

1 **CONSTRUCTION TRADES LICENSING AMENDMENTS**

2 2019 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Karen Mayne**

5 House Sponsor: Mike Schultz

6

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies provisions of the Utah Construction Trades Licensing Act.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ creates a certification for fire sprinkler fitting granted by the Division of
- 13 Occupational and Professional Licensing;
- 14 ▶ describes the requirements to receive a certification in fire sprinkler fitting; and
- 15 ▶ makes technical changes.

16 **Money Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 AMENDS:

22 **58-55-308**, as last amended by Laws of Utah 2008, Chapter 382

23

24 *Be it enacted by the Legislature of the state of Utah:*

25 Section 1. Section **58-55-308** is amended to read:

26 **58-55-308. Scope of practice -- Installation, repair, maintenance, cleaning, or**
27 **replacement of gas appliance or combustion system -- Rules.**



28 (1) (a) The commission, with the concurrence of the director, may adopt reasonable
29 rules pursuant to Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to define and
30 limit the scope of practice and operating standards of the classifications and subclassifications
31 licensed under this chapter in a manner consistent with established practice in the relevant
32 industry.

33 (b) The commission and the director may limit the field and scope of operations of a
34 licensee under this chapter in accordance with the rules and the public health, safety, and
35 welfare, based on the licensee's education, training, experience, knowledge, and financial
36 responsibility.

37 (2) (a) The work and scope of practice covered by this Subsection (2) and Subsection
38 (3) is the installation, repair, maintenance, cleaning, or replacement of a residential or
39 commercial gas appliance or combustion system.

40 (b) The provisions of this Subsection (2) apply to any:

41 (i) licensee under this chapter whose license authorizes the licensee to perform the
42 work described in Subsection (2)(a); and

43 (ii) person exempt from licensure under Subsection [58-55-305\(1\)\(h\)](#).

44 (c) Any person described in Subsection (2)(b) that performs work described in
45 Subsection (2)(a):

46 (i) must first receive training and certification as specified in rules adopted by [~~the~~
47 ~~division~~] the commission, with the concurrence of the director, in accordance with Title 63G,
48 Chapter 3, Utah Administrative Rulemaking Act; and

49 (ii) shall ensure that any employee authorized under other provisions of this chapter to
50 perform work described in Subsection (2)(a) has first received training and certification as
51 specified in rules adopted by the division.

52 (d) The division may exempt from the training requirements adopted under Subsection
53 (2)(c) a person that has adequate experience, as determined by the division.

54 (3) The division may exempt the following individuals from the certification
55 requirements adopted under Subsection (2)(c):

56 (a) a person who has passed a test equivalent to the level of testing required by the
57 division for certification, or has completed an apprenticeship program that teaches the
58 installation of gas line appliances and is approved by the Federal Bureau of Apprenticeship

59 Training; and

60 (b) a person working under the immediate one-to-one supervision of a certified natural
61 gas technician or a person exempt from certification.

62 (4) (a) The work and scope of practice covered by this Subsection (4) is the
63 installation, repair, maintenance, or replacement of an automatic fire sprinkler system.

64 (b) The provisions of this Subsection (4) apply to a licensee under this chapter whose
65 license authorizes the licensee to perform the work described in Subsection (4)(a).

66 (c) Before a licensee described in Subsection (4)(b) may perform the work described in
67 Subsection (4)(a), the licensee shall obtain a certification in fire sprinkler fitting from the
68 division by providing evidence to the division that the licensee has met the following
69 requirements:

70 (i) (A) completing a Department of Labor federally approved apprentice training
71 program; or

72 (B) completing two-years experience under the immediate supervision of a licensee
73 who has obtained a certification in fire sprinkler fitting; and

74 (ii) passing the Star fire sprinkle fitting mastery examination offered by the National
75 Inspection Testing and Certification Corporation or an equivalent examination approved by the
76 division.

77 (d) The division may also issue a certification in fire sprinkler fitting to a licensee who
78 has received training and experience equivalent to the requirements of Subsection (4)(c), as
79 specified in rules adopted by the commission, with the concurrence of the director, in
80 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

81 (e) An individual working under the immediate supervision of a licensee with a
82 certification in fire sprinkler fitting does not need a certification in fire sprinkler fitting.

83 ~~[(4)]~~ (5) This section does not prohibit a licensed specialty contractor from accepting
84 and entering into a contract involving the use of two or more crafts or trades if the performance
85 of the work in the crafts or trades, other than that in which the contractor is licensed, is
86 incidental and supplemental to the work for which the contractor is licensed.