	CONSTRUCTION TRADES LICENSING AMENDMENTS
	2019 GENERAL SESSION
	STATE OF UTAH
LONG	TITLE
Genera	l Description:
1	This bill modifies the Utah Construction Trades Licensing Act.
Highlig	hted Provisions:
1	This bill:
	 defines terms;
	 creates new trade license classifications and requirements for:
	• an automatic fire sprinkler contractor;
	• a journeyman automatic fire sprinkler fitter; and
	• an automatic fire sprinkler apprentice;
	 creates an Automatic Fire Sprinkler Licensing Board; and
	 makes technical changes.
Money	Appropriated in this Bill:
	None
Other S	Special Clauses:
	None
Utah C	ode Sections Affected:
AMEN	DS:
	58-55-102, as last amended by Laws of Utah 2018, Chapter 281
	58-55-201, as last amended by Laws of Utah 2008, Chapter 215
	58-55-301, as last amended by Laws of Utah 2017, Chapter 411
	58-55-302, as last amended by Laws of Utah 2017, Chapter 411
	58-55-305, as last amended by Laws of Utah 2018, Chapter 318
Be it en	acted by the Legislature of the state of Utah:
	Section 1. Section 58-55-102 is amended to read:
	58-55-102. Definitions.
	In addition to the definitions in Section 58-1-102, as used in this chapter:

33	(1) (a) "Alarm business or company" means a person engaged in the sale, installation,
34	maintenance, alteration, repair, replacement, servicing, or monitoring of an alarm system,
35	except as provided in Subsection (1)(b).
36	(b) "Alarm business or company" does not include:
37	(i) a person engaged in the manufacture or sale of alarm systems unless:
38	(A) that person is also engaged in the installation, maintenance, alteration, repair,
39	replacement, servicing, or monitoring of alarm systems;
40	(B) the manufacture or sale occurs at a location other than a place of business
41	established by the person engaged in the manufacture or sale; or
42	(C) the manufacture or sale involves site visits at the place or intended place of
43	installation of an alarm system; or
44	(ii) an owner of an alarm system, or an employee of the owner of an alarm system who
45	is engaged in installation, maintenance, alteration, repair, replacement, servicing, or monitoring
46	of the alarm system owned by that owner.
47	(2) "Alarm company agent":
48	(a) except as provided in Subsection (2)(b), means any individual employed within this
49	state by an alarm business; and
50	(b) does not include an individual who:
51	(i) is not engaged in the sale, installation, maintenance, alteration, repair, replacement,
52	servicing, or monitoring of an alarm system; and
53	(ii) does not, during the normal course of the individual's employment with an alarm
54	business, use or have access to sensitive alarm system information.
55	(3) "Alarm system" means equipment and devices assembled for the purpose of:
56	(a) detecting and signaling unauthorized intrusion or entry into or onto certain
57	premises; or
58	(b) signaling a robbery or attempted robbery on protected premises.
59	(4) "Apprentice electrician" means a person licensed under this chapter as an
60	apprentice electrician who is learning the electrical trade under the immediate supervision of a
61	master electrician, residential master electrician, a journeyman electrician, or a residential
62	journeyman electrician.
63	(5) "Apprentice plumber" means a person licensed under this chapter as an apprentice

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64 plumber who is learning the plumbing trade under the immediate supervision of a master 65 plumber, residential master plumber, journeyman plumber, or a residential journeyman 66 plumber. 67 (6) "Approved continuing education" means instruction provided through courses 68 under a program established under Subsection 58-55-302.5(2). 69 (7) (a) "Approved prelicensure course provider" means a provider that is approved by 70 the commission with the concurrence of the director, and that meets the requirements established by rule by the commission with the concurrence of the director, to teach the 71 72 25-hour course described in Subsection 58-55-302(1)(e)(iii). 73 (b) "Approved prelicensure course provider" may only include a provider that, in 74 addition to any other locations, offers the 25-hour course described in Subsection 75 58-55-302(1)(e)(iii) at least six times each year in one or more counties other than Salt Lake 76 County, Utah County, Davis County, or Weber County. 77 (8) "Automatic fire sprinkler apprentice" means a person licensed under this chapter as an automatic sprinkler apprentice having the qualifications, training, experience, and 78 79 knowledge to install, maintain, and repair automatic fire sprinkler systems under the direct 80 supervision of an automatic fire sprinkler contractor. 81 (9) "Automatic fire sprinkler contractor" means a person licensed under this chapter as 82 an automatic fire sprinkler contractor having the qualifications, training, experience, and 83 knowledge to install, maintain, and repair automatic fire sprinkler systems and to supervise the 84 installation, maintenance, and repair of automatic fire sprinkler systems. 85 [(8)] (10) "Board" means the Electrician Licensing Board, Alarm System Security and Licensing Board, [or] Plumbers Licensing Board, or Automatic Fire Sprinkler Licensing Board 86 87 created in Section 58-55-201. 88 [(9)] (11) "Combustion system" means an assembly consisting of: 89 (a) piping and components with a means for conveying, either continuously or 90 intermittently, natural gas from the outlet of the natural gas provider's meter to the burner of the 91 appliance; 92 (b) the electric control and combustion air supply and venting systems, including air

- 93 ducts; and
- 94 (c) components intended to achieve control of quantity, flow, and pressure.
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95 [(10)] (12) "Commission" means the Construction Services Commission created under 96 Section 58-55-103. 97 [(11)] (13) "Construction trade" means any trade or occupation involving: 98 (a) (i) construction, alteration, remodeling, repairing, wrecking or demolition, addition 99 to, or improvement of any building, highway, road, railroad, dam, bridge, structure, excavation 100 or other project, development, or improvement to other than personal property; and 101 (ii) constructing, remodeling, or repairing a manufactured home or mobile home as 102 defined in Section 15A-1-302; or 103 (b) installation or repair of a residential or commercial natural gas appliance or 104 combustion system. 105 [(12)] (14) "Construction trades instructor" means a person licensed under this chapter 106 to teach one or more construction trades in both a classroom and project environment, where a 107 project is intended for sale to or use by the public and is completed under the direction of the 108 instructor, who has no economic interest in the project. 109 [(13)] (15) (a) "Contractor" means any person who for compensation other than wages 110 as an employee undertakes any work in the construction, plumbing, or electrical trade for 111 which licensure is required under this chapter and includes: 112 (i) a person who builds any structure on the person's own property for the purpose of 113 sale or who builds any structure intended for public use on the person's own property; 114 (ii) any person who represents that the person is a contractor, or will perform a service 115 described in this Subsection [(13)] (15), by advertising on a website or social media, or any 116 other means; 117 (iii) any person engaged as a maintenance person, other than an employee, who 118 regularly engages in activities set forth under the definition of "construction trade"; 119 (iv) any person engaged in, or offering to engage in, any construction trade for which 120 licensure is required under this chapter; or 121 (v) a construction manager, construction consultant, construction assistant, or any other 122 person who, for a fee: 123 (A) performs or offers to perform construction consulting; 124 (B) performs or offers to perform management of construction subcontractors; 125 (C) provides or offers to provide a list of subcontractors or suppliers; or

