

LICENSING DIVISION

Staff Report for the Electrical Safety and Licensing Advisory Board
April 10, 2023

Statistics

Electricians Overall	TOTAL FY 2022	FY 2023 Sept 2022 – Feb 2023	% Change
New Licenses Issued	43,322	22,011	
Renewed Licenses Issued	112,452	49,810	
Online Renewals	111,592	49,578	
% Individuals Renewed Online	99.24%	99.53%	
Total Population	155,556	159,786	2.6%

Electrical Contractors Overall	TOTAL FY 2022	FY 2023 Sept 2022 – Feb 2023	% Change
New Licenses Issued	1,196	467	
Renewed Licenses Issued	11,348	5,486	
Online Renewals	11,037	5,466	
% Businesses Renewed Online	97.26%	99.64%	
Total Population	12,638	12,744	0.8%

Electrician Breakdown	TOTAL FY 2022	FY 2023	
		Sept 2022 – Feb 2023	% Change
Master Electrician	17,363	17,603	1.4%
Master Sign Electrician	510	513	0.6%
Journeyman Electrician	37,396	37,852	1.2%
Journeyman Sign Electrician	314	305	-3.0%
Journeyman Industrial Electrician	438	727	39.8%
Journeyman Lineman	47	49	4.1%
Residential Wireman	1,797	1,818	1.2%
Maintenance Electrician	807	783	-3.1%
Electrical Apprentice	92,797	95,947	3.3%
Electrical Sign Apprentice	2,052	2,133	3.8%
Residential Appliance Installer	2,035	2,056	1.0%
Electrical Contractor	11,379	11,495	1.0%
Electrical Sign Contractor	557	556	-0.2%
Residential Appliance Contractor	702	693	-1.3%

Report Date as of 03/21/2023	Industrial
Total Emails	9810

Current Projects

- We continue to review processes to remove any inefficiencies to better streamline work. To assist the agency in this effort:
 - License holders are recommended to renew eligible licenses online. If mailing in renewals, begin the process as soon as eligible (60 days prior to renewal),
 - Correctly answer the criminal history question,
 - If applicants or license holders have criminal history convictions, be sure to complete the questionnaire and mail or email it to the email address on the form
 - Complete any required continuing education to reduce delays in the issuance of licenses.



Education and Examination Division

Staff Report for Electrical Safety and Licensing Advisory Board

April 10, 2023

Statistics

Examination Statistics

(As of February 28, 2023)

FY 2023	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
PASS	396	358	332	1086	323	242	260	825									1911
FAIL	995	973	872	2840	958	704	778	2440									5280
TOTAL	1391	1331	1204	3926	1281	946	1038	3265									7191
RATE	28.5%	26.9%	27.6%	27.7%	25.2%	25.6%	25.0%	25.3%									26.6%

FY 2022	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
PASS	289	314	262	865	249	300	317	866	351	291	353	995	375	350	353	1078	3804
FAIL	719	892	722	2,333	582	779	728	2,089	867	913	862	2,642	942	854	859	2655	9719
TOTAL	1008	1206	984	3,198	831	1079	1045	2,955	1218	1204	1215	3,637	1317	1204	1212	3733	13523
RATE	28.7%	26.0%	26.6%	27.0%	30.0%	27.8%	30.3%	29.3%	28.8%	24.2%	29.1%	27.4%	28.5%	29.1%	29.1%	28.9%	28.1%

Examination by License Type

(As of February 28, 2023)

