

815 KAR 2:040. Fees and refunds.

RELATES TO: KRS 198B.4037, 198B.615, 198B.676, 318.050, 318.054, 318.134

STATUTORY AUTHORITY: KRS 198B.4009(3), 198B.490(1), 198B.555(2)(b), 198B.654(1), 198B.6673, 227A.050, 236.030, 236.130, 318.130

NECESSITY, FUNCTION, AND CONFORMITY: KRS 198B.4009(3) authorizes the department to promulgate administrative regulations necessary to implement KRS 198B.400 through 198B.540, the Kentucky Elevator Safety Act. KRS 198B.490(1) requires that all fees paid to the department are made payable to the Kentucky State Treasurer. KRS 198B.654(1) requires the department to promulgate administrative regulations necessary to enforce the provisions of KRS 198B.650 through 198B.689. KRS 198B.656, 198B.660, 198B.662, 198B.664, 198B.6671, 198B.6673, and 198B.676 authorize the department to establish license and permit fees. KRS 236.030 and 236.130 authorize the commissioner to promulgate administrative regulations that establish reasonable fees for boilers, pressure vessels, and pressure piping. KRS 318.130 requires the department to establish a State Plumbing Code and authorizes the department to promulgate reasonable rules or administrative regulations to administer KRS Chapter 318. KRS 318.050, 318.054, and 318.134 authorize the department to establish license and permit fees. This administrative regulation establishes procedures pertaining to fee payments and refunds for elevators, HVAC, and plumbing.

Section 1. Payments. All payments submitted to the department shall be made payable to the Kentucky State Treasurer.

Section 2. Insufficient Funds. (1) If a submitted payment is returned to the department for insufficient funds, the payor shall pay an insufficient funds fee of thirty-five (35) dollars, unless proof of financial institution error is provided.

(2) If a payor submits a payment that is returned to the department for insufficient funds, the department shall not accept a personal check from the payor for at least six (6) months.

Section 3. Refunds. A refund for an installation permit shall be given if:

(1) The refund request is received by the department within six (6) months of the date of issuance of the permit; and

(2) Work has not begun on the project for which the permit was issued. (45 Ky.R. 881; eff. 1-4-2019.)