



1 PUBLIC PROTECTION CABINET

2 Department of Housing, Buildings and Construction

3 Electrical Division

4 (New Administrative Regulation)

5 815 KAR 35:072. Certification of low-voltage installers.

6 RELATES TO: KRS 198B.990, 227A.010(3), 227A.020, 227A.150

7 STATUTORY AUTHORITY: KRS 198B.990, 227A.150.

8 NECESSITY, FUNCTION, AND CONFORMITY: KRS 227A.150 requires the
9 Department of Housing, Buildings and Construction to promulgate an administrative
10 regulation to establish the standards for experience, testing, and fees for issuance of a
11 low-voltage installer certificate. This administrative regulation establishes the application
12 procedures, application requirements, and fees for a low-voltage installer certificate.

13 Section 1. Definitions. (1) "Department" is defined by KRS 227A.010(3).

14 (2) "Direct supervision" means supervision by a licensed master electrician or
15 electrician, or certified low-voltage installer, who is physically present at all times on the
16 site where the low-voltage electrical work is being performed and who personally directs
17 all work delegated to the unlicensed or uncertified person and remains immediately
18 available to observe, instruct, and guide the unlicensed or uncertified person in his or
19 her work.

20 (3) "Division" means the Electrical Division within the Department of Housing,
21 Buildings and Construction.

1 (4) "Fire alarm system" means any low-voltage system, device, or combination of
2 devices used to detect a fire or emit or transmit an alarm, trouble signal, or supervisory
3 signal in the event of a fire, including all circuits controlled or powered by the fire alarm
4 system.

5 (5) "General alarm system" means any low-voltage system, device, or
6 combination of devices used to emit or transmit an alarm, trouble signal, or supervisory
7 signal in the event of a burglary, robbery, medical emergency, equipment failure, or on
8 the occurrence of any other predetermined event other than a fire.

9 (6) (a) "General low-voltage electrical system" means any low-voltage system,
10 device, or combination of devices other than a general alarm system, fire alarm system,
11 or mass notification system.

12 (b) "General low-voltage electrical system" includes stand alone intercom
13 systems and call alert systems (audio or visual), local area network systems, sound
14 systems, low-voltage energy management systems, antenna systems and satellite dish
15 systems, irrigation systems, and low-voltage lighting systems.

16 (7) "ICC" means the International Code Council.

17 (8) (a) "Low-voltage" means an electrical wiring system and control circuits
18 directly associated therewith that consist solely of power-limited circuits meeting the
19 definition of a Class II or Class III circuit as defined by NEC Article 725.

20 (b) For the purposes of this administrative regulation, "low voltage" does not
21 include a low-voltage suspended ceiling power distribution system as defined by NEC
22 Article 393.

1 (9) "Low-voltage installer" means a person who is certified by the department to
2 install, alter or repair low-voltage electrical systems.

3 (10) "Mass notification system" means a low-voltage system used to provide
4 information and instructions simultaneously to all people in a building, area site, or other
5 space.

6 (11) "NEC" means the National Electrical Code, NFPA 70, as incorporated by
7 reference in 815 KAR 7:120 and 815 KAR 7:125.

8 (12) "NFPA" means the National Fire Protection Association.

9 (13) "NICET" means the National Institute for Certification of Engineering
10 Technologies.

11 (14) "Power-limited circuit" means a circuit that is inherently unable to exceed
12 maximum voltages or that is equipped with a power-limiting source, such as a
13 transformer or battery, and a circuit breaker.

14 Section 2. Applicability. (1) This administrative regulation shall apply to any low-
15 voltage installation, alteration or repair in Kentucky and to any applicant for certification
16 as a low-voltage installer.

17 (2) A master electrician or electrician licensed pursuant to KRS 227A.060 and
18 815 KAR 35:060 shall be permitted to install, alter, or repair any low-voltage electrical
19 system without obtaining certification as a low-voltage installer pursuant to this
20 administrative regulation.

