

ELECTRICIANS PROPOSED CHANGES

R156-55b-304. Continuing Education.

(1) Required Hours. Pursuant to Sections 58-55-302.7 and 58-55-303, each licensee shall complete 16 hours of continuing education during each two year license term. A minimum of 12 hours shall be core education. The remaining four hours may be professional education.

(2) "Core continuing education" is defined as education covering the National Electrical Code as adopted or proposed for adoption.

(3) "Professional continuing education" is defined as education covering:

(a) National Fire Protection Association 70E (NFPA 70E), Occupational Safety and Health Administration (OSHA), Mine Safety and Health Administration (MSHA);

(b) government regulations;

~~(b)~~ (c) electrical motors and motor controls, electrical tool usage; and

~~(c)~~ (d) supervision skills related to the electrical trade.

PLUMBERS PROPOSED CHANGES

R156-55c-303b. Continuing Education - Standards.

(1) Required Hours. Pursuant to Sections 58-55-302.7 and 58-55-303, each licensee shall complete 12 hours of continuing education during each two year license term. A minimum of eight hours shall be core education. The remaining four hours may be professional education.

(2) "Core continuing education" is defined as education covering:

(a) International Building, International Mechanical, International Plumbing, International Residential, International Energy Conservation Codes and Utah building code amendments as adopted or proposed for adoption;

(b) the Americans with Disability Act;

(c) medical gas, National Fire Protection Association 13D and 54; and

(d) hydronics and waste water treatment.

(3) "Professional continuing education" is defined as education covering:

(a) energy conservation, management training, new technology, plan reading; ~~and~~

(b) lien laws and Utah construction registry;

(c) Occupational Safety and Health Administration (OSHA); and

(d) government regulations.

**UTAH CONSTRUCTION TRADES
LICENSING ACT RULE**

R156-55a

**Utah Administrative Code
Proposed June 21, 2013**

- R156-55a-301(2) S202 update solar photovoltaic to comply with SB 208.
- R156-55a-301(2) S211 update boiler scope of practice
- R156-55a-302a(2) S211 update boiler to include trade examination
- R156-55a-302b(3) S211 update boiler experience from 2 to 4 years
- R156-55a-302b(5) update experience to require at least 2 years on all classification SB 102 – two classification previously only require a certification issued by third party
- R156-55a-303b update continuing education requirements
- R156-55a-602 update bond requirements resulting from SB 44

R156-55a-301. License Classifications - Scope of Practice.

- ...
(2) Licenses shall be issued in the following primary classifications and subclassifications:

...
S202 - Solar Photovoltaic Contractor. Fabrication, construction, installation, and replacement of photovoltaic cell panels and related components. Wiring, connections and wire methods as governed in the National Electrical Code and Subsection R156-55b-102(1) shall only be performed by an S200 General Electrical Contractor or S201 Residential Electrical Contractor. This classification is not required to install stand alone solar systems that do not tie into premises wiring or into the electrical utility, such as signage or street or parking lighting.

Except that as provided in 58-55-305(1)(o), a contractor issued this classification of licensure between January 1, 2009, and April 25, 2011, and for which the license is still active, may in addition to the above perform the following activities as part of their scope of practice under this subsection: fabrication, construction, installation, and repair of photovoltaic cell panels and related components including battery storage systems, distribution panels, switch gear, electrical wires, inverters, and other electrical apparatus for solar photovoltaic systems. Work excluded from this classification includes work on any alternating current system or system component.

...
S211 - Boiler Installation Contractor. Fabrication and/or installation of fire-tube and water-tube power boilers and hot water heating boilers, including all fittings and piping, valves, gauges, pumps, radiators, converters, fuel oil tanks, fuel lines, chimney flues, heat insulation and all other devices, apparatus, and equipment related thereto in a closed system which is not connected to the culinary water system. Notwithstanding the foregoing, where water delivery for the closed system is connected to the culinary water system and separated from the culinary water system by a backflow prevention device, a contractor licensed under this subsection may connect the closed system to the backflow prevention device, which must be installed by a lawfully working licensed plumber.

...
R156-55a-302a. Qualifications for Licensure - Examinations.

- ...
(2) An approved trade classification specific examination is required for the following contractor license classifications:

...
S211 - Boiler Installation Contractor
...

R156-55a-302b. Qualifications for Licensure - Experience Requirements.