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126 (D) provides or offers to provide management or counseling services on a construction 127 project. 128 (b) "Contractor" does not include: 129 (i) an alarm company or alarm company agent; or 130 (ii) a material supplier who provides consulting to customers regarding the design and 131 installation of the material supplier's products. 132 [(14)] (16) (a) "Electrical trade" means the performance of any electrical work involved 133 in the installation, construction, alteration, change, repair, removal, or maintenance of facilities. 134 buildings, or appendages or appurtenances. 135 (b) "Electrical trade" does not include: (i) transporting or handling electrical materials; 136 (ii) preparing clearance for raceways for wiring; or 137 (iii) work commonly done by unskilled labor on any installations under the exclusive 138 139 control of electrical utilities. 140 (c) For purposes of Subsection [(14)] (16)(b): 141 (i) no more than one unlicensed person may be so employed unless more than five 142 licensed electricians are employed by the shop; and 143 (ii) a shop may not employ unlicensed persons in excess of the five-to-one ratio 144 permitted by this Subsection [(14)] (16)(c). 145 [(15)] (17) "Elevator" means the same as that term is defined in Section 34A-7-202, 146 except that for purposes of this chapter it does not mean a stair chair, a vertical platform lift, or 147 an incline platform lift. 148 [(16)] (18) "Elevator contractor" means a sole proprietor, firm, or corporation licensed 149 under this chapter that is engaged in the business of erecting, constructing, installing, altering, 150 servicing, repairing, or maintaining an elevator. 151 [(17)] (19) "Elevator mechanic" means an individual who is licensed under this chapter 152 as an elevator mechanic and who is engaged in erecting, constructing, installing, altering, 153 servicing, repairing, or maintaining an elevator under the immediate supervision of an elevator 154 contractor. [(18)] (20) "Employee" means an individual as defined by the division by rule giving 155 156 consideration to the definition adopted by the Internal Revenue Service and the Department of - 5 -

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157 Workforce Services.

158 [(19)] (21) "Engage in a construction trade" means to:

(a) engage in, represent oneself to be engaged in, or advertise oneself as being engagedin a construction trade; or

(b) use the name "contractor" or "builder" or in any other way lead a reasonable personto believe one is or will act as a contractor.

163 [(20)] (22) (a) "Financial responsibility" means a demonstration of a current and 164 expected future condition of financial solvency evidencing a reasonable expectation to the 165 division and the board that an applicant or licensee can successfully engage in business as a 166 contractor without jeopardy to the public health, safety, and welfare.

(b) Financial responsibility may be determined by an evaluation of the total history
concerning the licensee or applicant including past, present, and expected condition and record
of financial solvency and business conduct.

170 [(21)] (23) "Gas appliance" means any device that uses natural gas to produce light,
171 heat, power, steam, hot water, refrigeration, or air conditioning.

172 $\left[\frac{22}{22}\right]$ (24) (a) "General building contractor" means a person licensed under this 173 chapter as a general building contractor qualified by education, training, experience, and 174 knowledge to perform or superintend construction of structures for the support, shelter, and 175 enclosure of persons, animals, chattels, or movable property of any kind or any of the 176 components of that construction except plumbing, electrical work, mechanical work, work 177 related to the operating integrity of an elevator, and manufactured housing installation, for 178 which the general building contractor shall employ the services of a contractor licensed in the 179 particular specialty, except that a general building contractor engaged in the construction of 180 single-family and multifamily residences up to four units may perform the mechanical work 181 and hire a licensed plumber or electrician as an employee.

(b) The division may by rule exclude general building contractors from engaging in the
performance of other construction specialties in which there is represented a substantial risk to
the public health, safety, and welfare, and for which a license is required unless that general
building contractor holds a valid license in that specialty classification.

186 [(23)] (25) (a) "General electrical contractor" means a person licensed under this
 187 chapter as a general electrical contractor qualified by education, training, experience, and

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188 knowledge to perform the fabrication, construction, and installation of generators,

189 transformers, conduits, raceways, panels, switch gear, electrical wires, fixtures, appliances, or

apparatus that uses electrical energy.

(b) The scope of work of a general electrical contractor may be further defined by rules
made by the commission, with the concurrence of the director, in accordance with Title 63G,
Chapter 3, Utah Administrative Rulemaking Act.

[(24)] (26) (a) "General engineering contractor" means a person licensed under this
chapter as a general engineering contractor qualified by education, training, experience, and
knowledge to perform construction of fixed works in any of the following: irrigation, drainage,
water, power, water supply, flood control, inland waterways, harbors, railroads, highways,
tunnels, airports and runways, sewers and bridges, refineries, pipelines, chemical and industrial
plants requiring specialized engineering knowledge and skill, piers, and foundations, or any of
the components of those works.

(b) A general engineering contractor may not perform construction of structures built
 primarily for the support, shelter, and enclosure of persons, animals, and chattels.

203 $\left[\frac{25}{25}\right]$ (27) (a) "General plumbing contractor" means a person licensed under this 204 chapter as a general plumbing contractor qualified by education, training, experience, and 205 knowledge to perform the fabrication or installation of material and fixtures to create and 206 maintain sanitary conditions in a building by providing permanent means for a supply of safe 207 and pure water, a means for the timely and complete removal from the premises of all used or 208 contaminated water, fluid and semi-fluid organic wastes and other impurities incidental to life 209 and the occupation of such premises, and a safe and adequate supply of gases for lighting, 210 heating, and industrial purposes.

(b) The scope of work of a general plumbing contractor may be further defined by rules
made by the commission, with the concurrence of the director, in accordance with Title 63G,
Chapter 3, Utah Administrative Rulemaking Act.

214 [(26)] (28) "Immediate supervision" means reasonable direction, oversight, inspection,
215 and evaluation of the work of a person:

216 (a) as the division specifies in rule;

(b) by, as applicable, a qualified electrician or plumber;

(c) as part of a planned program of training; and

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(d) to ensure that the end result complies with applicable standards.

220 [(27)] (29) "Individual" means a natural person.

221 (30) "Journeyman automatic fire sprinkler fitter" means a person licensed under this

222 chapter as a journeyman automatic fire sprinkler fitter having the qualifications, training,

223 experience, and knowledge to install, maintain, and repair automatic fire sprinkler systems

224 <u>under the supervision of an automatic fire sprinkler contractor.</u>

[(28)] (31) "Journeyman electrician" means a person licensed under this chapter as a
 journeyman electrician having the qualifications, training, experience, and knowledge to wire,
 install, and repair electrical apparatus and equipment for light, heat, power, and other purposes.

[(29)] (32) "Journeyman plumber" means a person licensed under this chapter as a
journeyman plumber having the qualifications, training, experience, and technical knowledge
to engage in the plumbing trade.

[(30)] (33) "Master electrician" means a person licensed under this chapter as a master
electrician having the qualifications, training, experience, and knowledge to properly plan,
layout, and supervise the wiring, installation, and repair of electrical apparatus and equipment
for light, heat, power, and other purposes.

[(31)] (34) "Master plumber" means a person licensed under this chapter as a master
 plumber having the qualifications, training, experience, and knowledge to properly plan and
 layout projects and supervise persons in the plumbing trade.

[(32)] (35) "Person" means a natural person, sole proprietorship, joint venture,
 corporation, limited liability company, association, or organization of any type.

[(33)] (36) (a) "Plumbing trade" means the performance of any mechanical work pertaining to the installation, alteration, change, repair, removal, maintenance, or use in buildings, or within three feet beyond the outside walls of buildings, of pipes, fixtures, and fittings for the:

- (i) delivery of the water supply;
- 245 (ii) discharge of liquid and water carried waste;
- 246 (iii) building drainage system within the walls of the building; and

247 (iv) delivery of gases for lighting, heating, and industrial purposes.

248 (b) "Plumbing trade" includes work pertaining to the water supply, distribution pipes,

249 fixtures and fixture traps, soil, waste and vent pipes, the building drain and roof drains, and the

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safe and adequate supply of gases, together with their devices, appurtenances, and connectionswhere installed within the outside walls of the building.

