

§1104. State electrical inspectors

State electrical inspectors have powers throughout the counties of the State similar to those of sheriffs in their respective counties, relating to enforcement of this chapter and rules adopted under this chapter. These powers are limited to the power to conduct investigations, issue citations, serve summonses and order corrections of violations in accordance with specific statutory authority. [PL 2017, c. 198, §8 (NEW).]

1. Complaint inspections. State electrical inspectors, upon complaint of imminent danger or upon written complaint of any owner, lessee or tenant of a building, state fire inspector, fire chief, fire department inspector, personnel of a transmission and distribution utility or local electrical inspector or whenever they determine it necessary at all reasonable hours, for purposes of examination, may enter into and upon all buildings or premises within their jurisdiction and inspect those buildings or premises. They may enter any building only with the permission of the person having control thereof or, after hearing, upon order of court. Whenever any state electrical inspector finds any electrical installation in any building or structure that does not comply with this chapter, that inspector shall order the electrical installation to be removed or remedied and the order must forthwith be complied with by the owner or occupant of the premises or buildings or the electrician that performed the work. Whenever any state electrical inspector finds any electrical installation in any building or structure that creates a danger to other property or to the public, the inspector may forbid use of the building or structure by serving a written order upon the owner and the occupant, if any, to vacate within a reasonable period of time to be stated in the order.

[PL 2017, c. 198, §8 (AMD).]

2. Order to correct deficiency; appeal. Any person ordered by a state electrical inspector to correct an electrical deficiency or to vacate a building or structure may appeal the order to the Electricians' Examining Board by filing with that board within 30 days of receipt of the order a written notice of appeal. The board shall hold a hearing and review that appeal and issue its written decision thereof within a reasonable time after receipt of the notice of appeal. If the board upholds the inspector's order, it shall prescribe the time period for the requisite correction specified in its written decision or the time within which that person must vacate the building or structure. The decision must be complied with unless appealed as provided. Any person ordered by the board to correct an electrical deficiency or to vacate a building or structure may appeal the order to the Superior Court in accordance with Title 5, section 11001 by filing a petition for review within 48 hours of receipt of the order. The petition for review may be advanced on the docket and receive priority over other cases when the court determines that the interests of justice so require.

[PL 2017, c. 198, §8 (AMD).]

Upon the failure of any person to carry out a final order as provided, the Electricians' Examining Board may petition the Superior Court for the county in which the building or premises are located for an injunction to enforce that order. If the court determines upon hearing the petition that a lawful final order was issued, it shall order compliance. [PL 2009, c. 112, Pt. A, §4 (RPR).]

SECTION HISTORY

PL 1965, c. 385, §4 (RPR). PL 1967, c. 69, §2 (AMD). PL 1971, c. 310 (AMD). PL 1973, c. 303, §3 (AMD). PL 1973, c. 363 (RPR). PL 1981, c. 432, §§3-5 (AMD). PL 1981, c. 470, §A151 (AMD). PL 1981, c. 698, §157 (AMD). PL 1995, c. 325, §8 (AMD). PL 1999, c. 657, §14 (AMD). PL 2009, c. 112, Pt. A, §4 (RPR). PL 2011, c. 559, Pt. A, §34 (AMD). PL 2017, c. 198, §8 (AMD).

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