In accordance with Subsection 58-55-302(1)(e)(ii), the minimum experience requirements are established as follows:

- ...
- (3) Requirements for S211 Boiler Installation, S220 Carpentry, S280 General Roofing, S290 General Masonry, S320 Steel Erection, S350 Heating Ventilating and Air Conditioning, S360 Refrigeration and S370 Fire Suppression Systems license classifications:

In addition to the requirements of paragraph (1), the qualifier for an applicant for an S220, S280, S290, S320, S350, S360 and S370 license shall demonstrate the following experience:

- (a) a minimum of four years experience within the past 10 years; or
- (b) if the applicant's qualifier has previously been approved as a qualifier in the state of Utah, a passing score on the trade examination and the laws and rules examination taken within one year of the date of application to requalify the qualifier's experience.

- ...
- (5) Requirements for other license classifications:

~~Except as set forth in Subsections (6) and (7), in~~ In addition to the requirements of paragraph (1), an applicant for contractor license classification not listed above shall demonstrate the following experience:

- (a) a minimum of two years experience within the past 10 years; or
- (b) if the applicant's qualifier has previously been approved as a qualifier in the state of Utah, a passing score on the trade examination and the laws and rules examination taken within one year of the date of application to requalify the qualifier's experience.

...

R156-55a-303b. Continuing Education - Standards.

- (1) Required Hours. Pursuant to Subsection 58-55-302.5, each licensee shall complete a total of six hours of continuing education during each two year license term ~~except that for the renewal term ending November 30, 2009, the continuing education must be completed between July 1, 2007 and November 30, 2009.~~ A minimum of three hours shall be core education. The remaining three hours are to be professional education. Additional core education hours beyond the required amount may be substituted for professional education hours.

- (2) A continuing education course shall meet the following standards:

- ...
- (g) Distance learning. A course that is provided through Internet or home study may be recognized for continuing education if the course verifies registration and participation in the course by means of a test demonstrating that the participant has learned the material presented. Test questions shall be randomized for each participant. A home study course must also include no less than five tests which shall be mailed randomly to participants. Home study courses, including the five tests, must be submitted to DOPL in their entirety for review.
- ...

(9) As provided in 58-1-401, the Division may refuse to renew or may revoke, suspend, restrict, place on probation, issue a public reprimand to, or otherwise act upon the approval of any course or provider, if the course or provider fails to meet any of the requirements of this section or the provider has engaged in unlawful or unprofessional conduct.

~~(9)~~(10) Continuing Education Registry.

R156-55a-602. Contractor License Bonds.

~~(1)~~

~~Pursuant to the provisions of Subsections 58-55-306(1)(b) and 58-55-306(4)(c) and 58-55-306(5)(b)(iii) and except as provided in Subsection R156-55a-602(4), a contractor shall provide a license bond issued by a surety acceptable to the Division in the amount, form and coverage as follows: of \$50,000 for the E100 or B100 classification of licensure, \$25,000 for the R100 classification of licensure, or \$15,000 for other classifications or such higher amount as may be determined by the Division and the Commission as provided for in Subsection R156-55a-602(3).~~

- ~~(1)~~ An acceptable surety is one that is listed in the Department of Treasury, Fiscal Service, Circular 570, entitled "Companies Holding Certificates of Authority as Acceptable Sureties on Federal Bonds and as Acceptable Reinsuring Companies" at the date of the bond.
- ~~(2)~~ The coverage of the license bond shall include losses that may occur as the result of the contractor's violation of the unprofessional or unlawful provisions contained in Title 58, Chapters 1 and 55 and rules R156-1 and R156-55a including the failure to maintain financial responsibility, and the failure of the owners of an unincorporated entity to pay income taxes and self employment taxes on the gross distributions from the unincorporated entity to its owners.
- ~~(3)~~ The financial history of the applicant, licensee or any owner, as outlined in Section R156-55a-306 may be reviewed in determining the bond amount required under this section.
- ~~(4)~~ If the licensee is submitting a bond under 58-55-306(5)(b)(iii)(b), the amount of the bond shall be 20% of the annual gross distributions from the unincorporated entity to its owners and includes coverage for unpaid obligations incurred by the licensee contractor. As provided in 58-55-302(10)(c) the Division, in determining if financial responsibility has been demonstrated, may consider the total number of owners including new owners added as reported under the provisions of 58-55-302(10)(a)(1) in setting the amount of the bond required under this subsection.
- ~~(5)~~ If the licensee is submitting a bond under any subsection other than 58-55-306(5)(b)(iii)(b), the amount of the bond shall be \$50,000 for the E100 or B100 classification of licensure, \$25,000 for the R100 classification of licensure, or \$15,000 for other classifications or such higher amount as may be determined by the Division and the Commission as provided for in Subsection R156-55a-602(5).
- ~~(3)~~(6) The amount of the bond specified under Subsection ~~R156-55a-602(1)~~ R156-55a-602(4) may be increased by an amount determined by the Commission and Division when the financial history of the applicant, licensee or any owner indicates the bond amount specified in R156-55a-602(1) is insufficient to

reasonably cover risks to the public health, safety and welfare. The financial history of the applicant, licensee or any owner, as outlined in Section R156-55a-306 may be reviewed in determining the bond amount required.

