former license holder to pay the full fees and take the appropriate examination.~~

(c) An applicant for a low voltage license must present evidence of the required experience that meets minimum standards of the NEC for the category of license indicated on the application. Classroom instruction is not required for a low voltage license. Experience requirements for the various categories of a low voltage license are as follows:

(i) LV-G Low Voltage General – 4000 hours during a period of not less than two (2) years for any category of low voltage license not specifically addressed below.

(ii) LV-A Low Voltage Alarms – 3000 hours during a period of not less than two (18) months.

(iii) LV-C Low Voltage Communication – 500 hours during a period of not less than three (3) months.

(iv) LV-S Low Voltage Sound – 500 hours during a period of not less than three (3) months.

(v) LV-T Low Voltage TV – 500 hours during a period of not less than three (3) months.

(vi) LV-X Low Voltage Control – 1000 hours during a period of not less than six (6) months.

(vii) LV-L Low Voltage Lawn Sprinklers – 80 hours during a period of not less than two (2) months.

(d) An applicant for a limited technician license must present evidence of the required experience that meets minimum standards of the NEC for the category of license indicated on the application. Classroom instruction is not required for a limited technician license. Experience requirements for the various categories of a limited technician license are as follows:

(i) LM-L Light Fixtures – 1000 hours during a period of not less than six (6) months.

(ii) All other limited technician categories – 4000 hours during a period of not less than two (2) years.



(e) Master electrician applicants shall receive a passing grade of 75 percent on the examination. Journeyman electrician applicants shall receive a passing grade of 70 percent on the examination. Low voltage technician and limited technician applicants shall receive a passing grade of 70 percent on the examination.

(f) Anyone who has tested (and failed) for an electrical license within the State of Wyoming is not eligible for a reciprocal license until they have held the license from that state for a period of (3) years and also must show proof of an approved continuing education seminar of sixteen (16) hours on electrical code which is currently enforced in the State of Wyoming.

### **Section 5. License Updating.**

(a) Each journeyman and master electrician licensed by the State in order to renew their license shall provide proof of attendance at not less than sixteen (16) hours of training in the National Electrical Code or in advances in the electrical industry meeting the criteria established by the Board on or before the date his license expires. At least eight (8) of the required sixteen (16) hours of training shall specifically cover the National Electrical Code. The classes, seminars, or courses must:

(i) Concern material covered by the current or future edition of the Code, and/or in advances in the electrical industry.

(ii) Be taught by a certified electrical inspector, a licensed master electrician who has been certified by the ~~Board~~ Department, an individual who has electrical expertise in the electrical subject being presented, or an instructor otherwise qualified by the ~~Board~~ Department.

~~(iii) Have received approval from the Board for both the instructor and the course material prior to presentation of the class, seminar, or course.~~

### **Section 6. Reciprocal Licensing**

(a) “Reciprocal Licensing” is a ~~journeyman or master~~ master, journeyman, low voltage, and limited technician license that has been reciprocated into the State of Wyoming from a state that has a reciprocal agreement with the State of Wyoming. In order to receive a ~~journeyman or master~~ master, journeyman, low voltage, and limited technician reciprocal license the applicant must have obtained their license by examination. ~~Journeyman~~ A journeyman, low voltage, or limited technician must have a score of 70%, while a master must have passed with a score of 75%. The applicant must have held their license for at least one year in the state the applicant is reciprocating from and the license must be active and in good status with no violations. Proof of the current license must be shown/verified from which the state they are reciprocating from. To apply for a reciprocal license you must fill out the appropriate application and pay the appropriate fees.

**Section 7. Apprentice Electricians, Apprentice Electrician Training Programs and Apprentice Technicians.**

(a) An apprentice electrician is any person working as an apprentice for a licensed electrical contractor and under the direct supervision of a licensed journeyman electrician, or a licensed master electrician.

