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Clarification of Incidental Work

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Title 32 M.R.S. § 1201-A(12) states:

Incidental work. Regular employees of an owner or a lessee of real property doing incidental electrical work on that property or incidental electrical work by a person whose occupation involves miscellaneous jobs of manual labor. For purposes of this subsection, "incidental electrical work" means minor electrical work, limited to light fixtures and switches, that occurs by chance and that does not require electrical installation calculations.

By its own terms, the statute defines incidental work as electrical work that is limited to replacement of a light fixture or light switch. As such this subsection applies only to these two specific items.

That occurs by chance. The Board interprets this phrase to mean "work that is not planned or scheduled."

Example (1): this could be work that occurs as a result of an accident: a light switch is broken while moving a piece of furniture. That switch (but only that switch) may be replaced under this provision.

Example (2): A request is made that a light fixture be replaced for aesthetic or energy efficiency reasons. This work would not fall under this provision. This is scheduled work and not "by chance".

The Board adopts this interpretation because any installation that was planned in advance, including but not limited to: as a result of a written or oral job order, or estimate, is shown on a schematic or drafting plan, can only be work that was scheduled in advance and is not work necessitated "by chance." This work cannot involve a new installation, which would also be scheduled in advance.

Electrical installation calculations. By the terms of the statute, an installation that requires any form of "calculation" cannot be performed under this provision. "Calculation" includes but is not limited to any alterations that result in a change in calculated service, feeder or branch circuit load. These alterations include but are not limited to any change in number or type of light fixtures, motors, heaters, appliances, etc which would result in a different calculated load.



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