(4)(7) A contractor may provide a license bond issued by a surety acceptable to the Division in an amount less than the bond amount specified in ~~R156-55a-602(1)~~ R156-55a-602(4) if:

- (a) the contractor demonstrates by clear and convincing evidence that:
 - (i) the financial history of the applicant, licensee or any owner indicates the bond amount specified in R156-55a-602(1) is in excess of what is reasonably necessary to cover risks to the public health, safety and welfare;
 - (ii) the contractor's lack of financial responsibility is due to extraordinary circumstances that the contractor could not control as opposed to general financial challenges that all contractors experience; and
 - (iii) the contractor's scope of practice will be restricted commensurate with the degree of risk the contract presents to the public health, safety, and welfare; and
- (b) the Commission and Division approve the amount.

CONTRACTOR TRADE CLASSIFICATION

PRIMARY	SUB	EXPER	TITLE
*E100		4 yrs	General Engineering Contractor
B100		4 yrs	General Building Contractor
B200		2 yrs	Modular Unit Installation Contractor (Set up Modular housing)
R100		4 yrs	Residential/Small Commercial Contractor (20K sq ft/3 stories)
	R101	2 yrs	Residential/Small Commercial Non-Structural Remodel/Repair (50K/ existing structure)
R200		2 yrs	Factory Built Housing Contractor (Manufactured housing)
S200			General Electrical Contractor (Must be Master Electrician)
	S201		Residential Electrical Contractor(Must be Residential Master Electrician)
	S202*		Solar Photovoltaic Contractor (Requires NABCEP Certificate)
S210			General Plumbing Contractor (Must be Master Plumber)
	S211	2 yrs	Boiler Installation Contractor
	S212	2 yrs	Irrigation Sprinkler Contractor
	*S213	2 yrs	Industrial Piping Contractor
	S214*	2 yrs	Water Conditioning Equipment Contractor
	S215	2 yrs	Solar Thermal Systems Contractor
	S216	2 yrs	Residential Sewer Connection/Septic Tank Contractor
	S217		Residential Plumbing Contractor (Must be a Master Plumber)
S220		4 yrs	Carpentry Contractor
	S221*	2 yrs	Cabinet, Millwork & Countertop Installation Contractor
	S222	2 yrs	Overhead and Garage Door Contractor
S230		2 yrs	Siding Contractor
	S231*	2 yrs	Raingutter Installation Contractor
S240		2 yrs	Glass and Glazing Contractor
S250		2 yrs	Insulation Contractor
S260		2 yrs	General Concrete Contractor
	S261*	2 yrs	Concrete Form Setting and Shoring Contractor
	S262	2 yrs	Gunnite and Pressure Grouting Contractor
	S263*	2 yrs	Cementitious Coating Systems Resurfacing and Sealing Contractor
S270		2 yrs	General Drywall and Plastering Contractor
	S272*	2 yrs	Ceiling Grid Systems, Ceiling Tile and Panel Systems Contractor
	S273*	2 yrs	Light-weight Metal and Non-bearing Wall Partitions Contractor
S280		4 yrs	General Roofing Contractor
S290		4 yrs	General Masonry Contractor
	S291*	2 yrs	Stone Masonry Contractor
	S292*	2 yrs	Terrazzo Contractor
	S293	2 yrs	Marble, Tile and Ceramic Contractor
	S294*	2 yrs	Cultured Marble Contractor
S300		2 yrs	General Painting Contractor
S310		2 yrs	Excavation and Grading Contractor
*S320		4 yrs	Steel Erection Contractor
	*S321	2 yrs	Steel Reinforcing Contractor
	S322	2 yrs	Metal Building Erection Contractor
	S323	2 yrs	Structural Stud Erection Contractor
S330		2 yrs	Landscaping Contractor
*S340		2 yrs	Sheet Metal Contractor
S350		4 yrs	HVAC Contractor
	S351	2 yrs	Refrigerated Air Conditioning Contractor
	S352*	2 yrs	Evaporative Cooling Contractor
	S353	2 yrs	Warm Air Heating Contractor
	S354*	2 yrs	Radon Mitigation (Must have NEHA Certification)
*S360		4 yrs	Refrigeration Contractor
S370		4 yrs	Fire Suppression Systems Contractor
S380		2 yrs	Swimming Pool and Spa Contractor
S390		2 yrs	Sewer and Waste Water Pipeline Contractor
S400*		2 yrs	Asphalt Paving Contractor
S410		2 yrs	Pipeline and Conduit Contractor
S420*		2 yrs	General Fencing Contractor
	S421*	2 yrs	Residential Fencing Contractor
S430*		2 yrs	Metal Firebox and Fuel Burning Stove Installer
*S440		2 yrs	Sign Installation Contractor
	S441	2 yrs	Non-Electrical Outdoor Advertising Sign Contractor
*S450		2 yrs	Mechanical Insulation Contractor
S460*		2 yrs	Wrecking and Demolition Contractor
S470		2 yrs	Petroleum Systems Contractor
S480		2 yrs	Piers and Foundations Contractor
S490		2 yrs	Wood Flooring Contractor
	S491*	2 yrs	Laminate Floor Installation Contractor
S500*		2 yrs	Sports and Athletic Courts, Running Tracks, and Playground Installation Contractor
S510*			Elevator Contractor (Must be a licensed elevator mechanic)
S600		2 yrs	General Stucco Contractor
S700			Specialty License Contractor