~~(i) — It is the responsibility of the electrical contractor employing apprentice electricians to register each with the Department within ten (10) days of hiring and to notify the Department within ten (10) days after termination.~~

~~(A) — Prior to the initial apprentice electrician registration, or for apprentice electricians with prior work experience obtained outside the State of Wyoming, the following information shall be provided:~~

~~(I) — Documentation of the total number of hours of all previous on the job electrical work experience. Work shall have been governed by the minimum standards of the NEC, under the direct supervision or attestation of a licensed journeyman or licensed master electrician. A breakdown indicating number of hours obtained in residential, commercial and industrial work categories shall be included. Proof of work history shall be through notarized letters on company letterhead from past or present employers.~~

~~(II) — Documentation of the total number of hours of all previous electrically related classroom instruction obtained through schools or through approved apprenticeship programs. Electrically related classroom instruction, or time spent in electrical school, shall be documented with transcripts from a school or classroom training records from an approved electrical apprenticeship program.~~

~~(ii)(i) — Effective in 1994, apprentice electricians will be required to renew their registration with the Department of Fire Prevention and Electrical Safety yearly on or before September 1. The director for multi-employer electrical apprenticeship training programs shall be allowed to renew the registrations for all apprentice electricians in their training program. A notification of registration renewal will be mailed to all registered apprentices to their last submitted address approximately ninety (90) days prior to the renewal deadline. Apprentice electricians renewing their registration with the Department of Fire Prevention and Electrical Safety will be required to provide proof of the following:~~

(A) The total number of hours of on-the-job electrical work experience obtained during the twelve (12) month period from July 1 of the previous year to June 30 of the current year. Work shall have been governed by the minimum standards of the NEC, under the direct supervision or attestation of a licensed journeyman or licensed master electrician. A breakdown indicating number of hours obtained in residential, commercial, and industrial work categories shall be included. Documentation of work history shall be through notarized letters on company letterhead from past or present employers.

(B) The total number of hours of successfully completed electrically related classroom instruction obtained through accredited schools or through approved apprenticeship programs during the twelve (12) month period from July 1 of the previous year to June 30 of the current year. Documentation of all electrically related classroom instruction, ~~or~~ time spent in electrical school, and time spent in approved on-line classroom instruction shall be through transcripts from an accredited school or classroom training records from an approved electrical apprenticeship program.

~~(iii)~~(ii) Apprentice electricians will not be advanced to the next year of apprenticeship training until proof of one (1) year (2,000 hours) of on-the-job electrical work experience and 144 hours of successfully completed electrically related classroom instruction or approved on-line classroom instruction, obtained through an approved electrical apprenticeship program, can be documented for the current year of their apprenticeship registration.

~~(iv)~~(iii) Each apprentice electrician shall be supervised by a licensed master or journeyman electrician during his entire training period.

(A) First (1st) year apprentice who has less than 2,000 hours on-the-job training and less than 144 hours related classroom training shall be supervised 100 percent of the workday by a licensed master or licensed journeyman, who must be present on the job.

(B) Second (2nd) year apprentice who has at least 2,000 hours on-the-job training and 144 hours of related classroom training but less than 4,000 on-the-job-training or 288 hours of related training shall be supervised 100 percent of the workday by a licensed master or licensed journeyman, who must be present on the job.

(C) Third (3rd) year apprentice who has at least 4,000 hours on-the-job training and at least 288 hours of related classroom training, but less than 6,000 hours on-the-job-training or 432 hours of related training shall be supervised at least 50 percent of the workday by a licensed master or licensed journeyman, who must be present on the job.

(D) Fourth (4th) year apprentice who has at least 6,000 hours on-the-job training and 432 hours of related classroom training but less than 8,000 hours on-the-job-training or 576 hours of related training shall be supervised 25 percent of the workday by a licensed master or licensed journeyman, who must be present on the job.

(E) Fifth (5th) year apprentice who has at least 8,000 hours on-the-job-training and 576 hours of related training shall be supervised 25 percent of the workday by a licensed master or licensed journeyman, who must be present on the job.

(F) An apprentice who has at least 10,000 hours on-the-job-training regardless of hours of related training shall be supervised 100 percent of the workday by a licensed master or licensed journeyman, who must be present on the job.

~~(G) — It shall be the responsibility of the apprentice electrician to provide proof of experience to the Department of Fire Prevention & Electrical Safety.~~

(b) ~~After March 1, 1994,~~ Electrical contractors employing apprentice electricians in the State of Wyoming must have an electrical apprenticeship training program to provide classroom instruction for all apprentice electricians in their employ. Requirements for apprenticeship training programs shall be as follows:

(i) The training program must provide at least 144 hours per year, 576 hours over a four (4) year apprenticeship program, of a structured and comprehensive sequence of instruction in subjects, such as electrical theory, the National Electrical Code, and other technical subjects related to the electrical trade.

