



Guidance for CILB rule addressing pool and spa electrical work

The Florida Swimming Pool Association (FSPA) worked to obtain clarification from the Construction Industry Licensing Board (CILB) via a rule to further clarify what the three pool and spa contractor licenses scope of work means when it comes to replacing and installing equipment that has an electrical component. The result was the adoption of 61G4-12.011(16), F.A.C.; this revised rule went into effect on May 24, 2017 and the new (16) provides the following:

61G4-12.011 Definitions.

(16) Installation or repair: Pursuant to Sections 489.105(3)(j), (k), (l), F.S., the term “installation or repair” of pool/spa equipment, as it pertains to swimming pool and spa electrical work, is defined as inclusive of installation, replacement, disconnection or reconnection of power wiring on the load side of the dedicated existing electrical disconnecting means. If installation, removal, replacement, or upgrading of this circuit is necessary, the work shall be performed by a licensed electrical contractor only. Nothing in this paragraph shall be deemed to restrict or limit in any manner the scope of work authorized by law of other contractor classifications, or other professions.

FSPA’s goal in obtaining rule language was to simply clarify what our members, and the pool & spa industry at large in Florida, have been doing since the beginning of pool & spa licensure. The “installation and repair of pool equipment” as found in Sections 489.105(3)(j), (k), (l), F.S., did not seem to provide enough guidance, as questions arose in recent years. Therefore, FSPA simply asked for a clarification in rule that would provide a more detailed aspect of the three pool & spa licensure categories scope of work when it comes to what “installation and repair of pool equipment” meant in terms of electrical work. FSPA’s intent was not to broaden the scope of work of the three pool & spa licenses, but to ensure the industry could continue work that has been routine for decades.

Based on the background of why FSPA asked for clarification, we interpret the new rule language to mean that a pool & spa contractor licensed under s. 489.105(3)(j), (k), (l), F.S.:

- **CAN** replace pool equipment such as pool lights, pumps, motors, heat pumps and the like. The contractor is simply disconnecting the existing equipment, replacing it with the new piece of equipment, and then reconnecting that new piece of equipment = all on the load side of the dedicated existing electrical disconnecting means.
- **CANNOT** extend or install a new electrical circuit for any pool or spa equipment. The rule says that if you must add/upgrade a circuit (which includes adding a GFCI) when installing any of pool/spa equipment, you must hire an electrician to do that part of the work.

Like all rules and laws; the wording can never be detailed enough to spell out every situation a contractor or building department might encounter. There will be areas of this new rule that will have to be addressed on a case by case basis. FSPA will work to assist our members and building departments to the best of our ability with clarification on specific scenarios brought to our attention. However, we also recognize that the only authority with the ability to officially interpret Chapter 489, Florida Statutes and Chapter 61G4, Florida Administrative Code, is the CILB.

Disclaimer: the opinions set out in this guidance document are that solely of the Florida Swimming Pool Association and are not to be considered legally binding.