1 ST QUARTER					2 ND QUARTER				
	SEPTEMBER	OCTOBER	NOVEMBER		DECEMBER	JANUARY	FEBRUARY		
LICENSE TYPE	PASS	FAIL	TOT	RATE	LICENSE TYPE	PASS	FAIL	TOT	RATE
MASTER CALCULATIONS	196	695	891	22.00%	MASTER CALCULATIONS	165	629	794	20.78%
MASTER NEC	209	527	736	28.40%	MASTER NEC	159	521	680	23.38%
JOURNEYMAN LINEMAN	1	10	11	9.09%	JOURNEYMAN LINEMAN	3	6	9	33.33%
JOURNEYMAN	560	1393	1953	28.67%	JOURNEYMAN	401	1071	1472	27.34%
MAINTENANCE	2	2	4	50.00%	MAINTENANCE	0	0	0	0.00%
RESIDENTIAL WIREMAN	65	128	193	33.68%	RESIDENTIAL WIREMAN	54	140	194	27.84%
MASTER SIGN	5	6	11	45.45%	MASTER SIGN	4	3	7	57.14%
JOURNEYMAN SIGN	3	8	11	27.27%	JOURNEYMAN SIGN	4	2	6	66.67%
APPLIANCE INSTALLER	45	70	115	39.13%	APPLIANCE INSTALLER	35	60	95	36.84%
JOURNEYMAN INDUSTRIAL ELE*	0	1	1	0.00%	JOURNEYMAN INDUSTRIAL ELE*	0	8	8	0.00%
TOTAL (ALL)	1086	2840	3926	27.66%	TOTAL (ALL)	825	2440	3265	25.27%
3 RD QUARTER					4 TH QUARTER				
	MARCH	APRIL	MAY		JUNE	JULY	AUGUST		
LICENSE TYPE	PASS	FAIL	TOT	RATE	LICENSE TYPE	PASS	FAIL	TOT	RATE
MASTER CALCULATIONS					MASTER CALCULATIONS				
MASTER NEC					MASTER NEC				
JOURNEYMAN LINEMAN					JOURNEYMAN LINEMAN				
JOURNEYMAN					JOURNEYMAN				
MAINTENANCE					MAINTENANCE				
RESIDENTIAL WIREMAN					RESIDENTIAL WIREMAN				
MASTER SIGN					MASTER SIGN				
JOURNEYMAN SIGN					JOURNEYMAN SIGN				
APPLIANCE INSTALLER					APPLIANCE INSTALLER				
JOURNEYMAN INDUSTRIAL ELE*					JOURNEYMAN INDUSTRIAL ELE*				
TOTAL (ALL)					TOTAL (ALL)				

Continuing Education Course, Provider, and Curriculum

(As of February 28, 2023)

FY 2023	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
NEW COURSE APPROVAL ISSUES	9	8	7	24	41	20	8	69									93
TOTAL COURSES	170	165	170	170	195	163	164	164									164

FY 2022	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
NEW COURSE APPROVAL ISSUES	14	9	4	27	21	16	17	54	26	11	11	48	16	7	14	37	166
TOTAL COURSES	169	174	178	178	192	180	167	167	177	171	170	170	179	173	172	172	172

Electrician Apprentice Programs

(As of February 28, 2023)

FY 2023	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
NEW PROGRAM REGISTRATIONS ISSUED	0	0	0	0	0	1	0	1									1
PROGRAM RENEWAL LICENSES ISSUED	5	1	3	9	0	6	1	7									16
TOTAL PROGRAM PROVIDER LICENSE COUNT (END OF MONTH)	60	59	59	59	57	59	59	59									59
TOTAL NEW PROGRAM COURSE APPROVALS ISSUED	0	0	0	0	0	0	0	0									0
TOTAL PROGRAM COURSE COUNT (END OF MONTH)	60	59	59	59	57	59	59	59									59

FY 2022	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
NEW PROGRAM REGISTRATIONS ISSUED	0	0	1	1	0	0	0	0	0	0	0	0	0	9	0	0	1
PROGRAM RENEWAL LICENSES ISSUED	29	7	4	40	1	1	5	7	2	5	8	15	1	25	6	32	94
TOTAL PROGRAM PROVIDER LICENSE COUNT (END OF MONTH)	57	57	58	58	58	58	59	59	59	59	60	60	60	60	60	60	60
TOTAL NEW PROGRAM COURSE APPROVALS ISSUED	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1
TOTAL PROGRAM COURSE COUNT (END OF MONTH)	57	57	58	58	59	59	59	59	59	59	60	60	60	60	60	60	60

Early Journeyman Exam Statistics

Journeyman Electrician 7K Exam Pass Rate by Total numbers of Exams Between 08/06/2022 and 03/17/2023

K 1st Time Exam Pass Rate			7K Repeat Time Exam Pass Rate			7K Average Exam Pass Rate		
Total Pass 1st Time	Total Exams 1st Time	Pass Rate 1st Time	Total Pass Repeat	Total Exams Repeat	Pass Rate Repeat	Total Exams Pass	Total Exams	Avg Pass Rate
109	143	76.22	64	264	24.24	173	407	42.51

Journeyman Electrician 7K Exam Pass Rate in Apprenticeship Program by Total numbers of Exams Between 08/06/2022 and 03/17/2023

