

198B.674 Exemptions.

KRS 198B.650 to 198B.689 shall not apply to:

- (1) Employees of any master heating, ventilation, and air conditioning contractor who are subordinates of the licensee, if those employees are not journeyman heating, ventilation, and air conditioning mechanics or apprentice heating, ventilation, and air conditioning mechanics and do not engage in heating, ventilation, and air conditioning contracting, except as an employee;
- (2) An employee of the United States government while practicing heating, ventilation, and air conditioning contracting on or within property owned by the United States government.
- (3) An individual owner of real property while practicing heating, ventilation, and air conditioning work on or within property owned and occupied by the individual;
- (4) A person employed in the installation, maintenance, repair, or replacement of residential window air conditioning units;
- (5) A person licensed under KRS Chapter 236, if he is installing, servicing, repairing, or replacing boiler devices;
- (6) A person licensed under KRS Chapter 322, if he is preparing plans or conducting construction inspections;
- (7) A full-time maintenance person or maintenance engineer performing routine maintenance of heating, ventilation, or air conditioning in connection with his employment;
- (8) Contractors or employees while installing or maintaining heating, cooling, air conditioning, ventilation, or burner services on any property or site owned or operated by any entity:
 - (a) Subject to the jurisdiction of KRS Chapter 278; or
 - (b) Of any municipal electric, water, gas, or sewer utility operating pursuant to any of the provisions of KRS Chapter 96;
- (9) The adjustment of an air flow device performed by any entity specified in subsection (8) of this section, if the adjustment is performed in conjunction with the installation, replacement, or repair of a gas distribution line;
- (10) A person licensed or certified pursuant to KRS 227.570, or the administrative regulations promulgated thereunder, upon initial installation of air conditioning units incorporated with the original sale of a manufactured housing unit;
- (11) A general retailer whose primary business is not the practice of heating, ventilation, and air conditioning contracting, if that general retailer uses only licensed subcontractors that comply with the provisions of KRS 198B.650 to 198B.689. The provisions of this subsection shall not exclude or limit the liability of the general retailer, or exempt the general retailer from the insurance requirements as established in KRS 198B.668, if the general retailer is engaging in the practice of heating, ventilation, and air conditioning contracting;
- (12) The installation, service, repair, or replacement of electrical units on any heating, ventilation, or air conditioning system;
- (13) An employee or agent of the Commonwealth of Kentucky while practicing heating and ventilation contracting in connection with weatherization assistance for low income persons pursuant to 903 KAR 6:020;

- (14) A person conducting routine maintenance of heating, ventilation, or air conditioning as a volunteer for any church or religious organization, provided he receives no compensation for the services rendered;
- (15) The installation, service, repair, or replacement of liquefied petroleum gas units on any heating, ventilation, or air conditioning system by an employee of any person licensed under the provisions of KRS 234.120(1)(a); or
- (16) A person cleaning duct work not engaged in installation or repair of the heating, ventilation, or air conditioning system unless, in cleaning the duct work it was necessary to cut an access point or hole, in which case the repair of the access point or hole shall be included in the cleaning service and the duct work shall be restored to its original integrity before concluding the cleaning service. A person who cuts, repairs, or restores duct work related to a duct cleaning service shall be a contractor that is licensed and insured in the state of Kentucky.

Effective: April 8, 2022

History: Amended 2022 Ky. Acts ch. 108, sec. 2, effective April 8, 2022. -- Amended 1996 Ky. Acts ch. 79, sec. 1, effective July 15, 1996. -- Created 1994 Ky. Acts ch. 59, sec. 13, effective July 15, 1994.