

# A must-read on electrical and licensing

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November 17, 2016

## Background:

- For the very first time the Department of Business & Professional Regulation (DBPR) has taken **disciplinary action against a licensed pool contractor for replacing pool lighting**, including the connecting and disconnecting of the wire.
- Based on this action, over the last six months the Florida Swimming Pool Association (FSPA) has been asked by several building departments our position **on what electrical work can be done under a pool contractor's scope of work**. Some jurisdictions have taken it upon themselves to start requiring an electrician in addition to a pool contractor when changing out certain pool equipment.
- The initial response from the FSPA leadership when this was brought to our attention was our interpretation that under all three pool contractor licenses the scope includes "anything on the load side of the breaker." The responses and research FSPA has done show that **the industry has been doing this work since they obtained whichever pool license they received - it is the norm for them to address electrical termination to all pool appliances; such as:**

- o pool motors/pumps
- o time clocks
- o control boxes (air switches, controllers)
- o heat pumps/low voltage gas heaters/solar systems
- o chlorinating systems/ozone systems/sanitizing systems
- o pool lights with bond and ground
- o transformers
- o LED lighting/laminar jets
- o Motorized valving
- o Automated backwash valves
- o Bonding grid
- o Ladder & handrail bond (there is no electrical current to bonding grids or equipment bonds)

- FSPA also recognized they do not have the authority to make an official position. Therefore, FSPA submitted a **petition to the Construction Industry Licensing Board**

(who are authorized to interpret Chapter 489, Florida Statutes) asking for the Board's assistance to provide clarification that until recently had never come up before. To assist the Board, FSPA has done research on why we think it is clear that the intent of our scope was to include such work.

- At the August CILB meeting the **rules committee agreed to open 61G4-12.011, F.A.C., the definitions rule** under their authority in order to consider this issue. FSPA was suggesting they define installation or repair of pool/spa equipment as it pertains to electrical work.
- It was also determined that the **CILB would hold a joint meeting with the Electrical Contractors Licensing Board (ECLB)** on October 28 in order to receive input from that board, as well as anyone in the public on this issue. That meeting occurred with testimony from various segments against and for what FSPA is trying to clarify.

## Next Steps:

- A small group of leaders not only in FSPA, but in other Associations and groups with similar concerns have been meeting on this issue and will continue doing so until it is resolved. Based on the input received at the October 28 meeting, this group will be meeting in early December to **review revisions that FSPA will provide to the CILB for consideration at their January Rules Committee meeting**. At the same time, FSPA will be looking at a legislative fix to this issue as a precaution in case the CILB rulemaking hits a roadblock.
- This issue will most likely take another 3-6 months to be resolved and FSPA will continue to keep its membership apprised of new developments. We encourage our **members to discuss this within their chapter** leadership so they can bring that information to the FSPA January Board meeting where an update will be provided, along with information on next steps.
- FSPA has been at the forefront of this issue since we were made aware of the DBPR disciplinary action. We recognize the critical importance of this issue to our members; due to what has occurred pool contractors risk disciplinary action if they are performing any electrical work on pool equipment, even at the disconnect. It is our number one priority to address this favorably for our members but we also will need your support.

***If you have any questions or concerns, we want to hear from you.  
Please email [solutions@FloridaPoolPro.com](mailto:solutions@FloridaPoolPro.com)***



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