7K 1st Time Exam Pass Rate			7K Repeat Time Exam Pass Rate			7K Average Exam Pass Rate		
Total Pass 1st Time	Total Exams 1st Time	Pass Rate 1st Time	Total Pass Repeat	Total Exams Repeat	Pass Rate Repeat	Total Exams Pass	Total Exams	Avg Pass Rate
41	46	89.13	17	70	24.29	58	116	50.00

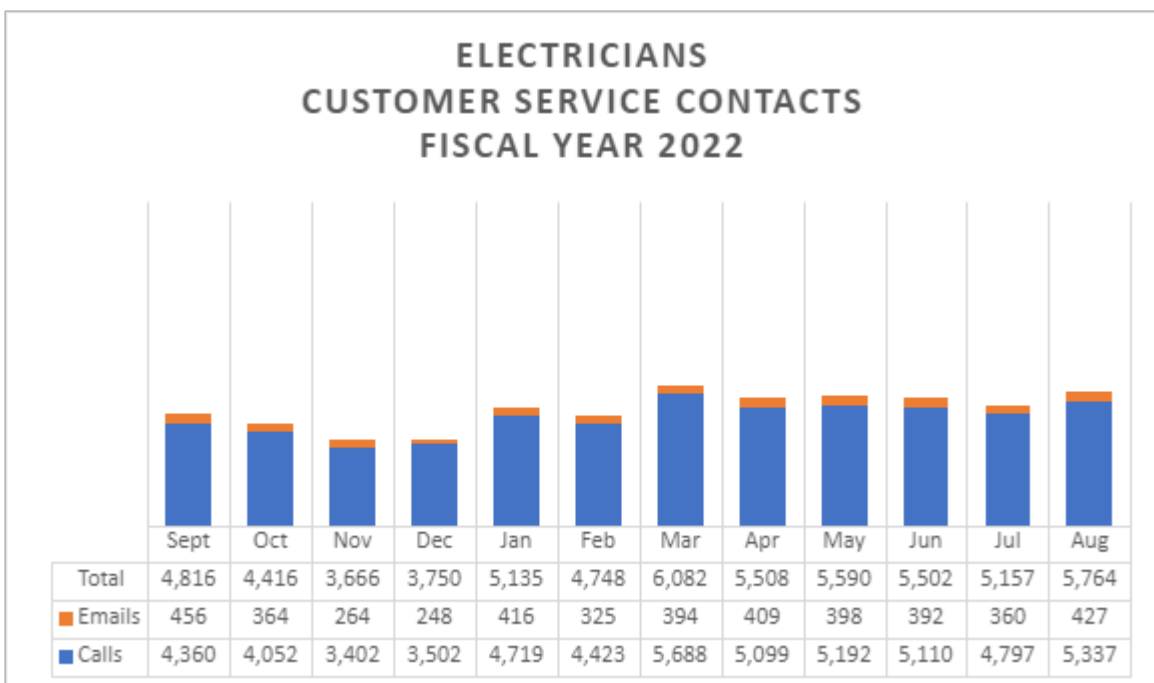
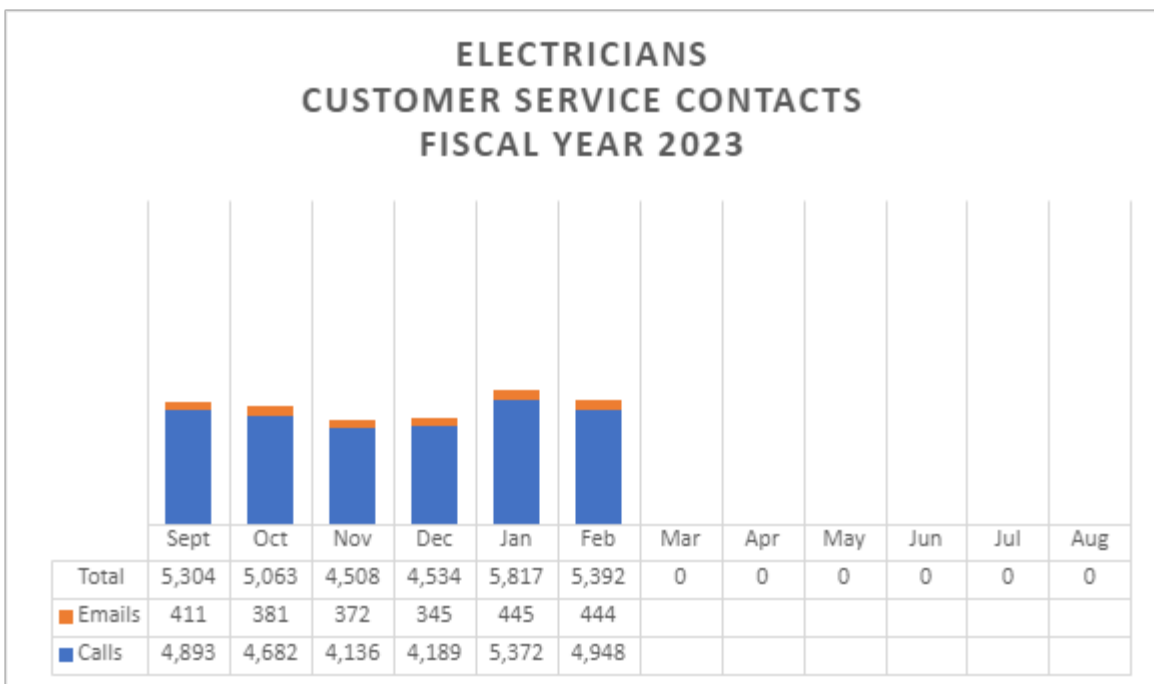
Journeyman Electrician 8K Exam Pass Rate by Total numbers of Exams Between 08/06/2022 and 03/17/2023

