

ENGROSSED HOUSE
BILL NO. 1800

BY: PAULK of the HOUSE

and

LONG (Lewis) of the
SENATE

AN ACT RELATING TO PROFESSIONS AND OCCUPATIONS;
AMENDING 59 O.S. 1991, SECTIONS 1850.2 AND 1850.10,
WHICH RELATE TO THE MECHANICAL LICENSING ACT;
MODIFYING DEFINITION; MODIFYING EXEMPTIONS; ADDING
EXEMPTION FOR EMPLOYEES OF CERTAIN PLANTS AND
REFINERIES; ADDING EXEMPTION FOR EMPLOYEES OF
CERTAIN RESEARCH FACILITIES; AND PROVIDING AN
EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 59 O.S. 1991, Section 1850.2, is
amended to read as follows:

Section 1850.2 As used in the Mechanical Licensing Act:

1. "Air conditioning system" means the process of treating air by controlling its temperature, humidity, and cleanliness, to meet the requirements of a designated area;
2. "Board" means the State Board of Health;
3. "Committee" means the Committee of Mechanical Examiners;
4. "Department" means the Oklahoma State Department of Health;
5. "Gas connection with a natural gas meter, regulator, or other source of supply;

6. "Heating systems" means and includes systems consisting of air heating appliances from which the heated air is distributed and shall include any accessory apparatus and equipment installed in connection therewith;

7. "Mechanical contractor" or "contractor" means any person engaged in the business of planning, contracting, supervising or furnishing labor or labor and materials for mechanical work;

8. "Mechanical journeyman" or "journeyman" means any person other than a contractor or apprentice who engages in mechanical work;

9. "Mechanical apprentice" or "apprentice" means any person sixteen (16) years of age or older whose principal occupation is learning mechanical work on the job under the direct supervision of a journeyman or contractor;

10. "Mechanical firm" means any corporation, partnership, association, proprietorship or other business entity which plans or engages, or offers to engage, in mechanical work for another within this state;

11. "Mechanical work" means the installation, maintenance, repair, or renovation, in whole or in part, of any heating system, cooling system, mechanical refrigeration system or ventilation system or any equipment or ~~material including process piping used in carrying chilled water, air for ventilation purposes, or natural gas, or the installation, maintenance, repair, or renovation of such systems;~~ of process piping used to carry any liquid, substance, or material, excluding steam and hot water used for space heating purposes, provided that minor repairs to such systems are excluded;

12. "Refrigeration system" means the erection, installation, repairing and servicing of a system employing a fluid which normally is vaporized and liquefied in an air conditioning system, food preservation measure or manufacturing process; and

13. "Sheet metal" means the erection, installation and repairing of all ferrous or nonferrous duct work and all other materials used in all air conditioning.

SECTION 2. AMENDATORY 59 O.S. 1991, Section 1850.10, is amended to read as follows:

Section 1850.10 A. No person shall install, replace or repair gas piping unless such person is licensed under the Mechanical Licensing Act or is licensed as a plumbing contractor or journeyman plumber pursuant to the laws of this state.

B. The Mechanical Licensing Act shall not apply to:

1. a person who is the property owner of record, or his authorized representative, when performing minor repair which shall include but not be limited to cleaning, adjusting, calibrating and repair of mechanical system parts and the replacement of fuses and room thermostats, and other minor repairs which shall not include any repair which could violate the safe operation of the equipment;

2. the installation of portable, self-contained, ductless air conditioners or heaters;

3. the setting or connecting of detached air conditioning units which utilize flexible ductwork on a manufactured home. The term manufactured home shall have the same definition as such term is defined in Section 1102 of Title 47 of the Oklahoma Statutes;

4. any permanent employee of a manufacturing facility, whether owned or leased, while performing mechanical work on the premises of such facility. The performance of such mechanical work authorized by this paragraph shall not violate any manufacturer specification or compromise any health or safety standards and practices in accordance with state and federal regulations;

5. the service, repair and installation of boilers, pressure vessels and welded steam lines which are subject to the jurisdiction of the Commissioner of Labor pursuant to the provisions of Sections 141.1 through 141.18 of Title 40 of the Oklahoma Statutes; or

6. employees of state-owned institutions doing maintenance to state-owned facilities which does not violate manufacturer specifications nor compromise health or safety standards and practices.

C. The licensing requirements of the Mechanical Licensing Act shall not apply to public utilities, public service corporations, intrastate gas pipeline companies, gas gathering pipeline companies, gas processing companies, rural electric associations, or municipal utilities and their subsidiaries during work on their own facilities or during the performance of energy audits, operational inspections, minor maintenance, or minor repairs for their customers or on their own equipment.

D. The licensing requirements of the Mechanical Licensing Act shall not apply to employees of chemical plants, gas processing plants, and petroleum refineries during work on their own facilities or during the performance of operational inspections, mechanical work, maintenance, or repairs on their own equipment, the performance of which does not violate any manufacturer specification or compromise any health or safety standards and practices in accordance with state and federal regulations.

E. The licensing requirements of the Mechanical Licensing Act shall not apply to employees of research facilities during work on their own facilities or during the performance of operational inspections, mechanical work, maintenance, or repairs on their own equipment used solely for research purposes when such items of equipment require one or more details of construction not covered by normally used national codes and standards or which involve destruction or reduce life of the equipment and systems.

SECTION 3. This act shall become effective September 1, 1992.

Passed the House of Representatives the 5th day of March, 1992.

Speaker of the House of
Representatives

Passed the Senate the ____ day of _____, 1992.

President of the Senate