21 (3) A person who is not a licensed master electrician or electrician, exempt from
22 electrical licensure pursuant to KRS 227A.030(10), or a certified low-voltage installer
23 pursuant to this administrative regulation, shall only be permitted to assist in the

1 installation, alteration, or repair of a low-voltage system while under the direct
2 supervision of a licensed master electrician or electrician, or of a certified low-voltage
3 installer authorized to install, alter or repair that type of low-voltage electrical system.

4 Section 3. Categories of Low-Voltage Installers. A low-voltage installer shall be
5 classified as either:

6 (1) Class LV-G: General. A general low-voltage installer shall be permitted to
7 install, alter or repair a general low-voltage electrical system or a general alarm system;
8 or

9 (2) Class LV-U: Unrestricted. An unrestricted low-voltage installer shall be
10 permitted to install, alter, or repair any low-voltage electrical system, including a general
11 alarm system, fire alarm system, or mass notification system.

12 Section 4. Qualifications for Certification as a Low-Voltage Installer.

13 (1) Certification shall:

14 (a) Be issued to an individual; and

15 (b) Not be issued to a corporation, partnership, company, or other entity.

16 (2) A general low-voltage installer shall:

17 (a) Have at least two (2) years of experience immediately preceding the
18 application for certification in the installation of general low-voltage electrical systems in
19 accordance with the National Electrical Code; and

20 (b) Have achieved a passing score of at least seventy (70) on the ICC Kentucky
21 Low Voltage Electrician Examination administered by an approved examination
22 provider.

23 (3) An unrestricted low-voltage installer shall:

1 (a) Have at least two (2) years of experience immediately preceding the
2 application for certification in the installation of fire alarm systems in accordance with
3 the National Electrical Code;

4 (b) Have achieved a passing score of at least seventy (70) on the ICC Kentucky
5 Low Voltage Electrician Examination administered by an approved examination
6 provider; and

7 (c) Possess and maintain a NICET Level 2 certification in fire protection
8 engineering technologies and fire alarm systems.

9 (4) Examination.

10 (a) A request to sit for the ICC Kentucky Low Voltage Electrician Examination
11 shall be made directly to the testing facilities approved by the department pursuant to
12 KRS 227A.090.

13 (b) A list of approved testing facilities and contact information shall be provided to
14 applicants upon request.

15 (c) A passing score on the ICC Kentucky Low Voltage Electrician examination
16 shall be valid for a period of two (2) years.

17 (5) One (1) year of low-voltage electrical experience shall consist minimally of
18 1,600 hours of low-voltage electrical work in a contiguous twelve (12) month period.

19 Section 5. Initial Certification Requirements. Filing the application. An applicant
20 seeking certification as a low-voltage installer shall submit to the division:

21 (1) A completed and notarized Low-Voltage Installer Certificate Application on
22 Form EL-9;

23 (2) A nonrefundable application fee of twenty-five (25) dollars;

1 (3) Proof of satisfactory completion of the examination as established by Section
2 4 of this administrative regulation;

3 (4) Proof of the applicant's experience as established by Sections 4 and 6 of this
4 administrative regulation; and

5 (5) A passport-sized, color photograph of the applicant taken within the past six
6 (6) months.

7 Section 6. Verification of Experience. (1) Verification of an applicant's work
8 experience shall be submitted in the form of:

9 (a) Tax returns or other official tax documents that indicate the applicant's
10 occupation or the nature of the applicant's business activities, including Federal
11 Schedule C, Form W-2, Form 1099, or local occupational tax returns;

12 (b) A sworn affidavit by a master electrician, electrician, or certified low-voltage
13 installer, on the affiant's letterhead, certifying that the affiant has personal knowledge of
14 the applicant's low-voltage electrical experience and describing the nature and length of
15 that work experience; or

16 (c) Records of a branch of the United States Armed Forces that indicate the
17 applicant performed a function that primarily involved low-voltage electrical work.

18 (2) (a) If an applicant is not able to verify his or her experience in accordance
19 with paragraph (a) of this subsection, the applicant may request to appear before the
20 Electrical Advisory Committee to establish his or her background in and familiarity with
21 low-voltage installations through other means.

