

SHORT TITLE: Mechanical work; authorizing establishment of continuing education requirements and procedures for mechanical license renewal; limiting period for bringing certain administrative proceedings; codification; effective date.

STATE OF OKLAHOMA

1st Session of the 45th Legislature (1995)

SENATE BILL NO. 452

By: Long (Lewis)

AS INTRODUCED

An Act relating to mechanical work; amending 59 O.S.

1991, Sections 1850.1, 1850.3, 1850.8, as last amended by Section 12, Chapter 293, O.S.L. 1994, and 1850.9 (59 O.S. Supp. 1994, Section 1850.8), which relate to licensure of persons doing mechanical work; modifying statutory reference; authorizing establishment of continuing education requirements and procedures for mechanical license renewal; modifying certain fee; modifying period of time for which apprentice registration is valid and providing for validity of previous registrations; limiting period for bringing certain administrative proceedings; providing for codification; and providing an effective date.

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

SECTION 1. AMENDATORY 59 O.S. 1991, Section 1850.1, is amended to read as follows:

Section 1850.1 ~~Sections 2 through 14~~ Section 1850.1 et seq. of this ~~act~~ title shall be known and may be cited as the "Mechanical Licensing Act".

SECTION 2. AMENDATORY 59 O.S. 1991, Section 1850.3, is amended to read as follows:

Section 1850.3 The Board shall have the power and duty to:

1. Promulgate, prescribe, amend, and repeal rules ~~and regulations~~ necessary to implement the provisions of the Mechanical Licensing Act including, but not limited to, defining categories and limitations for ~~such~~ licenses, registration of apprentices, and establishing bonding and insurance requirements precluding municipal requirements;

2. Adopt standards for mechanical work, by reference, published by a recognized code body; ~~and~~

3. Establish minimum standards of mechanical installations in this state; and

4. Establish continuing education requirements and procedures for mechanical license renewal.

SECTION 3. AMENDATORY 59 O.S. 1991, Section 1850.8, as last amended by Section 12, Chapter 293, O.S.L. 1994 (59 O.S. Supp. 1994, Section 1850.8), is amended to read as follows:

Section 1850.8 A. Except as authorized by the provisions of subsection B of this section, the State Department of Health shall issue a license as a mechanical journeyman or mechanical contractor to any person who:

1. Has been certified by the Committee of Mechanical Examiners as having successfully passed the appropriate examination; and

2. Has paid the license fee and has otherwise complied with the provisions of the Mechanical Licensing Act. The license fees shall be annually as follows:

- a. mechanical contractor Fifty Dollars (\$50.00),
- b. mechanical journeyman Twenty-five Dollars (\$25.00),
- and
- c. apprentice registration ~~Ten Dollars (\$10.00)~~ Five Dollars (\$5.00).

B. The Department shall license without examination any person who can demonstrate to the Committee that ~~such~~ the person has been actually engaged in mechanical work for at least one (1) year during

the five (5) years preceding January 1, 1988. This license shall be issued at the same level of competency and for the same category of mechanical work in which the person was previously occupied.

C. All licenses shall be nontransferable. No license shall be issued for longer than one (1) year and all licenses shall expire on June 30 of each year. Licenses may be renewed upon application and payment of the required fees and payment of any penalty for late renewal, as shall be established by the Board. Licenses, issued without state examination, that have not been renewed by June 30 of the year following expiration, shall not be renewed until the applicant passes the appropriate examination. Any person issued a mechanical license pursuant to subsection B of this section which expired June 30, 1993, and was not renewed by December 31, 1993, may renew the license without examination through July 30, 1994.

Persons who are licensed under ~~this act~~ the Mechanical Licensing Act may have their license placed on inactive status by paying the annual renewal fee and eliminating the bonding and insurance requirements. No late fee shall be charged to renew a license which expired while the applicant was in military service if application is made within one (1) year of discharge from the military service.

D. The Department is authorized to establish, upon approval by the State Board of Health, and issue, subject to the provisions of the Mechanical Licensing Act, limited licenses in each area of mechanical work based on the experience, ability, examination scores and the education of the applicant. The limited licenses shall authorize the licensee to engage in only those activities and within the limits specified in the license.

E. No mechanical licenses shall be issued pursuant to subsection B of this section after July 1, 1993.

SECTION 4. AMENDATORY 59 O.S. 1991, Section 1850.9, is amended to read as follows:

Section 1850.9 A. The State Department of Health, upon proper application and payment of fee, shall register as a mechanical apprentice and issue a certificate of ~~such~~ registration to any person who furnishes satisfactory proof to the Department that the applicant is:

1. Sixteen (16) years of age or over; and

2. Enrolled in a school or training course for mechanical apprentices recognized by the Department, or has arranged for employment as a mechanical apprentice with a licensed mechanical contractor.

B. Apprentice registration certificates issued or renewed on or after November 1, 1995, shall expire ~~four (4)~~ two (2) years after the date of registration, at which time the apprentice may reregister. Certificates issued or renewed prior to November 1, 1995, shall expire four (4) years after the date of registration, at which time the apprentice may reregister.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1850.11a of Title 59, unless there is created a duplication in numbering, reads as follows:

Administrative proceedings for violation of Section 1850.1 et seq. of this title, or any rule promulgated pursuant thereto, may only be brought within one (1) year after discovery of the violation.

SECTION 6. This act shall become effective November 1, 1995.

45-1-0774

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