8K 1st Time Exam Pass Rate			8K Repeat Time Exam Pass Rate			8K Average Exam Pass Rate		
Total Pass 1st Time	Total Exams 1st Time	Pass Rate 1st Time	Total Pass Repeat	Total Exams Repeat	Pass Rate Repeat	Total Exams Pass	Total Exams	Avg Pass Rate
463	875	52.91	596	3,001	19.86	1,059	3,876	27.32

Customer Service Division

Staff Report for the Electrical Safety and Licensing Advisory Board
April 10, 2023

Statistics



Enforcement Division

Staff Report for Electrical Safety and Licensing Advisory Board

April 10, 2023

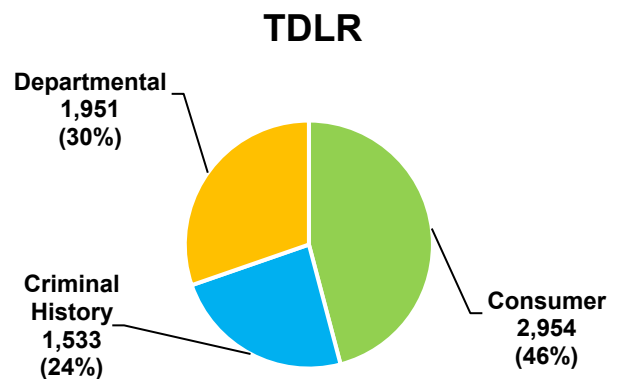
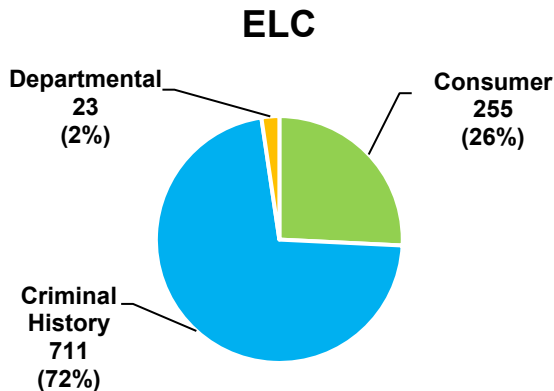
Statistics:

Shown below are the Complaints Received, Enforcement Performance Measures, and key statistics for the Electrical (ELC) program and for all TDLR programs combined through **February of Fiscal Year 2023**:

Complaints Received Break Down	ELC	TDLR
Consumer	549	6,648
Departmental Criminal History	23	1,902
Criminal History	17,328	38,472
Total Complaints Received	17,900	47,022

Key Statistics	ELC	TDLR
Cases opened	989	6,438
Cases closed	840	5,363
Average time to close (days)	115.01	203.84
% of cases resolved within 6 months	84.88%	58.77%
% of cases resulting in disciplinary action	5.48%	10.54%
Cases pending at end of February	711	7,623