~~(ii) — An application for electrical apprenticeship training program approval must be completed, submitted to the Board, and approved by the Board prior to employing apprentice electricians in the State of Wyoming. All information solicited by the Board on the application must be provided. Training programs which have previously received approval from the Bureau of Apprenticeship and Training, United States Department of Labor, will be accepted. However, Bureau of Apprenticeship and Training approval is not required for an apprenticeship training program to receive Board approval.~~

~~(iii)~~(ii) Classes for electrical apprenticeship training programs must be conducted on a regular pre-scheduled basis with enough scheduled classes to accommodate the 144 hour per year requirement.

~~(iv)~~(iii) Instructors for electrical apprenticeship training programs must be licensed journeyman electricians, licensed master electricians, or other persons with adequate electrical expertise as determined by the ~~Board~~ Department.

~~(v) — Electrical contractors shall keep monthly records for each apprentice electrician which indicates the total number of hours of on-the-job work experience in the categories of residential, commercial, and industrial wiring. Monthly records shall also indicate the number of hours of classroom instruction obtained by each apprentice and the cumulative grade average for each apprentice electrician. These records shall be subject to review upon demand of the State Electrical Board or the Department of Fire Prevention and Electrical Safety.~~

~~(vi) — The Board reserves the right to disapprove any electrical apprenticeship training program which does not possess or is not maintaining the required standards, as mandated by the Board.~~

~~(e) — An apprentice technician is any person working as an apprentice for a licensed low voltage or limited electrical contractor and under the direct supervision of a licensed low voltage technician or licensed limited technician of the same license category.~~

~~(i) — It is the responsibility of the low voltage or limited electrical contractor employing apprentice technicians to register each with the Department within ten (10) days of hiring, and to notify the Department within ten (10) days after termination.~~

~~(A) — Prior to the initial apprentice technician registration, or for apprentice technicians with prior work experience obtained outside the State of Wyoming, the following information shall be provided:~~

~~(I) — Documentation of all previous electrical work experience associated with the low voltage or limited category in which the apprentice technician will be employed. Work shall have been governed by the minimum standards of the NEC. Proof of work history shall be through notarized letters on company letterhead from past or present employers.~~

~~(II) — Documentation of all previous electrically related classroom instruction obtained through schools or through apprenticeship programs. Electrically related classroom instruction, or time spent in electrical school, shall be documented with transcripts from a school or classroom training records from an electrical apprenticeship program.~~

~~(ii) — Effective in 1994, apprentice technicians will be required to renew their registration with the Department of Fire Prevention and Electrical Safety each year on or before September 1. A notification of registration renewal will be mailed to the last submitted address to all registered apprentices approximately ninety (90) days prior to the renewal deadline. Apprentice technicians renewing their registration with the Department of Fire Prevention and Electrical Safety will be required to provide proof of the following:~~

~~(A) — The total number of hours of on the job work experience obtained during the twelve (12) month period from July 1 of the previous year to June 30 of the current year. Work shall have been governed by the minimum standards of the NEC, under the direct supervision or attestation of a licensed low voltage technician or a licensed limited technician of the same license category. Documentation of work history shall be through notarized letters on company letterhead from past or present employers.~~

~~(I) — First year apprentice technicians will not be advanced to the second year of apprenticeship training until proof of one (1) year (2,000 hours) of on the job electrical work experience can be documented for the current year of their apprenticeship registration.~~

~~(II) — Each apprentice technician shall be supervised by a licensed low voltage or limited technician of the same license category during his entire training period.~~

~~(III) — It shall be the responsibility of the apprentice technician to provide proof of experience to the Department of Fire Prevention and Electrical Safety.~~

#### **Section 8. — Fee Schedules.**

~~(a) — Fees for licenses, temporary work permits, examination applications, examination administrations, and apprentice registrations shall be as follows:~~

~~(i) — Electrical Contractor's License \$400.00~~

~~(ii) — Low Voltage Electrical \$200.00  
Contractor's License~~

~~(iii) — Limited Electrical \$200.00  
Contractor's License~~

~~(iv) — Master Electrician's License \$200.00  
Renewal \$100.00~~

~~(v) — Journeyman Electrician's \$100.00  
License  
Renewal \$ 50.00~~

~~(vi) — Low Voltage Technician's \$100.00  
License  
Renewal \$ 50.00~~

- ~~(vii) Limited Technician's \$100.00  
License  
Renewal \$ 50.00~~
  
- ~~(viii) Temporary Work Permit for \$ 50.00  
Journeyman Electricians,  
Low Voltage Technicians,  
and Limited Technicians~~
  
