

1 AN ACT relating to mechanical systems.

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

3 ➔Section 1. KRS 198B.660 is amended to read as follows:

4 (1) ~~[(a) Applications for examination shall be in writing and shall contain all~~
5 ~~information required by the department. Applications shall be filed not less~~
6 ~~than forty five (45) days prior to the examination date.~~

7 ~~(b) Not less than ten (10) days prior to an examination date, the department shall~~
8 ~~send written notice of the date, hour, and place of the examination to each~~
9 ~~applicant for licensure or certification.~~

10 ~~(c)]~~Each application for licensure or certification shall be accompanied by a
11 nonrefundable application fee.

12 (2) Examinations shall be given at least two (2) times during each calendar year at
13 those times and places within the Commonwealth prescribed by the department. An
14 applicant shall not take an examination until the examination fee is paid.

15 (3) Notice of passing or failing an examination shall be provided to each applicant as
16 soon as practicable.

17 ➔Section 2. KRS 198B.6673 is amended to read as follows:

18 (1) The department shall promulgate administrative regulations to establish a
19 reasonable schedule of fees to implement the program. The fees shall not exceed the
20 actual costs for the administration of the program. The department shall also
21 establish heating, ventilation, and air conditioning inspection protocols that ensure
22 timely inspections and minimal interruption to the construction process.

23 (2) The department, upon the request of any individual local governing entity or
24 combination of entities with existing heating, ventilation, and air conditioning
25 permitting and inspection programs as of January 1, 2007, shall authorize them to
26 administer, carry out, and enforce the administrative regulations of the department
27 relating to heating, ventilation, and air conditioning installations, issue permits, and

1 make inspections within their respective boundaries, or perform any portion of these
2 functions. Nothing in KRS 198B.6671 to 198B.6678 shall prohibit these entities
3 from continuing to include major repairs or substantial alterations to a heating,
4 ventilation, or air conditioning system within their permitting and inspection
5 program in the absence of a state requirement, if major repairs or substantial
6 alterations were included in the entities' inspection program prior to January 1,
7 2007. The department may authorize any other individual local government entities
8 or combination of entities to administer, carry out, and enforce the administrative
9 regulations of the department relating to heating, ventilation, and air conditioning
10 installations, issue permits, and make inspections within their respective
11 boundaries, or perform any portion of those functions. When authorization is
12 granted, the department shall enter into contractual arrangements with the local
13 governing entities, which shall remain in effect as long as the local entity continues
14 to operate its program pursuant to guidelines adopted by the department. A heating,
15 ventilation, and air conditioning permit issued by an authorized local governing
16 entity shall be considered a permit issued by the department, and all fees collected
17 by the authorized local government related to the same shall be retained by that
18 local government.

19 (3) Any local governing entity enforcing the permitting and inspection requirements of
20 KRS 198B.650 to 198B.689 pursuant to subsection (2) of this section may appoint
21 and fix the compensation of the local governing entity's heating, ventilation, and air
22 conditioning inspectors. No person shall perform the duties of a heating, ventilation,
23 and air conditioning inspector unless he or she has at least six (6) years' experience
24 as a licensed heating, ventilation, and air conditioning journeyman mechanic or a
25 licensed master heating, ventilation, and air conditioning contractor, unless he or
26 she is a certified building inspector who has successfully passed the examinations
27 relating to heating, ventilation, and air conditioning systems. At the time of

1 employment, the heating, ventilation, and air conditioning inspector shall be
2 licensed or certified in accordance with KRS 198B.650 to 198B.689, or become
3 certified within twelve (12) months of employment.

4 (4) No local governing entity shall impose any other additional heating, ventilation, and
5 air conditioning inspection or permit requirements, or establish any local inspection
6 or permitting program, unless those provisions were in place before January 1,
7 2007.

8 ➔Section 3. KRS 198B.6678 is amended to read as follows:

9 (1) The department shall appoint and assign heating, ventilation, and air conditioning
10 inspectors to each county subject to the provisions of KRS 198B.650 to 198B.689
11 and in numbers sufficient to implement the provisions of KRS 198B.650 to
12 198B.689.

13 (2) No person shall be appointed as a heating, ventilation, and air conditioning
14 inspector unless he or she has at least six (6) years' experience as a licensed heating
15 ventilation, and air conditioning journeyman mechanic or a licensed master heating,
16 ventilation, and air conditioning contractor, unless he or she is a certified building
17 inspector who has successfully passed the examinations relating to heating,
18 ventilation, and air conditioning systems. At the time of his or her appointment, the
19 inspector shall be licensed or certified in accordance with the provisions of KRS
20 198B.650 to 198B.689, or become certified within twelve (12) months of
21 employment.