Source of Cases Opened through February of Fiscal Year 2023



Case Outcomes	ELC	TDLR
Commission Orders	4	6
Default Orders	27	189
Agreed Orders	9	330
Penalties Assessed	\$126,500.00	\$1,176,825.00
Penalties Collected	\$23,000.00	\$502,845.00
Licenses Revoked (Disciplinary)	1	26
Licenses Suspended	1	2
Licenses Denied/Revoked (Criminal History)	18	55
Cease & Desist Orders	0	5
Informally Resolved	789	4,798

Top 10 ELC Alleged Violations at Opening through February of Fiscal Year 2023

Violation:	Count
Criminal history	711
Contracted without license	149
Evaded responsibility to client	38
Performed in violation of code	26
Dishonesty, misrepresentation, or fraud	23
Unlicensed electrical work	18
Failed to pay dishonored check	12
Did not have TDLR information on proposal or invoice	9
Failed to display TECL in advertising	8
Failure to provide supervision	8

ELC Violations Resulting in Disciplinary Action through February of Fiscal Year 2023

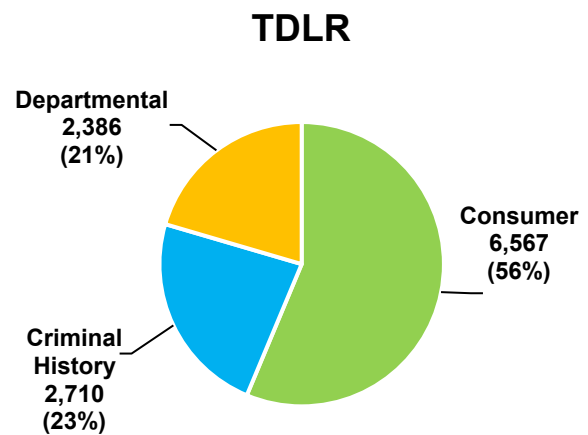
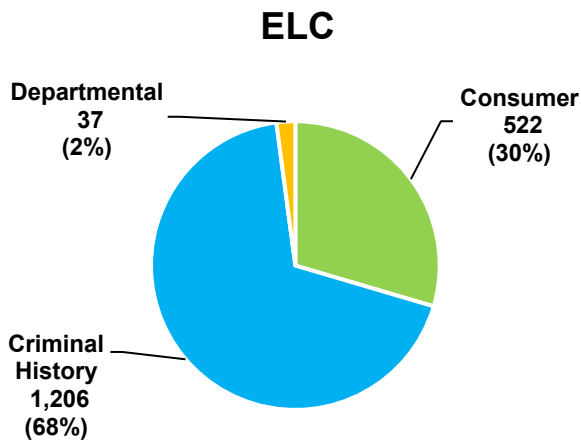
Violation:	Count
Contracted without license	24
Criminal history	19
Using another's license	5
Evaded responsibility to client	2
Failed to ensure licensed work	2
Dishonesty, misrepresentation, or fraud	1
Performed in violation of local ordinance	1
Failure to provide supervision	1

Shown below are the Complaints Received, Enforcement Performance Measures, and key statistics for the Electrical (ELC) program and for all TDLR programs combined for **Fiscal Year 2022**:

Complaints Received Break Down	ELC	TDLR
Consumer	1,011	14,098
Departmental	37	2,368
Criminal History	25,139	48,488
Total Complaints Received	26,187	64,954

Key Statistic	ELC	TDLR
Cases opened	1,765	11,663
Cases closed	2,099	11,754
Average time to close (days)	168.61	215.79
% of cases resolved within 6 months	71.94%	57.64%
% of cases resulting in disciplinary action	8.38%	10.81%
Cases pending at end of FY2022	562	6,540

Source of Cases Opened Fiscal Year 2022



Case Outcomes	ELC	TDLR
Commission Orders	8	27
Default Orders	105	384
Agreed Orders	29	749
Penalties Assessed	\$300,625.00	\$2,588,310.00
Penalties Collected	\$42,378.00	\$1,322,419.50
Licenses Revoked (Disciplinary)	5	50
Licenses Suspended	2	4
Licenses Denied/Revoked (Criminal History)	81	182
Cease & Desist Orders	3	17
Informally Resolved	1,918	10,486

Enforcement Division

Top 10 ELC Alleged Violations at Opening for Fiscal Year 2022

Violation:	Count
Criminal history	1,214
Contract without license	343
Evaded responsibility to client	62
Performed in violation of code	41
Dishonesty, misrepresentation, or fraud	32
Unlicensed electrical work	25
Failed to display TECL in advertising	16
Did not have TDLR information on proposal or invoice	15
Performed in negligent manner	13
Failed to pay dishonored check	12

