

CHAPTER 93

(HB 337)

AN ACT relating to the application of military service and other experience toward the licensing of heating, ventilation, and air conditioning professionals.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔SECTION 1. A NEW SECTION OF KRS 198B.650 TO 198B.689 IS CREATED TO READ AS FOLLOWS:

If an applicant for a master heating, ventilation, and air conditioning contractor's license or journeyman heating, ventilation, and air conditioning mechanic's license presents the board with proof of training and experience equivalent to the training and experience requirements of subsection (1) or (2) of Section 3 of this Act, whichever is applicable, acquired while serving as a member of the United States Armed Forces, Reserves, or National Guard, and actively engaged in that occupation as part of his or her military duties for not less than two (2) years as annotated on the Department of Defense Form DD 214, the board shall accept that training and experience. The applicant shall meet the remaining applicable qualification requirements set forth in subsection (1) or (2) of Section 3 of this Act.

➔Section 2. KRS 198B.664 is amended to read as follows:

- (1) Every ~~master heating, ventilation, and air conditioning contractor's license and journeyman heating, ventilation, and air conditioning mechanic's~~ license issued by the board may be renewed annually, *on or before the last day of the licensee's birth month*, upon payment of a renewal fee *as established in administrative regulations promulgated by the board*. Failure to renew shall cause the license to expire.
- (2) *A sixty (60) day grace period shall be allowed after the expiration of the license during which time the licensee may continue to practice and may apply to restore his or her license upon payment of the renewal fee plus a restoration fee as established in administrative regulations promulgated by the board, and upon the provision of* Applications for restoration may be made within ninety (90) days of expiration of a license upon payment of the renewal fee, payment of a restoration fee, and if applicable proof of insurance as required by KRS 198B.668.
- (3) *A license that is not restored before the end of the sixty (60) day grace period shall immediately terminate. Upon termination of the license, the former licensee shall be ineligible to practice in the Commonwealth until he or she thereafter satisfies all applicable licensing requirements in accordance with this chapter.*
- (4) *After the sixty (60) day grace period, a former licensee with a terminated license may apply to have the license reinstated upon payment of the renewal fee plus a reinstatement fee as established in administrative regulations promulgated by the board. An applicant for reinstatement shall not be required to submit to any examination as a condition of reinstatement if the reinstatement application is made within three (3) years from the date of termination.*
- (5) *Notwithstanding the requirements of this section, an applicant for renewal, restoration, or reinstatement shall satisfy all other applicable qualifications for licensure as required by this chapter and the administrative regulations promulgated hereunder.*
- (6) Those persons ~~previously~~ licensed by the board ~~as a master heating, ventilation, and air conditioning contractor~~ and not engaged in the practice of heating, ventilating, and air conditioning ~~contracting~~ in the Commonwealth may apply *for* and be granted inactive status by the board in accordance with administrative regulations promulgated by the board. *A licensee*~~Licenses~~ granted inactive status shall not retain the right to statewide practice of heating, ventilation, and air conditioning~~contracting~~. An inactive license shall not be a valid license. A licensee on inactive status may petition the board for restoration of a license to practice actively. The petitioner shall pay a reactivation fee, *satisfy*~~provide proof of the satisfaction of~~ all other requirements as *established in administrative regulations promulgated*~~determined~~ by the board, and, *if applicable*, obtain the insurance as required by KRS 198B.668.

➔Section 3. KRS 198B.658 is amended to read as follows:

- (1) *An applicant for a master heating, ventilation, and air conditioning contractor's license shall:*
 - (a) *Be at least eighteen (18) years of age;*

- (b) *Be a citizen of the United States or be a resident alien who is authorized to do work in the United States;*
- (c) *1. Have been regularly and principally employed or engaged in heating, ventilation, and air conditioning trades as a journeyman heating, ventilation, and air conditioning mechanic for not less than two (2) years under the direction and supervision of a master heating, ventilation, and air conditioning contractor; or*
 - 2. Have been regularly and principally employed or engaged in the practice of heating, ventilation, and air conditioning contracting as a master heating, ventilation, and air conditioning contractor, or equivalent thereof, for not less than five (5) years in a jurisdiction other than Kentucky, as demonstrated by verifiable documentation;*
- (d) *Have passed an examination prescribed by the board to determine the applicant's competency to practice heating, ventilation, and air conditioning contracting; and*
- (e) *Have paid a fee as established in administrative regulations promulgated by the board.*

~~[The board shall issue a master heating, ventilation, and air conditioning contractor's license to any person who:~~

