

BEFORE THE BOARD OF ELECTRICAL EXAMINERS  
DIVISION OF LABOR  
DEPARTMENT OF LABOR AND LICENSING  
STATE OF ARKANSAS

**IN RE:        Joel Santana**  
**3309 Esters Rd. #1026**  
**Irving, TX 75062**

**ORDER**

On this 18<sup>th</sup> day of January 2022, this matter came before the Arkansas Board of Electrical Examiners. Miles Morgan, Associate Counsel, Department of Labor and Licensing, represented the agency. Joel Santana and his current employer, Andrew Means appeared before the Board via zoom. Based on the testimony and other evidence, the Board makes the following Findings of Fact and Conclusions of Law.

**FINDINGS OF FACT:**

1. On July 15, 2021, Mr. Joel Santana wrote a letter to the Department of Labor and Licensing requesting an opportunity to appear before the Board regarding the late fee penalty imposed on Santana for failing to renew his electrical license.
2. Santana was timely notified of his hearing before the Board which was held on Tuesday, January 18, 2022 at 1:00 p.m.
3. Santana is not currently licensed by the Board of Electrical Examiners. His license expired on June 30, 2008.

4. The Department of Labor and Licensing staff recommended a late fee penalty based on the department's renewal fee calculator. The current late fee is \$2,995.00 which is subject to increase as time passes without payment.
5. Santana and his employer, Andrew Means, appeared before the Board via zoom and offered testimony explaining the reasoning for Santana's failure to renew his license. Such testimony included the fact that Santana and his family moved to California for his wife's medical treatment. Santana also testified that he moved to Utah before moving to Texas six months ago.
6. Santana is currently registered in Utah as an apprentice allowing him to work in Texas.
7. Santana is requesting that the late fee for failure to renew his Arkansas electrical license be waived by the Board so he can be licensed as a journeyman electrician in Texas.

**CONCLUSIONS OF LAW:**

1. Ark. Code Ann. § 17-28-301(b)(4) (A) and (B) provide that if a licensee fails to renew his or her license within thirty-six (36) months after the expiration date on the license, the licensee may reinstate his or her license by paying the fees and any applicable penalty under subdivision (b)(3) of this section; and an additional penalty of one thousand dollars (\$1000).
2. In the present case, the Board declines to waive the late fee renewal penalty assessed against Santana. In addition to payment of the penalty, the Board requires that Santana submit documentation of his continuing education units (CEU) earned while living in Utah.
3. Alternatively, the Board agrees that Santana may retest in Arkansas for his electrical license. In this instance, the Board will waive the late fee penalty and CEU requirement.