ELC Violations Resulting in Disciplinary Action for Fiscal Year 2022

Violation:	Count
Criminal history	85
Contracted without license	73
Evaded responsibility to client	8
Used another's license	8
Failed to ensure licensed work	5
Did not have TDLR information on proposal or invoice	2
Failed to pay dishonored check	2
No name or TECL on proposal or invoice	2
Failed to comply with an order	1

Sting:

Between October 16th and October 16th, 2022, Enforcement Investigators Robert Nino, Michael Russo, Martin Garcia, Enrique Robeldo, Investigation Manager, Art Arevalo conducted a weeklong undercover sting operation in San Antonio. During the sting, TDLR enforcement investigators contacted people who advertised electrical and air conditioning services in local newspapers or on social media and did not include license information in the ads as required by state law. Investigators filed 10 enforcement cases against unlicensed air conditioning and Electrical contractors who offered to perform unlicensed work during the sting. The National Association of State Contractors Licensing Agencies (NASCLA) did a national press release that included information on our sting operation.

Case Highlights:

- C&D Electrical LLC, Case No. ELC20220013101

This case was one of set of cases- in addition to the above case was companion cases ELC20210015617, ELC20210016248, ELC20210015513 and ELC20210015622. The case in the title is the company, but there are also 2 cases against each of the company owners, Christopher Mendoza and Daniel Dick. On January 26, 2023, a Default Order was entered against Respondent C&D Electrical LLC, signed and issued by Executive Director Mike Arismendez Jr. The case against the company, the Order found that the company, and the owners, were performing unlicensed electrical contracting. The company and owners failed to timely sign and return the settlement agreement sent to them as part of the Notice of Alleged Violation resulting in Default Order entered against them. The penalty of \$4,000 was ordered against the company. Similarly, in ELC20210016248 \$4,000 was against Daniel Dick and in ELC20210015513 \$4,000 was assessed Christopher Mendoza.

During investigation, our investigator discovered that the individuals used the license of another contractor on their invoices, presenting it as their own. Thus, based upon that licensed electrical contractor's complaint, additional cases were opened against each of the Respondent owners individually. As the Respondents failed to timely sign and return the settlement agreements sent to them, a Default Order was signed and issued by Executive Director Mike Arismendez on January 26th as well. The Order found that Respondents used an Electrician's license not their own. Thus, in ELC20210015617, in ELC20210015513 a \$1,000 penalty was assessed against Daniel Dick and Christopher Mendoza, respectively. All cases are in the collection process.

- Certz Signs LLC dba Budget Signs, Case No. ELC20210005630

On August 24, 2022, Executive Director Mike Arismendez Jr. signed an Agreed Order that finalized the settlement agreement between the Department and Respondent Certz Signs. The Order found that Respondent offered electrical sign contracting without an electrical sign contracting license. The company failed to remove website and other advertising and was assessed a penalty of \$1,500 and has paid the fine in full.

- David Fansler, Case No. ELC20220009755

A Commission Order against Respondent was signed and issued by the Commissioners on December 6, 2022. The Order found that Respondent renewal application for Master Electrician license and Journeyman license are revoked. Respondent's multiple misdemeanor violations of theft and aggravated assault offenses required revocation of existing licenses and denial of renewal in accordance with the Texas Occupations Code.

- Sebastian Bernal, Case No. ELC20210012009

On October 4, 2022, Executive Director Mike Arismendez Jr. signed an Agreed Order that finalized the settlement agreement between the Department and Respondent Bernal. The Order found that Mr. Bernal offered to perform electrical contracting without an electrical contractor's license. This case was based on sting operation conducted by the Enforcement division where our Investigators posed as a company seeking electrical services for a

commercial site. In this case, Respondent was invited to the sting location where he performed an assessment and sent a bid offering to design and install the electrical system. Respondent was assessed a penalty of \$1,750 which has been paid in full.

- Juan Gonzalez, Case No. ELC20220006720

On November 29, 2022, Executive Director Mike Arismendez Jr. signed an Agreed Order that finalized the settlement agreement between the Department and Respondent. The Order found that Mr. Gonzalez allowed another person to use his electrical contractor's license. Respondent was assessed a penalty of \$2,250 which has been paid in full.