- ~~(xi) Master Electrician Examination  
Administration Fee  
Not to Exceed \$300.00~~
  
- ~~(x) Journeyman Electrician  
Examination Administration Fee  
Not to Exceed \$300.00~~
  
- ~~(xi) Low Voltage Technician's  
Examination Administration Fee  
Not to Exceed \$300.00~~
  
- ~~(xii) Limited Technician's  
Examination Administration Fee  
Not to Exceed \$300.00~~
  
- ~~(xiii) Apprentice Electrician  
Registration Fee  
Initial Registration \$ 20.00  
Yearly Registration Renewal \$ 20.00~~
  
- ~~(xiv) Apprentice Low Voltage or  
Limited Technician  
Registration Fee  
Initial Registration \$ 20.00  
Yearly Registration Renewal \$ 20.00~~

## CHAPTER 6

### ELECTRICAL PERMITS AND INSPECTIONS REPEALED

#### **Section 1. Permits.**

(a) — ~~Electrical permits required for installations in new construction and remodels by W.S. 35-9-120(e) are not required for installations exempt under W.S. 35-9-123 (a)(ii) through (v), unless the electrical work is being performed by a person or company acting as a subcontractor for the exempt person, partnership, or corporation and the electrical work is regulated by the National Electrical Code.~~

(b) — ~~Permits shall be obtained prior to the start of any installation requiring a permit pursuant to W.S. 35-9-120. Failure to obtain a permit prior to the starting of the electrical installation may result in criminal penalties as set forth in W.S. 35-9-130. Failure to obtain an electrical permit prior to the starting of electrical installation may result in revocation or suspension of Wyoming electrical license.~~

(c) — ~~Electrical permits may be obtained from the Chief Electrical Inspector, or may be made available through the local utility, local governmental agencies, or other entities, as determined by the Chief Electrical Inspector.~~

(d) — ~~A fee of \$30.00 shall be paid for any electrical wiring permit issued by the Department of Fire Prevention and Electrical Safety. The electrical wiring permit fee shall be waived for anyone requesting and paying for an electrical inspection.~~

#### **Section 2. — Inspections.**

(a) — ~~Requested electrical inspections shall be made within five (5) business days of the request by the electrical contractor, the general contractor, or the owner. Unless previous arrangements have been made, the person requesting the inspection shall pay for the inspection.~~

(b) — ~~Electrical inspections may be made for any electrical wiring permit issued. These inspections may be made at any time during construction, and/or within thirty (30) days after completion of the installation for which an electrical wiring permit or plan review was performed.~~

(c) — ~~When serious or hazardous conditions are discovered upon inspection, the permittee shall be notified by registered letter which details the serious hazardous conditions. A copy of the inspection report shall also be attached. The utility shall be copied with the same letter and report sent by registered mail, return receipt requested.~~



(d) — Electrical permits for temporary power will be issued for a period of ninety (90) days as set forth in Article 305 of The National Electrical Code, unless the permittee requests a longer duration. An electrical wiring permit is required for a temporary service.

**Section 3. — Inspection Fees.**

**(THE \$30 PERMIT FEE IS INCLUDED IN THE FEE'S BELOW)**

**Residential**

50 amp service	\$45.00	150 amp service	\$ 95.00
60 amp service	\$50.00	200 amp service	\$120.00
100 amp service	\$70.00	300 amp service	\$170.00
125 amp service	\$82.50	400 amp service	\$220.00

Inspection fees for residential services larger than 400 amps will be calculated based upon the "Commercial & Industrial" table.

**Mobile Home Parks**

60 amp	100 amp	150 amp	200 amp
50.00 Each	70.00 Each	95.00 Each	120.00 Each

**Commercial & Industrial**

	120/208	120/208	480v	over
	or 240v	or 240v	3 phase	480v
	1 Phase	3 Phase	3 phase	480v
60 amp	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00
100 amp	60.00	65.00	70.00	70.00
125 amp	70.00	75.00	80.00	82.50
150 amp	80.00	85.00	90.00	95.00
200 amp	100.00	105.00	110.00	120.00
225 amp	110.00	115.00	120.00	132.50
300 amp	130.00	140.00	150.00	170.00
400 amp	170.00	185.00	200.00	220.00
600 amp	220.00	250.00	270.00	320.00
800 amp	300.00	330.00	360.00	420.00
1000 amp	370.00	410.00	450.00	520.00
1200 amp	440.00	480.00	520.00	620.00
1600 amp	600.00	640.00	680.00	820.00