[(34)] (37) (a) "Ratio of apprentices" means, for the purpose of determining compliance with the requirements for planned programs of training and electrician apprentice licensing applications, the shop ratio of apprentice electricians to journeyman or master electricians shall be one journeyman or master electrician to one apprentice on industrial and commercial work, and one journeyman or master electrician to three apprentices on residential work.

(b) On-the-job training shall be under circumstances in which the ratio of apprentices
to supervisors is in accordance with a ratio of one-to-one on nonresidential work and up to
three apprentices to one supervisor on residential projects.

261 [(35)] (38) "Residential and small commercial contractor" means a person licensed 262 under this chapter as a residential and small commercial contractor qualified by education, 263 training, experience, and knowledge to perform or superintend the construction of 264 single-family residences, multifamily residences up to four units, and commercial construction 265 of not more than three stories above ground and not more than 20,000 square feet, or any of the 266 components of that construction except plumbing, electrical work, mechanical work, and 267 manufactured housing installation, for which the residential and small commercial contractor 268 shall employ the services of a contractor licensed in the particular specialty, except that a 269 residential and small commercial contractor engaged in the construction of single-family and 270 multifamily residences up to four units may perform the mechanical work and hire a licensed 271 plumber or electrician as an employee.

[(36)] (39) "Residential building," as it relates to the license classification of residential
journeyman plumber and residential master plumber, means a single or multiple family
dwelling of up to four units.

[(37)] (40) (a) "Residential electrical contractor" means a person licensed under this
chapter as a residential electrical contractor qualified by education, training, experience, and
knowledge to perform the fabrication, construction, and installation of services, disconnecting
means, grounding devices, panels, conductors, load centers, lighting and plug circuits,
appliances, and fixtures in a residential unit.

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(b) The scope of work of a residential electrical contractor may be further defined by

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rules made by the commission, with the concurrence of the director, in accordance with Title
63G, Chapter 3, Utah Administrative Rulemaking Act.

[(38)] (41) "Residential journeyman electrician" means a person licensed under this chapter as a residential journeyman electrician having the qualifications, training, experience, and knowledge to wire, install, and repair electrical apparatus and equipment for light, heat, power, and other purposes on buildings using primarily nonmetallic sheath cable.

[(39)] (42) "Residential journeyman plumber" means a person licensed under this
chapter as a residential journeyman plumber having the qualifications, training, experience, and
knowledge to engage in the plumbing trade as limited to the plumbing of residential buildings.

[(40)] (43) "Residential master electrician" means a person licensed under this chapter
as a residential master electrician having the qualifications, training, experience, and
knowledge to properly plan, layout, and supervise the wiring, installation, and repair of
electrical apparatus and equipment for light, heat, power, and other purposes on residential
projects.

[(41)] (44) "Residential master plumber" means a person licensed under this chapter as a residential master plumber having the qualifications, training, experience, and knowledge to properly plan and layout projects and supervise persons in the plumbing trade as limited to the plumbing of residential buildings.

299 $\left[\frac{42}{2}\right]$ (45) (a) "Residential plumbing contractor" means a person licensed under this 300 chapter as a residential plumbing contractor qualified by education, training, experience, and 301 knowledge to perform the fabrication or installation of material and fixtures to create and 302 maintain sanitary conditions in residential buildings by providing permanent means for a 303 supply of safe and pure water, a means for the timely and complete removal from the premises 304 of all used or contaminated water, fluid and semi-fluid organic wastes and other impurities 305 incidental to life and the occupation of such premises, and a safe and adequate supply of gases 306 for lighting, heating, and industrial purposes.

307 (b) The scope of work of a residential plumbing contractor may be further defined by
308 rules made by the commission, with the concurrence of the director, in accordance with Title
309 63G, Chapter 3, Utah Administrative Rulemaking Act.

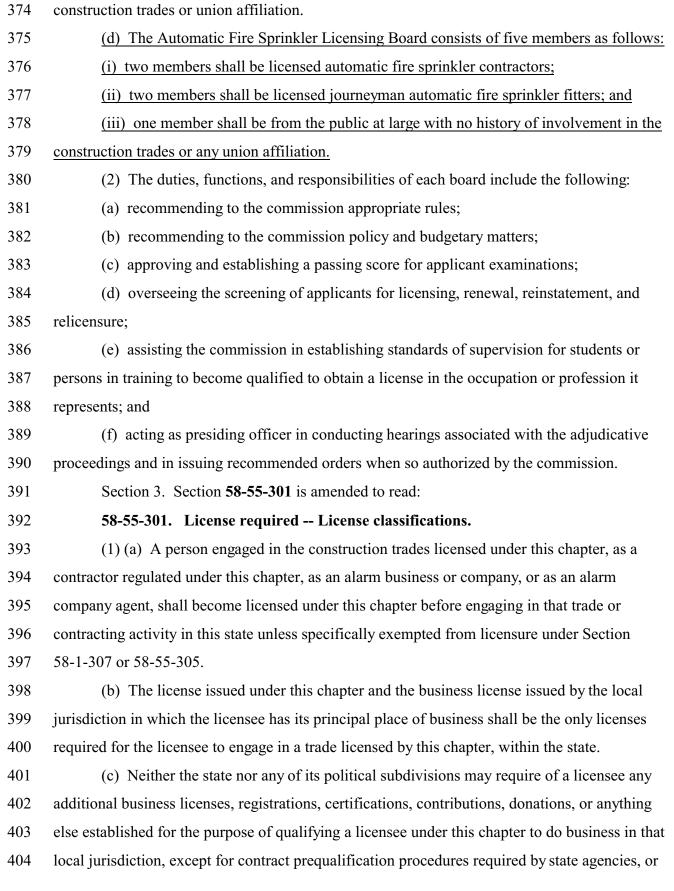
310 [(43)] (46) "Residential project," as it relates to an electrician or electrical contractor,
 311 means buildings primarily wired with nonmetallic sheathed cable, in accordance with standard

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312 rules and regulations governing this work, including the National Electrical Code, and in which 313 the voltage does not exceed 250 volts line to line and 125 volts to ground. 314 [(44)] (47) "Sensitive alarm system information" means: 315 (a) a pass code or other code used in the operation of an alarm system; 316 (b) information on the location of alarm system components at the premises of a 317 customer of the alarm business providing the alarm system; 318 (c) information that would allow the circumvention, bypass, deactivation, or other 319 compromise of an alarm system of a customer of the alarm business providing the alarm 320 system; and 321 (d) any other similar information that the division by rule determines to be information 322 that an individual employed by an alarm business should use or have access to only if the 323 individual is licensed as provided in this chapter. 324 $\left[\frac{45}{48}\right]$ (48) (a) "Specialty contractor" means a person licensed under this chapter under 325 a specialty contractor classification established by rule, who is qualified by education, training, experience, and knowledge to perform those construction trades and crafts requiring 326 327 specialized skill, the regulation of which are determined by the division to be in the best 328 interest of the public health, safety, and welfare. 329 (b) A specialty contractor may perform work in crafts or trades other than those in 330 which the specialty contractor is licensed if they are incidental to the performance of the 331 specialty contractor's licensed craft or trade. 332 [(46)] (49) "Unincorporated entity" means an entity that is not: 333 (a) an individual; 334 (b) a corporation; or 335 (c) publicly traded. 336 $\left[\frac{(47)}{(50)}\right]$ (50) "Unlawful conduct" means the same as that term is defined in Sections 58-1-501 and 58-55-501. 337 338 [(48)] (51) "Unprofessional conduct" means the same as that term is defined in 339 Sections 58-1-501 and 58-55-502 and as may be further defined by rule. [(49)] (52) "Wages" means amounts due to an employee for labor or services whether 340 341 the amount is fixed or ascertained on a time, task, piece, commission, or other basis for 342 calculating the amount.