22 (b) The division, after considering recommendations from the Electrical Advisory
23 Committee, shall:

1 1. Review the background established by the applicant pursuant to paragraph (a)
2 of this subsection; and

3 2. Approve the applicant if he or she has demonstrated that the applicant's
4 experience is substantially equivalent to the requirements established in Section 4 of
5 this administrative regulation.

6 (3) Additional proof of experience may be requested by the division, prior to or
7 after certification if the division has reason to believe that the experience shown is
8 insufficient or non-existent.

9 Section 7. Renewal Requirements. (1) A low-voltage installer certification that is
10 not renewed in accordance with this section shall expire on the last day of the certified
11 low-voltage installer's birth month.

12 (2) A low-voltage installer certification may be renewed on or before the date of
13 its expiration.

14 (3) Prior to the date of expiration, the division shall mail to each certified low-
15 voltage installer the renewal application form referenced in subsection (3)(a) of this
16 subsection.

17 (4) A low-voltage installer seeking to renew his or her certification shall, prior to
18 expiration, submit to the division:

19 (a) A completed and notarized Low-Voltage Installer Certificate Renewal
20 Application on Form EL-10; and

21 (b) A nonrefundable renewal fee of twenty-five (25) dollars.

22 (5) If all documents required to be submitted for renewal are postmarked on or
23 before the last day of the renewal month, the submission shall be considered timely.

1 Section 8. Conditions of Practice. (1) A low-voltage installer shall not engage in
2 any electrical work or activity for which licensure is required pursuant to KRS Chapter
3 227A or in any low-voltage electrical work outside the scope of his or her certification
4 class, unless he or she possesses the applicable license.

5 (2) The installation, alteration, and repair of any low-voltage system shall comply
6 with all applicable provisions of the NEC.

7 (3) The installation, alteration, and repair of any commercial fire alarm system
8 shall also comply with NFPA 72.

9 (4) The installation, alteration, and repair of any low-voltage system shall comply
10 with all other applicable provisions of the Kentucky Building Code as established in 815
11 KAR 7:120 and the Kentucky Residential Code as established in 815 KAR 7:125.

12 Section 9. Denial, Suspension or Revocation of Certification. (1) A certificate
13 issued pursuant to this administrative regulation may be denied, suspended, or revoked
14 if the low-voltage installer or applicant has:

15 (a) Misrepresented or concealed a material fact in obtaining the certification, or in
16 the renewal thereof;

17 (b) Failed to comply with any of the conditions of practice established in Section
18 8 of this administrative regulation;

19 (c) Been incompetent or negligent in the practice of performing low-voltage
20 electrical work;

21 (d) Failed to comply with any order issued by the division or an assurance of
22 voluntary compliance;

1 (e) Intentionally charged a customer for work not performed or parts not
2 provided;

3 (f) Impersonated another certificate holder, or allowed the use of his or her
4 certificate by another person;

5 (g) Attempted to use an expired, suspended, or revoked license or certification;

6 (h) Performed electrical work for which a permit is required without obtaining an
7 electrical permit;

8 (i) Engaged in conduct intended to defraud or deceive the public;

9 (j) Failed to exercise direct supervision over low-voltage electrical work of
10 unlicensed and uncertified persons under his or her employ or responsibility; or

11 (k) Failed to exercise due care in the supervision of low-voltage electrical work of
12 unlicensed and uncertified persons under his or her employ or responsibility.

13 (2) A person whose low-voltage installer certification has been denied,
14 suspended, or revoked shall be entitled to an appeal conducted pursuant to KRS
15 Chapter 13B, if the person delivers written notice of the appeal to the Department of
16 Housing, Buildings, and Construction within:

17 (a) Ten (10) days of the date of the notice of denial; or

18 (b) Twenty (20) days of the date of the notice of the proposed disciplinary action.

19 Section 10. Effective Date. Effective July 1, 2015, a person shall not install, alter
20 or repair any low-voltage electrical system unless the person is licensed as a master
21 electrician or electrician, exempt from electrical licensure pursuant to KRS
22 227A.030(10), or certified as a low-voltage installer and authorized to do so in
23 accordance with this administrative regulation.