*S### - Exempt from LRF S### - No trade exam required Green - 4 years experience required

**UTAH CONSTRUCTION TRADES
LICENSING ACT RULE**

**R156-55a
Utah Administrative Code
Proposed June 21, 2013**

R156-55a-302b(8) change experience requirements for step up or adding classifications of licensure

R156-55a-302b. Qualifications for Licensure - Experience Requirements.

In accordance with Subsection 58-55-302(1)(e)(ii), the minimum experience requirements are established as follows:

- (8) Adding classifications to a license. A qualifier who has lawfully and successfully performed the duties of qualifier for a company in the classifications shown in the adding classifications chart below, which company has lawfully and successfully performed the duties of a contactor in the classification shown for the number of years specified in the chart below is deemed to have met the experience requirement for the classification shown. The applicant for the additional classification is still required to pass all examinations for the classification applied for.

Adding classifications Chart

<u>Existing classification(s)</u>	<u>Years with existing classification(s)</u>	<u>Classifications that qualify for waiver of experience</u>
R100	5	B100
Three or more of the following classifications S260 S310 S330 S390 S400 S410 S460 S470 * must be one of the three	5	E100
Three or more of the following classification S220 S260 S270 S280 S290 S310 S350 * must be one of the three	5	R100
R101	????	????
S220	5	S260 S270 S280 S290 S310 S350
S221	?????	S220

S222	????	S220
S230		
S231	????	S230
S240		
S250		
S260	5	S220 S270 S280 S290 S310 S350
S261	????	S260
S262	????	S262
S263	????	S260
S270	5	S220 S260 S280 S290 S310 S350
S290	5	S220 S260 S270 S280 S310 S350
S291	????	S290
S292	????	S290
S293	????	S290
S300		
S310	5	S220 S260 S270 S280 S290 S330 S350 S390 S400 S410 S460 S470
S320		????
S321	????	S320
S322	????	S320
S323	????	S320

S330	????	S260 S310 S330 S400 S410 S460 S470
S340		????
S350	????	S220 S260 S270 S280 S290 S310
S351	????	S350
S352	????	S350
S353	????	S353
S354	????	S350
S360		????
S370		????
S380		????
S390	????	S260 S310 S330 S400 S410 S460 S470
S400	????	S260 S310 S330 S390 S410 S460 S470
S410	????	S260 S310 S330 S390 S400 S460 S470
S420		????
S421	????	S420 or eliminate classification
S430		????
S440		????

S441		S440
S450		???
S460		S260 S310 S330 S390 S400 S410 S470
S470		S260 S310 S330 S390 S400 S410 S460
S480		???
S490		???
S491		S490
S500		???
S600		???

Construction Commission Report
May 2013

6/21/2013

	2008	2009	2010	2011	2012	2013	May-13
Criminal-Misdemeanor Filings	24	8	10	14	8	9	2
Criminal-Felony Filings	34	28	19	17	2	1	0
Administrative Filings	15	73	96	135	20	14	4
Letter of Concern	142	161	55	68	93	68	21
Cases Received	1181	1726	1330	1451	1532	422	165
Case Assigned	1053	1650	1294	1256	1434	415	160
Closed Cases	1206	1740	1517	1479	1573	419	128
Citations Issued	576	543	558	537	772	167	29
Site Surveys	6544	7293	7480	6807	6621	1954	476
Building Inspectors	1740	1869	1375	1707	1555	409	79
MHRV Inspections	72	49	34	33	38	4	0
	2008	2009	2010	2011	2012	2013	May-13
Owner/Builder Permits Received	523	424	309	173	119	40	18
Owner/Builder Investigations	9	9	7	11	3	0	0