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343	Section 2. Section 58-55-201 is amended to read:
344	58-55-201. Boards created Duties.
345	(1) There is created a Plumbers Licensing Board, an Alarm System Security and
346	Licensing Board, [and] an Electricians Licensing Board[.], and an Automatic Fire Sprinkler
347	Licensing Board. Members of the boards shall be selected to provide representation as follows:
348	(a) The Plumbers Licensing Board consists of five members as follows:
349	(i) two members shall be licensed from among the license classifications of master or
350	journeyman plumber;
351	(ii) two members shall be licensed plumbing contractors; and
352	(iii) one member shall be from the public at large with no history of involvement in the
353	construction trades.
354	(b) (i) The Alarm System Security and Licensing Board consists of five members as
355	follows:
356	(A) three individuals who are officers or owners of a licensed alarm business;
357	(B) one individual from among nominees of the Utah Peace Officers Association; and
358	(C) one individual representing the general public.
359	(ii) The Alarm System Security and Licensing Board shall designate one of its
360	members on a permanent or rotating basis to:
361	(A) assist the division in reviewing complaints concerning the unlawful or
362	unprofessional conduct of a licensee; and
363	(B) advise the division in its investigation of these complaints.
364	(iii) A board member who has, under this Subsection (1)(b)(iii), reviewed a complaint
365	or advised in its investigation is disqualified from participating with the board when the board
366	serves as a presiding officer in an adjudicative proceeding concerning the complaint.
367	(c) The Electricians Licensing Board consists of five members as follows:
368	(i) two members shall be licensed from among the license classifications of master or
369	journeyman electrician, of whom one shall represent a union organization and one shall be
370	selected having no union affiliation;
371	(ii) two shall be licensed electrical contractors of whom one shall represent a union
372	organization and one shall be selected having no union affiliation; and
373	(iii) one member shall be from the public at large with no history of involvement in the



405	the payment of any fee for the license, registration, or certification established as a condition to
406	do business in that local jurisdiction.
407	(2) The division shall issue licenses under this chapter to qualified persons in the
408	following classifications:
409	(a) general engineering contractor;
410	(b) general building contractor;
411	(c) residential and small commercial contractor;
412	(d) elevator contractor;
413	(e) general plumbing contractor;
414	(f) residential plumbing contractor;
415	(g) general electrical contractor;
416	(h) residential electrical contractor;
417	(i) specialty contractor;
418	(j) master plumber;
419	(k) residential master plumber;
420	(1) journeyman plumber;
421	(m) apprentice plumber;
422	(n) residential journeyman plumber;
423	(o) master electrician;
424	(p) residential master electrician;
425	(q) journeyman electrician;
426	(r) residential journeyman electrician;
427	(s) apprentice electrician;
428	(t) construction trades instructor:
429	(i) general engineering classification;
430	(ii) general building classification;
431	(iii) electrical classification;
432	(iv) plumbing classification; and
433	(v) mechanical classification;
434	(u) alarm company;
435	(v) alarm company agent; [and]

436	(w) elevator mechanic[.];
437	(x) automatic fire sprinkler contractor;
438	(y) journeyman automatic fire sprinkler fitter; and
439	(z) automatic fire sprinkler apprentice.
440	(3) (a) An applicant may apply for a license in one or more classification or specialty
441	contractor subclassification.
442	(b) A license shall be granted in each classification or subclassification for which the
443	applicant qualifies.
444	(c) A separate application and fee must be submitted for each license classification or
445	subclassification.
446	Section 4. Section 58-55-302 is amended to read:
447	58-55-302. Qualifications for licensure.
448	(1) Each applicant for a license under this chapter shall:
449	(a) submit an application prescribed by the division;
450	(b) pay a fee as determined by the department under Section 63J-1-504;
451	(c) (i) meet the examination requirements established by rule by the commission with
452	the concurrence of the director, except that no examination, other than an examination as part
453	of a 25-hour course described in Subsection (1)(e)(iii), is required for licensure as an apprentice
454	electrician, apprentice plumber, automatic fire sprinkler apprentice, or specialty contractor; or
455	(ii) if required in Section 58-55-304, the individual qualifier must pass the required
456	examination if the applicant is a business entity;
457	(d) if an apprentice, identify the proposed supervisor of the apprenticeship;
458	(e) if an applicant for a contractor's license:
459	(i) produce satisfactory evidence of financial responsibility, except for a construction
460	trades instructor for whom evidence of financial responsibility is not required;
461	(ii) produce satisfactory evidence of:
462	(A) except as provided in Subsection (2)(a), and except that no employment experience
463	is required for licensure as a specialty contractor, two years full-time paid employment
464	experience in the construction industry, which employment experience may be related to any
465	contracting classification unless more specifically described in this section; and
466	(B) knowledge of the principles of the conduct of business as a contractor, reasonably

467 necessary for the protection of the public health, safety, and welfare;

468 (iii) except as otherwise provided by rule by the commission with the concurrence of

469 the director, complete a 25-hour course established by rule by the commission with the

470 concurrence of the director, which is taught by an approved prelicensure course provider, and

471 which course may include:

472 (A) construction business practices;

473 (B) bookkeeping fundamentals;

474 (C) mechanics lien fundamentals;

475 (D) other aspects of business and construction principles considered important by the 476 commission with the concurrence of the director; and

477 (E) for no additional fee, an examination at the end of the 25-hour course:

478 (iv) (A) be a licensed master electrician if an applicant for an electrical contractor's 479 license or a licensed master residential electrician if an applicant for a residential electrical 480 contractor's license;

481 (B) be a licensed master plumber if an applicant for a plumbing contractor's license or 482 a licensed master residential plumber if an applicant for a residential plumbing contractor's 483 license: or

484 (C) be a licensed elevator mechanic and produce satisfactory evidence of three years 485 experience as an elevator mechanic if an applicant for an elevator contractor's license; and

486 (v) when the applicant is an unincorporated entity, provide a list of the one or more 487 individuals who hold an ownership interest in the applicant as of the day on which the 488 application is filed that includes for each individual:

489 (A) the individual's name, address, birth date, and social security number; and

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(B) whether the individual will engage in a construction trade; and

491 (f) if an applicant for a construction trades instructor license, satisfy any additional 492 requirements established by rule.

493 (2) (a) If the applicant for a contractor's license described in Subsection (1) is a 494 building inspector, the applicant may satisfy Subsection (1)(e)(ii)(A) by producing satisfactory 495 evidence of two years full-time paid employment experience as a building inspector, which 496 shall include at least one year full-time experience as a licensed combination inspector. 497

(b) After approval of an applicant for a contractor's license by the applicable board and

498	the division, the applicant shall file the following with the division before the division issues
499	the license:
500	(i) proof of workers' compensation insurance which covers employees of the applicant
501	in accordance with applicable Utah law;
502	(ii) proof of public liability insurance in coverage amounts and form established by rule
503	except for a construction trades instructor for whom public liability insurance is not required;
504	and
505	(iii) proof of registration as required by applicable law with the:
506	(A) Department of Commerce;
507	(B) Division of Corporations and Commercial Code;
508	(C) Unemployment Insurance Division in the Department of Workforce Services, for
509	purposes of Title 35A, Chapter 4, Employment Security Act;
510	(D) State Tax Commission; and
511	(E) Internal Revenue Service.
512	(3) In addition to the general requirements for each applicant in Subsection (1),
513	applicants shall comply with the following requirements to be licensed in the following
514	classifications:
515	(a) (i) A master plumber shall produce satisfactory evidence that the applicant:
516	(A) has been a licensed journeyman plumber for at least two years and had two years of
517	supervisory experience as a licensed journeyman plumber in accordance with division rule;
518	(B) has received at least an associate of applied science degree or similar degree
519	following the completion of a course of study approved by the division and had one year of
520	supervisory experience as a licensed journeyman plumber in accordance with division rule; or
521	(C) meets the qualifications determined by the division in collaboration with the board
522	to be equivalent to Subsection (3)(a)(i)(A) or (B).
523	(ii) An individual holding a valid Utah license as a journeyman plumber, based on at
524	least four years of practical experience as a licensed apprentice under the supervision of a
525	licensed journeyman plumber and four years as a licensed journeyman plumber, in effect
526	immediately prior to May 5, 2008, is on and after May 5, 2008, considered to hold a current
527	master plumber license under this chapter, and satisfies the requirements of this Subsection
528	(3)(a) for the purpose of renewal or reinstatement of that license under Section 58-55-303.