2000 amp	800.00	850.00	900.00	1020.00
2500 amp	1000.00	1050.00	950.00	1270.00
3000 amp	1200.00	1250.00	1360.00	1520.00
4000 amp	1600.00	1700.00	1850.00	2020.00
5000 amp	2000.00	2150.00	2350.00	2520.00

Temporary Services— \$30.00 each.

Remodels of residential units — \$20.00 plus 2% of the value of any electrical installation included in the remodel.

All other electrical inspections — \$20.00 plus \$.50 per ampere rating of the electrical service.

**Section 4. — Re-inspections.**

(a) — \$50.00 Plus \$.20 per ampere rating of the electrical service.

(b) — For any requested electrical inspection conducted or electrical wiring permit issued by the Chief Electrical Inspector or his Deputy, a fee established by the Board by rule shall be paid by the person or contractor making the request. The electrical wiring permit fee shall be waived for anyone requesting and paying for an electrical inspection. The fees established by the Board shall not exceed the fees listed in W.S. 35-9-120.

## CHAPTER 7

### HEARING PROCEDURES

**Section 1. Authority.** These rules are promulgated by authority of W.S. 16-3-102, and W.S. 35- 9-124.

**Section 2. Definitions.** The following definitions will apply under these rules:

(a) Respondent – A person(s), against whom an action has been brought to fine, revoke, or suspend his electrician’s license, or the Department in case of an appeal of an action or decision of the Chief Electrical Inspector.

(b) Department - Wyoming Department of Fire Prevention and Electrical Safety.

(c) Board - The Wyoming Electrical Board.

(d) Petitioner - The party who requests and is granted a hearing before the Board to hear an action to fine, suspend or revoke an electrician’s license or an appeal of an action or decision of the Chief Electrical Inspector.

**Section 3. Purpose.** These rules are established to provide a fair and efficient method for administrative hearings relative to civil penalties, suspension or revocation of licenses by the Board brought under W.S. 35-9-124.

(a) If a hearing is sought by the Department as petitioner, the respondent shall be accorded the rights as set forth below. However, when a serious threat to the public safety exists, due to code violations or other cause, the Board may shorten the time allowed between notice and hearing to not less than 5 days.

(b) When a party outside the Department requests and is granted a hearing, that party, as petitioner, shall also be accorded the rights of a respondent as set forth below. However, when the petitioner is outside the Department, in requesting the hearing he shall provide the Department with the written information required in Section 4(b) below. Also, during the hearing, the petitioner rather than the Department shall proceed first and may briefly rebut the Department's case in response.

(c) These hearing procedures shall not alter the practice of holding informal hearings whenever possible.

**Section 4. Commencement of Action.** Commencement of action shall be by one of the following methods:

(a) Upon an appropriate showing of violation of W.S. 35-9-101 through 35-9-130 or the Rules and Regulations, the Department may commence proceedings to fine, suspend or revoke the license of the alleged offender or take other disciplinary action. In a Petition to fine, suspend or revoke a license, the Department shall notify the respondent of the:

(i) The legal authority and jurisdiction under which the hearing is to be held;

(ii) The particular Section of the statutes and rules, regulations or codes involved; and

(iii) A short and plain statement of the violations alleged. No answer is required, and at the hearing, the respondent may appear and show why he should not be fined or his license should not be suspended or revoked.

(b) Any party aggrieved by an action or decision of the Chief Electrical Inspector made pursuant to W.S. 35-9-124 may appeal the action or decision by filing a written appeal at the office of the Chief Electrical Inspector within 30 days from the date of Action or decision. The written appeal shall contain:

(i) A heading in the words: "Electrical Board, State of Wyoming."

(ii) A caption reading: "Appeal of \_\_\_\_\_," giving the names of all respondents participating in the appeal.

(iii) A brief statement setting forth the legal interest of each of the appellants in the decision of the Chief Electrical Inspector involved in the order.

(iv) A brief statement of the specific order or action protested, in ordinary and concise language, together with any material facts claimed to support the contentions of the appellant.

