

SB0156S01 compared with SB0156

~~text~~ shows text that was in SB0156 but was deleted in SB0156S01.

Inserted text shows text that was not in SB0156 but was inserted into SB0156S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Mike Schultz proposes the following substitute bill:

CONSTRUCTION TRADES LICENSING AMENDMENTS

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Karen Mayne

House Sponsor: ~~_____~~ Mike Schultz

LONG TITLE

General Description:

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

Highlighted Provisions:

This bill:

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

Money Appropriated in this Bill:

None

Other Special Clauses:

None

SB0156S01 compared with SB0156

Utah Code Sections Affected:

AMENDS:

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

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

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

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

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

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

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

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

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

(ii) person exempt from licensure under Subsection 58-55-305(1)(h).

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

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

(ii) shall ensure that any employee authorized under other provisions of this chapter to perform work described in Subsection (2)(a) has first received training and certification as

SB0156S01 compared with SB0156

specified in rules adopted by the division.

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

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

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

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

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

(b) The provisions of this Subsection (4) apply to ~~a licensee under this chapter whose license authorizes the licensee~~ **an individual acting as a qualifier for a business entity in accordance with Section 58-55-304, where the business entity seeks** to perform the work described in Subsection (4)(a).

(c) Before a ~~licensee~~ **business entity** described in Subsection (4)(b) may perform the work described in Subsection (4)(a), the ~~licensee shall~~ **qualifier for the business entity shall:**

(i) **be a licensed general building contractor; or**

(ii) **obtain a certification in fire sprinkler fitting from the division by providing evidence to the division that the ~~licensee~~ **qualifier** has met the following requirements:**

~~(i)~~ **(A) completing a Department of Labor federally approved apprentice training program;** or ~~(ii)~~

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

~~(iii)~~ **(B) passing the Star fire sprinkle fitting mastery examination offered by the National Inspection Testing and Certification Corporation or an equivalent examination approved by the division.**

(d) The division may also issue a certification in fire sprinkler fitting to a ~~licensee~~ **qualifier for a business entity** who has received training and experience equivalent to

SB0156S01 compared with SB0156

the requirements of Subsection (4)(c), as specified in rules adopted by the commission, with the concurrence of the director, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

~~{ (c) An individual working under the immediate supervision of a licensee with a certification in fire sprinkler fitting does not need a certification in fire sprinkler fitting.~~

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