529 (iii) An individual holding a valid plumbing contractor's license or residential 530 plumbing contractor's license, in effect immediately prior to May 5, 2008, is on or after May 5, 531 2008: 532 (A) considered to hold a current master plumber license under this chapter if licensed 533 as a plumbing contractor and a journeyman plumber, and satisfies the requirements of this 534 Subsection (3)(a) for purposes of renewal or reinstatement of that license under Section 535 58-55-303; and 536 (B) considered to hold a current residential master plumber license under this chapter if 537 licensed as a residential plumbing contractor and a residential journeyman plumber, and 538 satisfies the requirements of this Subsection (3)(a) for purposes of renewal or reinstatement of 539 that license under Section 58-55-303. 540 (b) A master residential plumber applicant shall produce satisfactory evidence that the 541 applicant: 542 (i) has been a licensed residential journeyman plumber for at least two years and had 543 two years of supervisory experience as a licensed residential journeyman plumber in 544 accordance with division rule; or 545 (ii) meets the qualifications determined by the division in collaboration with the board 546 to be equivalent to Subsection (3)(b)(i). 547 (c) A journeyman plumber applicant shall produce satisfactory evidence of: 548 (i) successful completion of the equivalent of at least four years of full-time training 549 and instruction as a licensed apprentice plumber under supervision of a licensed master 550 plumber or journeyman plumber and in accordance with a planned program of training 551 approved by the division; 552 (ii) at least eight years of full-time experience approved by the division in collaboration 553 with the Plumbers Licensing Board; or 554 (iii) satisfactory evidence of meeting the qualifications determined by the board to be 555 equivalent to Subsection (3)(c)(i) or (c)(ii). 556 (d) A residential journeyman plumber shall produce satisfactory evidence of: 557 (i) completion of the equivalent of at least three years of full-time training and 558 instruction as a licensed apprentice plumber under the supervision of a licensed residential 559 master plumber, licensed residential journeyman plumber, or licensed journeyman plumber in - 18 -

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accordance with a planned program of training approved by the division;

(ii) completion of at least six years of full-time experience in a maintenance or repair
trade involving substantial plumbing work; or

(iii) meeting the qualifications determined by the board to be equivalent to Subsection
(3)(d)(i) or (d)(ii).

(e) The conduct of licensed apprentice plumbers and their licensed supervisors shall bein accordance with the following:

(i) while engaging in the trade of plumbing, a licensed apprentice plumber shall be
under the immediate supervision of a licensed master plumber, licensed residential master
plumber, licensed journeyman plumber, or a licensed residential journeyman plumber; and

(ii) a licensed apprentice plumber in the fourth through tenth year of training may work without supervision for a period not to exceed eight hours in any 24-hour period, but if the apprentice does not become a licensed journeyman plumber or licensed residential journeyman plumber by the end of the tenth year of apprenticeship, this nonsupervision provision no longer applies.

(f) A master electrician applicant shall produce satisfactory evidence that the applicant:

(i) is a graduate electrical engineer of an accredited college or university approved by
the division and has one year of practical electrical experience as a licensed apprentice
electrician;

(ii) is a graduate of an electrical trade school, having received an associate of applied
sciences degree following successful completion of a course of study approved by the division,
and has two years of practical experience as a licensed journeyman electrician;

(iii) has four years of practical experience as a journeyman electrician; or

(iv) meets the qualifications determined by the board to be equivalent to Subsection
(3)(f)(i), (ii), or (iii).

585 (g) A master residential electrician applicant shall produce satisfactory evidence that 586 the applicant:

(i) has at least two years of practical experience as a residential journeyman electrician;or

(ii) meets the qualifications determined by the board to be equivalent to this practicalexperience.

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591	(h) A journeyman electrician applicant shall produce satisfactory evidence that the
592	applicant:
593	(i) has successfully completed at least four years of full-time training and instruction as
594	a licensed apprentice electrician under the supervision of a master electrician or journeyman
595	electrician and in accordance with a planned training program approved by the division;
596	(ii) has at least eight years of full-time experience approved by the division in
597	collaboration with the Electricians Licensing Board; or
598	(iii) meets the qualifications determined by the board to be equivalent to Subsection
599	(3)(h)(i) or (ii).
600	(i) A residential journeyman electrician applicant shall produce satisfactory evidence
601	that the applicant:
602	(i) has successfully completed two years of training in an electrical training program
603	approved by the division;
604	(ii) has four years of practical experience in wiring, installing, and repairing electrical
605	apparatus and equipment for light, heat, and power under the supervision of a licensed master,
606	journeyman, residential master, or residential journeyman electrician; or
607	(iii) meets the qualifications determined by the division and applicable board to be
608	equivalent to Subsection (3)(i)(i) or (ii).
609	(j) The conduct of licensed apprentice electricians and their licensed supervisors shall
610	be in accordance with the following:
611	(i) A licensed apprentice electrician shall be under the immediate supervision of a
612	licensed master, journeyman, residential master, or residential journeyman electrician. An
613	apprentice in the fourth year of training may work without supervision for a period not to
614	exceed eight hours in any 24-hour period.
615	(ii) A licensed master, journeyman, residential master, or residential journeyman
616	electrician may have under immediate supervision on a residential project up to three licensed
617	apprentice electricians.
618	(iii) A licensed master or journeyman electrician may have under immediate
619	supervision on nonresidential projects only one licensed apprentice electrician.
620	(k) An alarm company applicant shall:
621	(i) have a qualifying agent who is an officer, director, partner, proprietor, or manager of

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622 the applicant who:

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(A) demonstrates 6,000 hours of experience in the alarm company business;

(B) demonstrates 2,000 hours of experience as a manager or administrator in the alarm
company business or in a construction business; and

626 (C) passes an examination component established by rule by the commission with the 627 concurrence of the director;

628 (ii) if a corporation, provide:

(A) the names, addresses, dates of birth, social security numbers, and fingerprint cards
of all corporate officers, directors, and those responsible management personnel employed
within the state or having direct responsibility for managing operations of the applicant within
the state; and

(B) the names, addresses, dates of birth, social security numbers, and fingerprint cards
of all shareholders owning 5% or more of the outstanding shares of the corporation, except this
shall not be required if the stock is publicly listed and traded;

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(iii) if a limited liability company, provide:

(A) the names, addresses, dates of birth, social security numbers, and fingerprint cards
of all company officers, and those responsible management personnel employed within the
state or having direct responsibility for managing operations of the applicant within the state;
and

641 (B) the names, addresses, dates of birth, social security numbers, and fingerprint cards642 of all individuals owning 5% or more of the equity of the company;

(iv) if a partnership, provide the names, addresses, dates of birth, social security
numbers, and fingerprint cards of all general partners, and those responsible management
personnel employed within the state or having direct responsibility for managing operations of
the applicant within the state;