(v) A brief statement of the relief sought, in ordinary and concise language, and the reasons why it is claimed that the protested order or action should be reversed, modified or otherwise set aside.

(vi) The signatures of all parties named as appellants, and their official mailing addresses.

(vii) The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal.

**Section 5. Time and Place of Hearing.** Time and place of hearings shall be determined as follows:

(a) Upon receiving a Petition or notice of an appeal, the Board shall set the matter for hearing. The hearing may be held no less than twenty (20) days after service of the Petition upon the respondent, so that he may have adequate time for preparation. Upon motion and for good cause, the hearing may be postponed by the Board until a later date. However, when a serious threat to the public safety exists, due to code violations or other cause, the Board may shorten the time allowed between notice and hearing to not less than five days.

(b) As soon as practical after receiving the written Petition or notice of appeal, the Board shall fix a date, time, and place for the hearing of the matter by the Board. Such date shall be not less than five (5) days nor more than ninety (90) days from the date the appeal was filed with the Board.

(c) Hearings shall be conducted in a location determined by the Board.

**Section 6. Service.** The notice of hearing by the Board shall be served personally or by mail, to the place of business of the petitioner and respondent, or to the most recent residence address of the respondent filed with the Department, or to the respondent at his address shown on the appeal.

**Section 7. Matters to be Considered.** Only those matters or issues specifically raised by the respondent shall be considered in the hearing of an appeal.

**Section 8. Enforcement to be Stayed.** Except for orders to abate or vacate immediate hazards, used under W.S. 35-9-116, enforcement of any notice and order of the Chief Electrical Inspector shall be stayed while the matter is before the Board.

**Section 9. Hearing Officer.** The Board may request the Office of Administrative Hearings to designate an attorney from the Office of Administrative Hearings to conduct the hearing, or it may appoint one or more hearing examiners to conduct the hearings. If a hearing examiner is appointed, the hearing examiner shall be responsible for scheduling and setting the matter for hearing as specified in Section 5 and 6 above. The examiner hearing the case shall exercise all powers relating to the conduct of hearings until it is submitted by him to the Board for final decision.

(a) A party may move to disqualify a hearing officer by filing written motion and supporting affidavits of personal bias with the Board. After careful consideration of the evidence presented, the Chairman of the Board shall rule upon the motion.

**Section 10. Authority of Hearing Officers.** The hearing officer or the Chairman of the Board [hereafter Chairman], if there is no hearing officer, has the authority to:

- (a) Administer oaths and affirmations;
- (b) Issue subpoenas;
- (c) Rule upon offers of proof and receive relevant evidence;
- (d) Take or cause depositions to be taken in accordance with the provisions of the Administrative Procedure Act, W.S. 16-3-101 through 16-3-115;
- (e) Regulate the course of the hearing;
- (f) Hold conference for the settlement or simplification of the issues;
- (g) Dispose of procedural requests or similar matters;
- (h) Make recommended decisions when directed to do so by the Board; and
- (i) Take any action authorized by agency rules, the Administrative Procedure Act, or W.S. 35-9-101 et seq.

**Section 11. Counsel.** All parties may appear at the hearing with or without counsel. No attorney from any other state shall be entitled to enter his appearance in, prosecute or defend any action or proceeding pending before the Board unless he is either licensed to practice in the State of Wyoming or associated with a Wyoming licensed attorney. The filing of a pleading or other appearance by an attorney constitutes his appearance for the party for whom made. In accordance with the Wyoming Administrative Procedures Act.

- (a) An individual may appear and be heard in his own behalf.
- (b) A partnership may appear and be represented by a partner.
- (c) A corporation may appear and be represented by a corporate officer or a full time employee of the corporation.

**Section 12. Inspection of File.** Each party, or his authorized representative, shall be permitted to inspect and copy, at his own expense at the offices of the Department, all documents filed in the civil penalty or license suspension or revocation proceedings, all documents filed in appeals or orders or actions and all documents regarding the subject of the hearing contained in the Department's files permitted by law to be inspected and copied.

**Section 13. Record of Proceedings.** The hearing shall be reported verbatim, stenographically, or by any other appropriate means determined by the Board or hearing officer. A copy will be furnished to any party upon written request to the Board and payment of a reasonable fee. If one or more parties desires the hearing transcribed by a certified court reporter, he must make the necessary arrangements and bear the cost.