- ~~(a) Is at least eighteen (18) years of age;~~
- ~~(b) Has been regularly and principally employed or engaged in the heating, ventilation, and air conditioning trades as a journeyman heating, ventilation, and air conditioning mechanic for not less than two (2) years, under the direction and supervision of a master heating, ventilation, and air conditioning contractor; and~~
- ~~(c) Has passed an examination prescribed by the board to determine competency to practice heating, ventilation, and air conditioning contracting.]~~

(2) *An applicant for a journeyman heating, ventilation, and air conditioning mechanic's license shall:*

- (a) *Be at least eighteen (18) years of age;*
- (b) *Be a citizen of the United States or be a resident alien who is authorized to do work in the United States;*
- (c) *1. Have been regularly and principally employed or engaged in heating, ventilation, and air conditioning trades for not less than two (2) years under the direction and supervision of a master heating, ventilation, and air conditioning contractor; or*
 - 2. Have been regularly and principally employed or engaged in the performance of heating, ventilation, and air conditioning work for not less than four (4) years in a jurisdiction other than Kentucky, as demonstrated by verifiable documentation;*
- (d) *Have passed an examination prescribed by the board to determine the applicant's competency to install, maintain, and repair heating and cooling systems, heating and cooling service, burner service, and hydronic systems; and*
- (e) *Have paid a fee as established in administrative regulations promulgated by the board.*

~~[The board shall issue a journeyman heating, ventilation, and air conditioning mechanic's license to any person who:~~

- ~~(a) Is at least eighteen (18) years of age;~~
- ~~(b) Has been regularly and principally employed or engaged in the heating, ventilation, and air conditioning trades for not less than two (2) years, under the direction and supervision of a master heating, ventilation, and air conditioning contractor, or who prior to July 1, 1995, under the direction and supervision of a person who qualifies under KRS 198B.662; and~~
- ~~(c) Has passed an examination prescribed by the board to determine competency to install, maintain, and repair heating and cooling systems, heating and cooling service, burner service, and hydronic systems.]~~

(3) *If an applicant has obtained, while exempt from licensure under 198B.674(2), (7), (8), (10), (13), or (14), work experience that the board determines to be equivalent to the requirements of subsection (1)(c) or (2)(c) of this section, such experience may be considered as equivalent to one (1) year of employment toward the*

licensure requirements for a master heating, ventilation, and air conditioning contractor or journeyman heating, ventilation, and air conditioning mechanic, as applicable, not to exceed one (1) year.

- (4) The board shall issue an apprentice heating, ventilation, and air conditioning mechanic's certificate to any person who is registered with the board.
- (a) The board shall establish by administrative regulation the minimum number of hours of experience required by apprentices and shall maintain an apprentice register to credit an apprentice for hours worked under the supervision of a master heating, ventilation, and air conditioning contractor and journeyman heating, ventilation, and air conditioning mechanic. Experience gained under the supervision of a Kentucky licensed master heating, ventilation, and air conditioning contractor while registered as an apprentice with the Kentucky Labor Cabinet, Department of Workplace Standards, in cooperation with the United States Department of Labor, Bureau of Apprenticeship and Training shall be accepted toward the two (2) year experience requirement for a journeyman heating, ventilation, and air conditioning mechanic license.
- (b) The apprentice register shall include the name, address, Social Security number, employer, and dates of employment of the apprentice.
- (c) The apprentice shall notify the board in writing of any change in address or employer.
- (d) Apprentices and pre-apprentices shall not be required to pay fees for a certificate of registration or a registration renewal fee.
- ~~(5)(4)~~ The satisfactory completion of one (1) academic year of a board-approved curriculum or one (1) year of professional training in heating, ventilation, and air conditioning work may be considered as equivalent to one (1) year of employment ***toward the licensure requirements for a journeyman heating, ventilation, and air conditioning mechanic***~~required by subsection (2)(b) of this section~~, not to exceed one (1) year.
- ~~(6)(5)~~ The satisfactory completion of one (1) academic year of teaching experience in a board-approved or state-approved technical education program in heating, ventilation, and air conditioning shall be considered as equivalent to one (1) year of employment, as required by subsection ***(1)(c) or (2)(c)***~~(1)(b) or (2)(b)~~ of this section. No more than one (1) year of approved teaching experience may be used in meeting the requirements of subsection ***(1)(c) or (2)(c)***~~(1)(b) or (2)(b)~~ of this section.

➔Section 4. The following KRS section is repealed:

198B.662 Qualifications for journeyman heating, ventilation, and air conditioning mechanic's license.

Signed by Governor April 10, 2014.