(v) if a proprietorship, provide the names, addresses, dates of birth, social security
numbers, and fingerprint cards of the proprietor, and those responsible management personnel
employed within the state or having direct responsibility for managing operations of the
applicant within the state:

651 (vi) if a trust, provide the names, addresses, dates of birth, social security numbers, and 652 fingerprint cards of the trustee, and those responsible management personnel employed within

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the state or having direct responsibility for managing operations of the applicant within thestate;

(vii) be of good moral character in that officers, directors, shareholders described in Subsection (3)(k)(ii)(B), partners, proprietors, trustees, and responsible management personnel have not been convicted of a felony, a misdemeanor involving moral turpitude, or any other crime that when considered with the duties and responsibilities of an alarm company is considered by the board to indicate that the best interests of the public are served by granting the applicant a license;

(viii) document that none of the applicant's officers, directors, shareholders described
in Subsection (3)(k)(ii)(B), partners, proprietors, trustees, and responsible management
personnel have been declared by any court of competent jurisdiction incompetent by reason of
mental defect or disease and not been restored;

(ix) document that none of the applicant's officers, directors, shareholders described in
 Subsection (3)(k)(ii)(B), partners, proprietors, and responsible management personnel are
 currently suffering from habitual drunkenness or from drug addiction or dependence;

668 (x) file and maintain with the division evidence of:

669 (A) comprehensive general liability insurance in form and in amounts to be established670 by rule by the commission with the concurrence of the director;

- (B) workers' compensation insurance that covers employees of the applicant in
- 672 accordance with applicable Utah law; and
- 673 (C) registration as is required by applicable law with the:
- (I) Division of Corporations and Commercial Code;
- 675 (II) Unemployment Insurance Division in the Department of Workforce Services, for

676 purposes of Title 35A, Chapter 4, Employment Security Act;

- 677 (III) State Tax Commission; and
- 678 (IV) Internal Revenue Service; and
- 679 (xi) meet with the division and board.
- 680 (1) Each applicant for licensure as an alarm company agent shall:
- (i) submit an application in a form prescribed by the division accompanied by

682 fingerprint cards;

(ii) pay a fee determined by the department under Section 63J-1-504;

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684 (iii) be of good moral character in that the applicant has not been convicted of a felony. 685 a misdemeanor involving moral turpitude, or any other crime that when considered with the duties and responsibilities of an alarm company agent is considered by the board to indicate 686 687 that the best interests of the public are served by granting the applicant a license; 688 (iv) not have been declared by any court of competent jurisdiction incompetent by 689 reason of mental defect or disease and not been restored; 690 (v) not be currently suffering from habitual drunkenness or from drug addiction or 691 dependence; and 692 (vi) meet with the division and board if requested by the division or the board. 693 (m) (i) Each applicant for licensure as an elevator mechanic shall: 694 (A) provide documentation of experience and education credits of not less than three 695 years work experience in the elevator industry, in construction, maintenance, or service and 696 repair; and 697 (B) satisfactorily complete a written examination administered by the division 698 established by rule under Section 58-1-203; or 699 (C) provide certificates of completion of an apprenticeship program for elevator 700 mechanics, having standards substantially equal to those of this chapter and registered with the 701 United States Department of Labor Bureau Apprenticeship and Training or a state 702 apprenticeship council. 703 (ii) (A) If an elevator contractor licensed under this chapter cannot find a licensed 704 elevator mechanic to perform the work of erecting, constructing, installing, altering, servicing, 705 repairing, or maintaining an elevator, the contractor may: 706 (I) notify the division of the unavailability of licensed personnel; and 707 (II) request the division issue a temporary elevator mechanic license to an individual 708 certified by the contractor as having an acceptable combination of documented experience and 709 education to perform the work described in this Subsection (3)(m)(ii)(A). 710 (B) (I) The division may issue a temporary elevator mechanic license to an individual 711 certified under Subsection (3)(m)(ii)(A)(II) upon application by the individual, accompanied by 712 the appropriate fee as determined by the department under Section 63J-1-504. 713 (II) The division shall specify the time period for which the license is valid and may 714 renew the license for an additional time period upon its determination that a shortage of

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715	licensed elevator mechanics continues to exist.
716	(n) Each applicant for licensure as an automatic fire sprinkler contractor shall:
717	(i) submit an application in a form prescribed by the division;
718	(ii) provide evidence of:
719	(A) completing a level III certification in fire protection and automatic fire sprinkler
720	system layout from the National Institute for Certification in Engineering Technologies;
721	(B) completing at least three years of full-time experience as a journeyman automatic
722	fire sprinkler fitter; or
723	(C) holding a bachelor's degree or higher in civil engineering, mechanical engineering,
724	or other engineering degree approved by the division that is related to automatic fire sprinkler
725	systems; and
726	(iii) take and pass a written examination that is approved by the division established by
727	rule under Section 58-1-203.
728	(o) The division may issue an automatic fire sprinkler contractor license without
729	examination to an applicant that is licensed in good standing outside of this state if:
730	(i) the division determines the education, experience, and examination requirements of
731	the state, district, or territory of the United States, at the time the license was issued, were
732	substantially equivalent to the current automatic fire sprinkler contractor license requirements
733	of this state; or
734	(ii) the resident has at least one year of experience in the state, district, or territory of
735	the United States where the license was issued, and the division determines the resident has the
736	education, experience, and skills necessary to demonstrate competency as an automatic fire
737	sprinkler contractor.
738	(p) Each applicant for licensure as a journeyman automatic fire sprinkler fitter shall:
739	(i) submit an application in a form prescribed by the division;
740	(ii) provide evidence of at least three years of full-time experience as an automatic fire
741	sprinkler apprentice;
742	(iii) provide evidence of completing a state or nationally recognized automatic fire
743	sprinkler apprentice program approved by the division by rule; and
744	(iv) take and pass a written examination that is approved by the division established by
745	rule under Section 58-1-203

745 <u>rule under Section 58-1-203.</u>

746	(q) The division may issue a journeyman automatic fire sprinkler fitter license without
747	examination to an applicant that is licensed in good standing outside of this state if:
748	(i) the division determines the education, experience, and examination requirements of
749	the state, district, or territory of the United States, at the time the license was issued, were
750	substantially equivalent to the current journeyman automatic fire sprinkler fitter license
751	requirements of this state; or
752	(ii) the resident has at least one year of experience in the state, district, or territory of
753	the United States where the license was issued, and the division determines the resident has the
754	education, experience, and skills necessary to demonstrate competency as a journeyman
755	automatic fire sprinkler fitter.
756	(r) Each applicant for licensure as an automatic fire sprinkler apprentice shall submit
757	an application in a form prescribed by the division.
758	(s) (i) An automatic fire sprinkler apprentice shall be under the immediate supervision
759	of an automatic fire sprinkler contractor or a journeyman automatic fire sprinkler fitter.
760	(ii) A journeyman automatic fire sprinkler fitter shall be under the general supervision
761	of an automatic fire sprinkler contractor.
762	(4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
763	division may make rules establishing when Federal Bureau of Investigation records shall be
764	checked for applicants as an alarm company or alarm company agent.
765	(5) To determine if an applicant meets the qualifications of Subsections $(3)(k)(vii)$ and
766	(3)(l)(iii), the division shall provide an appropriate number of copies of fingerprint cards to the
767	Department of Public Safety with the division's request to:
768	(a) conduct a search of records of the Department of Public Safety for criminal history
769	information relating to each applicant for licensure as an alarm company or alarm company
770	agent and each applicant's officers, directors, shareholders described in Subsection
771	(3)(k)(ii)(B), partners, proprietors, and responsible management personnel; and
772	(b) forward to the Federal Bureau of Investigation a fingerprint card of each applicant
773	requiring a check of records of the Federal Bureau of Investigation for criminal history
774	information under this section.
775	(6) The Department of Public Safety shall send to the division:
776	(a) a written record of criminal history, or certification of no criminal history record, as

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contained in the records of the Department of Public Safety in a timely manner after receipt of
a fingerprint card from the division and a request for review of Department of Public Safety
records; and

(b) the results of the Federal Bureau of Investigation review concerning an applicant ina timely manner after receipt of information from the Federal Bureau of Investigation.