**Section 14. Continuances.** The Board or hearing officer may grant continuances for good cause shown.

**Section 15. Reasonable Dispatch.** The Board and its representatives shall proceed with reasonable dispatch to conclude any matter before it. Due regard shall be shown for the convenience and necessity of any parties or their representatives.

**Section 16. Notice to Respondent.** The notice to respondent shall be substantially in the following form, but may include other information: "You are hereby notified that a hearing will be held before (the Board or name of hearing examiner) at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ at the hour of \_\_\_\_\_. You may be present at the hearing. You may be represented by counsel. You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You may request the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents, or other things by filing an affidavit therefore with the Board or the hearing examiner."

**Section 17. Evidence.** Hearings need not be conducted according to the technical rules relating to evidence and witnesses.

- (a) Oral evidence shall be taken only on oath or affirmation.
- (b) Each party shall have these rights, among others:
  - (i) To call and examine witnesses on any matter relevant to the issues of the hearing.
  - (ii) To introduce documentary and physical evidence.
  - (iii) To cross-examine opposing witnesses on any matter relevant to the issues of the hearing.
  - (iv) To impeach any witness regardless of which party first called him to testify.
  - (v) To rebut the evidence against him.
  - (vi) To represent himself or to be represented by anyone of his choice.

**Section 18. Order of Procedure at Hearing.** Hearings shall be conducted substantially as follows:

(a) The hearing officer or Chairman shall announce that the hearing is called to order and announce the matter to be heard, briefly summarizing the case and issues.

(b) The hearing officer or Chairman shall take up any preliminary motions or matters to be discussed.

(c) The Department may present a brief opening statement of the charges, explain the theory of the case and what the evidence will show.

(d) The respondent may present his opening statement in the same manner.

(e) The Department shall then present the evidence of the Electrical Safety Division, subject to cross examination by the respondent and the hearing officer or Board.

(f) The respondent shall present his evidence, subject to cross examination by the Department and the hearing officer or Board.

(g) Closing statements may be made at the conclusion of the evidence by both parties. These statements may include summaries of the evidence and legal arguments. The Department shall precede the respondent and may also briefly rebut respondent's closing statement.

(h) The hearing officer or Chairman may ask for proposed findings of fact and conclusions of law from both parties, to be submitted within a reasonable time.

**Section 19. Official Notice may be Taken.** In reaching a decision, official notice may be taken, either before or after submission of the case for decision, of any fact which may be judicially noticed by the courts of this state or of official record of the Board and laws of the State of Wyoming or rules and regulations of the Board. Parties present at the hearing shall be informed of the matters to be noticed and these matters shall be noted in the record, referred to therein, or appended thereto.

**Section 20. Opportunity to Refute the Officially Noticed Matters.** Parties present at the hearing shall be given a reasonable opportunity, on request, to refute the officially noticed matters by evidence or by written or oral presentation of authority, the manner of such refutation's to be determined by the Board or hearing examiner.

**Section 21. Voting Limitation.** Where a contested case is heard before the Board itself, no member thereof who did not hear the evidence or has not read the entire record of the proceedings shall vote on or take part in the decision.



**Section 22. Decision of Board.**

(a) ~~Within twenty (20) days after completion if requested, If a hearing officer is appointed,~~ the hearing officer shall prepare proposed findings of fact and conclusions of law for submittal to the Board. In addition parties have the right to submit findings of fact and conclusions of law and order.

(b) ~~Within twenty (20) days a~~After the hearing, or after submittal of proposed findings of fact and conclusions of law from the hearing officer, if any, the Board shall enter a decision and final order signed by the Chairman. In its decision the Board may adopt or reject the proposed decision in its entirety, or may modify the proposed decision.

(c) The decision shall be in writing and shall contain findings of fact, a determination of the issues presented, and the requirements to be complied with. A copy of the decision shall be delivered to the respondent personally, with written receipt, or sent to him by certified mail, postage paid, return receipt requested.

**Section 23. Re-assignment.** If the proposed decision is not adopted as provided in Section 22 of this chapter, the Board may decide the case upon the evidence; or may refer the case to the same or another hearing examiner to take additional evidence. If the case is re-assigned to a hearing examiner, he shall prepare a report and proposed decision as provided in Section 22 hereof after any additional evidence is submitted.

**Section 24. Appeals to District Court.** A respondent may appeal a Board decision to district court as provided in W.S. 16-3-114 and W.S. 35-9-124.