

Effective 5/6/2026

4-14-112 Ornamental and turf technician -- Salesperson.

- (1)
- (a) An individual shall obtain a permit as an ornamental and turf technician before commercially applying a herbicide that is:
 - (i) classified as a general use pesticide with a "caution" or "warning" signal word on the product label; and
 - (ii) being applied for ornamental and turf weed pest control.
 - (b) An individual may obtain a permit under this Subsection (1) by:
 - (i) submitting an application on a form provided by the department;
 - (ii) showing evidence of completing the training required under Subsection (1)(c);
 - (iii) having no outstanding infractions and owing no money to the department; and
 - (iv) paying the permit fee determined by the department according to Subsection 4-2-103(2).
 - (c) A ornamental and turf technician may apply a herbicide described in Subsection (1)(a) if the ornamental and turf technician:
 - (i) completes in each calendar year that the ornamental and turf technician applies a herbicide described in Subsection (1)(a) a video training approved by the department by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;
 - (ii) works under the indirect supervision of a certified applicator licensed under Section 4-14-103 who is employed by the same pesticide applicator business that employs the ornamental and turf technician; and
 - (iii) understands and complies with the label on a herbicide described in Subsection (1)(a).
 - (d) An ornamental and turf technician may not apply a pesticide that is not described in Subsection (1)(a).
 - (e) A pesticide applicator business violates Subsection 4-14-111(6), if an ornamental and turf technician employed by the pesticide applicator business:
 - (i) does not hold a permit under this section;
 - (ii) fails to complete the training required by Subsection (1)(c);
 - (iii) works without the indirect supervision of a certified applicator licensed under Section 4-14-103;
 - (iv) fails to apply a pesticide described in Subsection (1)(a) in accordance with the pesticide's label; or
 - (v) applies a pesticide not described in Subsection (1)(a), including applying:
 - (A) a herbicide with a "danger" signal word;
 - (B) a pesticide for any other purpose than ornamental and turf weed pest control; or
 - (C) a restricted use pesticide.
- (2)
- (a) An individual shall obtain a permit as a salesperson before soliciting a person to agree to the application of a pesticide.
 - (b) An individual may obtain a permit under this Subsection (2) by:
 - (i) submitting an application on a form provided by the department;
 - (ii) showing evidence of completing the training required under Subsection (1)(c);
 - (iii) having no outstanding infractions and owing no money to the department; and
 - (iv) paying the permit fee determined by the department according to Subsection 4-2-103(2).
 - (c) A salesperson may solicit the application of a pesticide as provided in Subsection (2)(a) if the salesperson:
 - (i) completes in each calendar year a video training approved by the department by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act; and

- (ii) is employed by a pesticide applicator business registered under Section 4-14-111, including a pesticide applicator business registered under Subsection 4-14-111(7).
- (d) When soliciting a salesperson may not make a misrepresentation regarding the application of a pesticide.
- (e) A pesticide applicator business violates Subsection 4-14-111(6), if a salesperson employed by the pesticide applicator business:
 - (i) does not hold a permit under this section; or
 - (ii) fails to complete the training required by Subsection (2)(c).
- (3) An individual may apply for an annual permit under this section that expires on December 31 and may renew the permit by complying with the same process as used to obtain the permit.
- (4) Notwithstanding Section 63J-1-504, the department shall retain the permit fees collected under this section as dedicated credits and may only use the fees to administer and enforce this chapter.
- (5) The department may:
 - (a) deny an application for a permit under this section;
 - (b) revoke a permit under this section for cause; or
 - (c) suspend a permit under this section for cause.
- (6)
 - (a) If a permit is revoked or suspended under Subsection (5), the individual holding the permit shall return the permit to the department within 14 days after the day on which the individual receives notice of the revocation or suspension.
 - (b) An individual who fails to return a permit, as described in Subsection (6)(a), is subject to an administrative fine of up to \$100 for each 14 days the individual does not return the permit.

Enacted by Chapter 478, 2026 General Session