(7) (a) The division shall charge each applicant for licensure as an alarm company or
alarm company agent a fee, in accordance with Section 63J-1-504, equal to the cost of
performing the records reviews under this section.

(b) The division shall pay the Department of Public Safety the costs of all records
reviews, and the Department of Public Safety shall pay the Federal Bureau of Investigation the
costs of records reviews under this section.

(8) Information obtained by the division from the reviews of criminal history records of
the Department of Public Safety and the Federal Bureau of Investigation shall be used or
disseminated by the division only for the purpose of determining if an applicant for licensure as
an alarm company or alarm company agent is qualified for licensure.

(9) (a) An application for licensure under this chapter shall be denied if:

(i) the applicant has had a previous license, which was issued under this chapter,suspended or revoked within two years before the date of the applicant's application;

(ii) (A) the applicant is a partnership, corporation, or limited liability company; and
(B) any corporate officer, director, shareholder holding 25% or more of the stock in the
applicant, partner, member, agent acting as a qualifier, or any person occupying a similar
status, performing similar functions, or directly or indirectly controlling the applicant has
served in any similar capacity with any person or entity which has had a previous license,
which was issued under this chapter, suspended or revoked within two years before the date of

801 the applicant's application;

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(iii) (A) the applicant is an individual or sole proprietorship; and

(B) any owner or agent acting as a qualifier has served in any capacity listed in
Subsection (9)(a)(ii)(B) in any entity which has had a previous license, which was issued under
this chapter, suspended or revoked within two years before the date of the applicant's
application; or

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(iv) (A) the applicant includes an individual who was an owner, director, or officer of

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an unincorporated entity at the time the entity's license under this chapter was revoked; and

- 809 (B) the application for licensure is filed within 60 months after the revocation of the810 unincorporated entity's license.
- 811 (b) An application for licensure under this chapter shall be reviewed by the appropriate812 licensing board prior to approval if:
- (i) the applicant has had a previous license, which was issued under this chapter,suspended or revoked more than two years before the date of the applicant's application;
- (ii) (A) the applicant is a partnership, corporation, or limited liability company; and
 (B) any corporate officer, director, shareholder holding 25% or more of the stock in the
 applicant, partner, member, agent acting as a qualifier, or any person occupying a similar
 status, performing similar functions, or directly or indirectly controlling the applicant has
 served in any similar capacity with any person or entity which has had a previous license,
- which was issued under this chapter, suspended or revoked more than two years before the dateof the applicant's application; or
- 822

(iii) (A) the applicant is an individual or sole proprietorship; and

(B) any owner or agent acting as a qualifier has served in any capacity listed in
Subsection (9)(b)(ii)(B) in any entity which has had a previous license, which was issued under
this chapter, suspended or revoked more than two years before the date of the applicant's
application.

827 (10) (a) (i) A licensee that is an unincorporated entity shall file an ownership status
828 report with the division every 30 days after the day on which the license is issued if the licensee
829 has more than five owners who are individuals who:

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(A) own an interest in the contractor that is an unincorporated entity;

(B) own, directly or indirectly, less than an 8% interest, as defined by rule made by the
division in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, in the
unincorporated entity; and

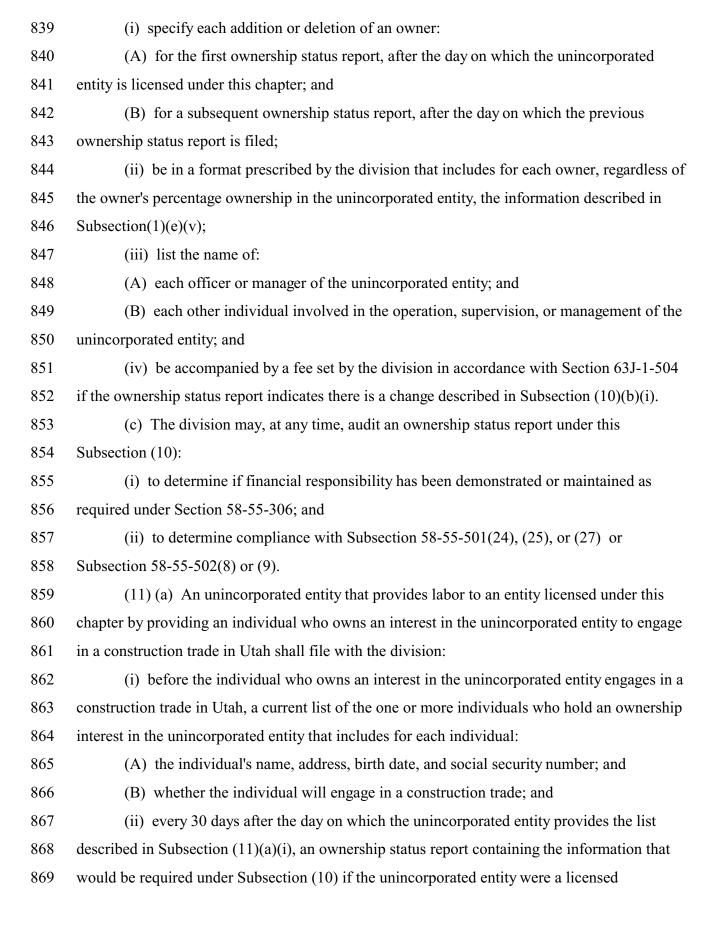
(C) engage, or will engage, in a construction trade in the state as owners of the
contractor described in Subsection (10)(a)(i)(A).

(ii) If the licensee has five or fewer owners described in Subsection (10)(a)(i), the

837 licensee shall provide the ownership status report with an application for renewal of licensure.

(b) An ownership status report required under this Subsection (10) shall:

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870 contractor.

(b) When filing an ownership list described in Subsection (11)(a)(i) or an ownership
status report described in Subsection (11)(a)(ii), an unincorporated entity shall pay a fee set by
the division in accordance with Section 63J-1-504.

(12) This chapter may not be interpreted to create or support an express or implied
independent contractor relationship between an unincorporated entity described in Subsection
(10) or (11) and the owners of the unincorporated entity for any purpose, including income tax
withholding.

878 (13) A social security number provided under Subsection (1)(e)(v) is a private record
879 under Subsection 63G-2-302(1)(i).

880 Section 5. Section **58-55-305** is amended to read:

881 **58-55-305.** Exemptions from licensure.