1 Section 11. Incorporation by Reference. (1) The following material is incorporated
2 by reference:

3 (a) "Low-Voltage Installer Certificate Application," Form EL-9, October 2014; and
4 (b) "Low-Voltage Installer Certificate Renewal Application," Form EL-10, October
5 2014.

6 (2) This material may be inspected, copied, or obtained, subject to applicable
7 copyright law, at the Department of Housing, Buildings, and Construction, Electrical
8 Division, 101 Sea Hero Road, Suite 100, Frankfort, Kentucky 40601-5412, Monday
9 through Friday, 8 a.m. to 4:30 p.m.

1/22/2015
DATE


GARY FECK, ACTING COMMISSIONER
DEPARTMENT OF HOUSING, BUILDINGS
AND CONSTRUCTION

1-27-15
DATE


AMBROSE WILSON IV, SECRETARY
PUBLIC PROTECTION CABINET

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on Friday, March 27, 2015, at 10:00 a.m., EDT, in the Department of Housing, Buildings and Construction, 101 Sea Hero Road, Suite 100, Frankfort, Kentucky. Individuals interested in being heard at this hearing shall notify this agency in writing by Friday, March 20, 2015 (five working days prior to the hearing) of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. The hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted until Tuesday, March 31, 2015. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation by the above date to the contact person:

CONTACT PERSON: Michael T. Davis, General Counsel
Department of Housing, Buildings and Construction
101 Sea Hero Road, Suite 100
Frankfort, Kentucky 40601-5412
Telephone: 502-573-0365 EXT. 144
FAX: 502-573-1057

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Administrative Regulation: 815 KAR 35:072
Contact person: Michael T. Davis

- (1) Provide a brief summary of:
 - (a) What this administrative regulation does: This administrative regulation establishes the application procedures, application requirements, and fees for a low-voltage installer certificate.
 - (b) The necessity of this administrative regulation: This administrative regulation is necessary in order to implement KRS 227A.150.
 - (c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 227A.150 requires the Department of Housing, Buildings and Construction to promulgate an administrative regulation to establish the standards for experience and testing for issuance of a low-voltage installer certificate, and authorizes the Department to establish the fee for that issuance.
 - (d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation directly implements the authorizing statute and establishes the requirements and standards for certification of low-voltage electrical installers.
- (2) If this is an amendment to an existing administrative regulation, provide a brief summary of:
 - a) How the amendment will change this existing administrative regulation: Not applicable.
 - (b) The necessity of the amendment to this administrative regulation: Not applicable.
 - (c) How the amendment conforms to the content of the authorizing statutes: Not applicable.
 - (d) How the amendment will assist in the effective administration of the statutes: Not applicable.
- (3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: All individuals seeking to engage the low-voltage electrical trades within the Commonwealth.
- (4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:
 - (a) List the actions that each of the regulated entities identified in question (3) will have to comply with this administrative regulation or amendment: Affected individuals who wish to perform low-voltage electrical work without maintaining his or her otherwise required electrician's or master electrician's license will be required to satisfy the requirements for and obtain certification pursuant to this administrative regulation.