Regulatory Program Management Division

Staff Report for the Electrical Safety and Licensing Advisory Board

April 10, 2023

Outreach

TDLR RPM Meetings, Sweeps and Other Notable Activities

- 06/20-25 - NASCLA 2022 National Coordinated Enforcement Effort. – Job Sweeps
- 07/11-14 - Building Professional Institute (BPI) – Irving, TX.
- 08/15 - Independent Electrical Contractor Meeting – Houston, TX.
- 08/16-18 - Texas Electrician examination Development.
- 09/26-29 – NERA Meeting Bandera, TX.
- 10/05 – NFPA Electrical Inspector Board Meeting.
- 10/18 – NASCLA – NM Meeting
- 10/22 – NFPA Electrical inspector certification exam development
- 11/15-16 - Building Professional Institute (BPI) – Austin, TX.
- 11/8 - NFPA Electrical inspector certification exam development
- 12/01 – Larry Reichle achieved his Master Electrical Inspector certification.
- 12/08 – NCCER exam review
- 01/10-12 – Electrical job sweep, inspection, and town hall meeting – Amarillo, TX.
- 01/17 - NFPA Electrical inspector certification exam development
- 01/19 - NFPA Electrical Inspector Board Meeting.
- 01/30 – Second NCCER exam review.
- 02/02 – NFPA Code making panel 17 meeting.
- 02/07-09 - Texas Electrician examination Development – 2023 NEC change.
- 02/10 - NFPA Electrical inspector certification exam development
- 02/28 – NERA Telephonic meeting hosted by Alaska.
- 03/16 - NFPA Electrical inspector certification exam development

2023 National Electrical Code is Almost Here!

The Texas Electrical Safety and Licensing Act require the Texas Department of Licensing and Regulation (TDLR) to adopt the revised National Electrical Code (NEC)

as the electrical code for the state of Texas. In 2023, TDLR will adopt the 2023 NEC as the electrical code for the state of Texas and establish it as the "minimum standard" for all electrical work in Texas covered by the Act. The proposed effective date will be September 1, 2023.

Chapter 1305.201 of the Act provides municipalities the authority to make local amendments to the 2023 NEC; however, any proposal to amend these standards should be done in accordance with NEC 90.4 which stipulates "*the authority having jurisdiction may waive specific requirements in this Code or permit alternative methods where it is assured that equivalent objectives can be achieved by establishing and maintaining effective safety.*"

Any non-exempt electrical work started on or after September 1, 2023, must be installed in accordance with the 2023 NEC. To clarify: the "start" of electrical work is the day the electrician begins installing electrical materials or equipment within the residential or commercial building structure. **Inside the corporate limits of a municipality**, electricians must abide by city permitting requirements and adhere to any local code amendments.

Also, beginning September 1, 2023, all examinations for state electrical licenses will be based on the 2023 NEC. The state electrical exams are available through PSI, which contracts with TDLR to develop, maintain, and administer the state electrician licensing examinations. **It is very important for license candidates to review the Candidate Information Bulletin (CIB)**, which contains detailed information regarding the examinations and is vital to understanding the process.

Questions? Contact TDLR at Jerry.Daniel@tdlr.texas.gov or Larry.Reichle@tdlr.texas.gov

Commission Adopts Rules

The Texas Commission of Licensing and Regulation adopted amendments to an existing rule at 16 Texas Administrative Code, Chapter 73, §73.100, regarding the Electricians program. The adopted rule amends §73.100(b) to state that compliance with Section 210.8(F) of the 2020 NEC is not required.

The adoption justification was published in the November 18, 2022, issue of the *Texas Register* (47 TexReg 7680) and is available online. The updated rule chapter will be available on the Secretary of State website upon its effective date of December 31, 2022.

TDLR Extends Date for Accepting NCCER Industrial Electrician Written Assessment

TDLR has extended the date for accepting the NCCER Industrial Electrician Written Assessment.

Effective January 1, 2023 (previously November 1, 2022), TDLR will no longer accept the NCCER Industrial Electrician Written Assessment. Persons who apply for a journeyman industrial electrician license on or after January 1, 2023,

will be required to take and pass the Texas Journeyman Industrial Electrician examination administered by PSI.

Conducting Residential Electrical Inspections

Learn more about conducting electrical inspections in this white paper issued by the National Fire Protection Association. [Read More \(PDF\)](#)