(1) In addition to the exemptions from licensure in Section 58-1-307, the following
persons may engage in acts or practices included within the practice of construction trades,
subject to the stated circumstances and limitations, without being licensed under this chapter:

(a) an authorized representative of the United States government or an authorized
employee of the state or any of its political subdivisions when working on construction work of
the state or the subdivision, and when acting within the terms of the person's trust, office, or
employment;

(b) a person engaged in construction or operation incidental to the construction and
repair of irrigation and drainage ditches of regularly constituted irrigation districts, reclamation
districts, and drainage districts or construction and repair relating to farming, dairying,
agriculture, livestock or poultry raising, metal and coal mining, quarries, sand and gravel
excavations, well drilling, as defined in Section 73-3-25, hauling to and from construction
sites, and lumbering;

(c) public utilities operating under the rules of the Public Service Commission on workincidental to their own business;

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(d) sole owners of property engaged in building:

(i) no more than one residential structure per year and no more than three residential
structures per five years on their property for their own noncommercial, nonpublic use; except,
a person other than the property owner or individuals described in Subsection (1)(e), who

901 engages in building the structure must be licensed under this chapter if the person is otherwise

902 required to be licensed under this chapter; or

903 (ii) structures on their property for their own noncommercial, nonpublic use which are
904 incidental to a residential structure on the property, including sheds, carports, or detached
905 garages;

906 (e) (i) a person engaged in construction or renovation of a residential building for907 noncommercial, nonpublic use if that person:

908 (A) works without compensation other than token compensation that is not considered909 salary or wages; and

910 (B) works under the direction of the property owner who engages in building the911 structure; and

(ii) as used in this Subsection (1)(e), "token compensation" means compensation paid
by a sole owner of property exempted from licensure under Subsection (1)(d) to a person
exempted from licensure under this Subsection (1)(e), that is:

915 (A) minimal in value when compared with the fair market value of the services916 provided by the person;

917 (B) not related to the fair market value of the services provided by the person; and

918 (C) is incidental to the providing of services by the person including paying for or
919 providing meals or refreshment while services are being provided, or paying reasonable
920 transportation costs incurred by the person in travel to the site of construction;

921 (f) a person engaged in the sale or merchandising of personal property that by its design
922 or manufacture may be attached, installed, or otherwise affixed to real property who has
923 contracted with a person, firm, or corporation licensed under this chapter to install, affix, or
924 attach that property;

(g) a contractor submitting a bid on a federal aid highway project, if, before
undertaking construction under that bid, the contractor is licensed under this chapter;

(h) (i) subject to Subsection 58-1-401(2) and Sections 58-55-501 and 58-55-502, a
person engaged in the alteration, repair, remodeling, or addition to or improvement of a
building with a contracted or agreed value of less than \$3,000, including both labor and
materials, and including all changes or additions to the contracted or agreed upon work; and
(ii) notwithstanding Subsection (1)(h)(i) and except as otherwise provided in this

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932 section: 933 (A) work in the plumbing and electrical trades on a Subsection (1)(h)(i) project within 934 any six month period of time: 935 (I) must be performed by a licensed electrical or plumbing contractor, if the project 936 involves an electrical or plumbing system; and 937 (II) may be performed by a licensed journeyman electrician or plumber or an individual 938 referred to in Subsection (1)(h)(ii)(A)(I), if the project involves a component of the system 939 such as a faucet, toilet, fixture, device, outlet, or electrical switch; 940 (B) installation, repair, or replacement of a residential or commercial gas appliance or a 941 combustion system on a Subsection (1)(h)(i) project must be performed by a person who has 942 received certification under Subsection 58-55-308(2) except as otherwise provided in 943 Subsection 58-55-308(2)(d) or 58-55-308(3); 944 (C) installation, repair, or replacement of water-based fire protection systems on a 945 Subsection (1)(h)(i) project must be performed by a licensed fire suppression systems 946 contractor or a licensed journeyman plumber; 947 (D) work as an alarm business or company or as an alarm company agent shall be 948 performed by a licensed alarm business or company or a licensed alarm company agent, except 949 as otherwise provided in this chapter; 950 (E) installation, repair, or replacement of an alarm system on a Subsection (1)(h)(i) 951 project must be performed by a licensed alarm business or company or a licensed alarm 952 company agent; 953 (F) installation, repair, or replacement of a heating, ventilation, or air conditioning 954 system (HVAC) on a Subsection (1)(h)(i) project must be performed by an HVAC contractor 955 licensed by the division; 956 (G) installation, repair, or replacement of a radon mitigation system or a soil 957 depressurization system must be performed by a licensed contractor; and 958 (H) if the total value of the project is greater than \$1,000, the person shall file with the 959 division a one-time affirmation, subject to periodic reaffirmation as established by division 960 rule, that the person has: (I) public liability insurance in coverage amounts and form established by division 961 962 rule; and

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963	(II) if applicable, workers compensation insurance which would cover an employee of
964	the person if that employee worked on the construction project;
965	(i) a person practicing a specialty contractor classification or construction trade which
966	the director does not classify by administrative rule as significantly impacting the public's
967	health, safety, and welfare;
968	(j) owners and lessees of property and persons regularly employed for wages by owners
969	or lessees of property or their agents for the purpose of maintaining the property, are exempt
970	from this chapter when doing work upon the property;
971	(k) (i) a person engaged in minor plumbing work that is incidental, as defined by the
972	division by rule, to the replacement or repair of a fixture or an appliance in a residential or
973	small commercial building, or structure used for agricultural use, as defined in Section
974	15A-1-202, provided that no modification is made to:
975	(A) existing culinary water, soil, waste, or vent piping; or
976	(B) a gas appliance or combustion system; and
977	(ii) except as provided in Subsection (1)(e), installation for the first time of a fixture or
978	an appliance is not included in the exemption provided under Subsection (1)(k)(i);
979	(1) a person who ordinarily would be subject to the plumber licensure requirements
980	under this chapter when installing or repairing a water conditioner or other water treatment
981	apparatus if the conditioner or apparatus:
982	(i) meets the appropriate state construction codes or local plumbing standards; and
983	(ii) is installed or repaired under the direction of a person authorized to do the work
984	under an appropriate specialty contractor license;
985	(m) a person who ordinarily would be subject to the electrician licensure requirements
986	under this chapter when employed by:
987	(i) railroad corporations, telephone corporations or their corporate affiliates, elevator
988	contractors or constructors, or street railway systems; or
989	(ii) public service corporations, rural electrification associations, or municipal utilities
990	who generate, distribute, or sell electrical energy for light, heat, or power;
991	(n) a person involved in minor electrical work incidental to a mechanical or service
992	installation, including the outdoor installation of an above-ground, prebuilt hot tub;

993 (o) a person who ordinarily would be subject to the electrician licensure requirements

994	under this chapter but who during calendar years 2009, 2010, or 2011 was issued a specialty
995	contractor license for the electrical work associated with the installation, repair, or maintenance
996	of solar energy panels, may continue the limited electrical work for solar energy panels under a
997	specialty contractor license;
998	(p) a student participating in construction trade education and training programs
999	approved by the commission with the concurrence of the director under the condition that:
1000	(i) all work intended as a part of a finished product on which there would normally be
1001	an inspection by a building inspector is, in fact, inspected and found acceptable by a licensed
1002	building inspector; and
1003	(ii) a licensed contractor obtains the necessary building permits;
1004	(q) a delivery person when replacing any of the following existing equipment with a
1005	new gas appliance, provided there is an existing gas shutoff valve at the appliance:
1006	(i) gas range;
1007	(ii) gas dryer;
1008	(iii) outdoor gas barbeque; or
1009	(iv) outdoor gas patio heater;
1010	(r) a person performing maintenance on an elevator as defined in [Subsection] Section
1011	58-55-102[(14)], if the maintenance is not related to the operating integrity of the elevator; and
1012	(s) an apprentice or helper of an elevator mechanic licensed under this chapter when
1013	working under the general direction of the licensed elevator mechanic.
1014	(2) A compliance agency as defined in Section 15A-1-202 that issues a building permit
1015	to a person requesting a permit as a sole owner of property referred to in Subsection (1)(d) shall
1016	notify the division, in writing or through electronic transmission, of the issuance of the permit.