- (b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): The certification application fee established by this regulation is one-half (1/2) of the existing fee already required to maintain licensure as an electrician, and one-fourth (1/4) of the existing fee already required to maintain licensure as a master electrician. Therefore, compliance with this administrative regulation constitutes a reduction to affected entities in the existing required costs of full licensure under KRS Chapter 227A and 815 KAR Chapter 35.
- (c) As a result of compliance, what benefits will accrue to the entities identified in question (3): The benefit is the continued opportunity to engage in low-voltage electrical work without meeting the existing requirements of full electrical licensure.
- (5) Provide an estimate of how much it will cost to implement this administrative regulation:
- (a) Initially: There are no anticipated additional costs to administer these regulatory amendments other than the administrative time necessary to process initial and renewal certifications using existing staffing levels, which costs will be partially offset by the fees established in this administrative regulation.
- (b) On a continuing basis: There are no anticipated additional costs to administer these regulatory amendments other than the personnel time necessary to process initial and renewal certifications using existing staff, which costs will be partially offset by the fees established in this administrative regulation.
- (6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: Any agency costs of implementation will be met with existing agency funds and the application fee revenue established by this administrative regulation.
- (7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: This administrative regulation does not require involve any increase in existing fees or funding.
- (8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: This administrative regulation establishes a \$25 certification application fee and a \$25 renewal fee, which offset but do not exceed the actual costs associated with the issuance of the certificate or the processing of renewal.
- (9) TIERING: Is tiering applied? (Explain why tiering was or was not used.) Tiering is not applied as all low-voltage installers and those seeking certification under this administrative regulation will be subject to the same requirements.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation No. 815 KAR 35:072
Contact Person: Michael T. Davis
Phone Number: (502) 573-0365

1. What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? The Department of Housing, Buildings and Construction, Electrical Division.

2. Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. This regulation is authorized by KRS 227A.150.

3. Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? Based on the projection that up to 500 individuals currently engaged in low-voltage work will seek to obtain certification, this administrative regulation is anticipated to generate approximately \$12,500 in revenue for the first year.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? Based on the assumption that approximately 500 individuals will maintain low-voltage certification, and the fact that the certification is renewable each year, this administrative regulation is anticipated to generate approximately \$12,500 in annual revenues for subsequent years.

(c) How much will it cost to administer this program for the first year? Approximately \$27,000, representing the per hour cost of existing administrative staff.

(d) How much will it cost to administer this program for subsequent years? Approximately \$13,500, representing the per hour cost of existing administrative staff.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-): Neutral.
Expenditures (+/-): Neutral.
Other Explanation: Neutral.

SUMMARY OF REFERENCE MATERIAL

815 KAR 35:072

Certification of low-voltage installers.

FILED: February 3, 2015

This regulatory amendment and referenced initial application and renewal forms were recommended by the Electrical Advisory Committee at its October 14, 2014 meeting and approved by the Commissioner of the Department of Housing, Buildings and Construction.

(a) "Low-Voltage Installer Certificate Application," Form EL-9, October 2014; and

(b) "Low-Voltage Installer Certificate Renewal Application," Form EL-10, October 2014.



**Commonwealth of Kentucky
Public Protection Cabinet
Department of Housing, Buildings and Construction
Electrical Division
101 Sea Hero Road, Suite 100
Frankfort, Kentucky 40601-5412
Telephone: (502) 573-2002 – Fax (502) 573-1598**



LOW-VOLTAGE INSTALLER CERTIFICATE RENEWAL APPLICATION

Please check and enter the certification number you wish to renew:

____ LV-G Certification # _____ – **OR** – ____ LV-U Certification # _____

Last Name: _____ First Name: _____ Middle Initial: ____ D.O.B. _____

Street: _____ City: _____ State: _____ Zip Code: _____

County: _____ Telephone: () _____ SS # _____

E-mail Address: _____

For renewal of an Unlimited (LV-U) certification, documented proof shall be submitted with this application that: 1) the applicant possesses a current NICET Level 2 certification; AND 2) that the certification was maintained at all times during the preceding low-voltage certification period.

1. Check your application. **Incomplete applications will be returned.**
2. Include the \$25 **nonrefundable** renewal fee, payable to Kentucky State Treasurer. **If the fee is not included, the application will be returned.**

(Cash and credit card information cannot be accepted by mail.)

****Failure to renew your certification on or before the last day of your birth month shall result in the EXPIRATION of your certification.****

Certification

____ (initial) I am not in default of any student loan backed by the Kentucky Higher Education Assistance Authority (KHEAA). I understand that if I am in default of any student loans backed by the KHEAA, a Kentucky Low-Voltage Installer Certificate will not be issued.

____ (initial) I confirm that all information contained on and submitted with this application is current and true to the best of my knowledge.

DATE: _____ Signature of Applicant: _____

EL-10, Orig. October 2014

