

1 commercial or residential roofing services for a fee, or who offers
2 to engage in or solicits roofing-related services, including
3 construction, installation, renovation, repair, maintenance,
4 alteration, and waterproofing. Roofing contractor shall not mean:

5 a. a person engaged in the demolition of a structure or
6 the cleanup of construction waste and debris that
7 contains roofing material ~~nor,~~

8 b. a person working under the direct supervision of the
9 roofing contractor who is hired either as an employee,
10 day laborer, or contract laborer, or

11 c. a person working on his or her residential or farm
12 property, whether actually performing the work or
13 using the assistance or labor of family members,
14 relatives, neighbors or employees;

15 2. "Nonresident contractor" means any contractor who has not
16 established and maintained a place of business as a roofing
17 contractor in this state within the preceding year, or who claims
18 residency in another state, or who has not submitted an income tax
19 return as a resident of this state within the preceding year;

20 3. "Commercial roofing contractor" means any person who acts as
21 a roofing contractor as defined in paragraph 1 of this section and
22 who engages in such roofing services on commercial, industrial or
23 public buildings or structures;

1 4. "Person" means any individual, firm, partnership,
2 association, corporation, limited liability company, or other group
3 or combination thereof acting as a unit, unless the intent to give a
4 more limited meaning is disclosed clearly by ~~this act~~ the Roofing
5 Contractor Registration Act;

6 ~~4.~~ 5. "Public contract" means a contract with the State of
7 Oklahoma, its political subdivisions, or any board, commission, or
8 department thereof, or with any board of county commissioners, or
9 with any city council, school board, or with any state or municipal
10 agency, or with any other public board, body, commission, or agency
11 authorized to award contracts for the construction or reconstruction
12 of public work and includes subcontracts undertaken to perform works
13 covered by the original contract or any part thereof; and

14 ~~5.~~ 6. "Registrar" means the Construction Industries Board or
15 any person designated by the Board to administer the provisions of
16 ~~this act~~ the Roofing Contractor Registration Act.

17 SECTION 2. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 1151.25 of Title 59, unless
19 there is created a duplication in numbering, reads as follows:

20 A. On and after February 1, 2014, every commercial roofing
21 contractor operating in this state shall be required to take and
22 successfully pass a commercial roofing examination approved by the
23 Roofing Examination Board before acting as a roofing contractor, or
24 registering or renewing a roofing contractor registration pursuant

1 to the Roofing Contractor Registration Act. The commercial roofing
2 examination shall include test questions covering professional
3 competencies and skills on a variety of roofing structures,
4 materials and systems, best practices, and provisions on Oklahoma
5 law and construction codes. The commercial roofing examination
6 covering Oklahoma law and construction codes shall be retaken and
7 successfully passed every three (3) years to maintain a commercial
8 roofing registration in good standing.

9 B. Failure to comply with the examination requirements
10 established in subsection A of this section shall be deemed a
11 violation of the Roofing Contractor Registration Act, and shall
12 subject the violator to the penalty prescribed in Section 1151.3 of
13 Title 59 of the Oklahoma Statutes. In addition, a roofing
14 registration may be revoked for failure to comply with the
15 requirements for commercial roofing contractors pursuant to the
16 Roofing Contractor Registration Act.

17 C. All nonresident roofing contractors intending to operate as
18 a commercial roofing contractor in this state shall be required to
19 take the commercial roofing examination prior to acting as a
20 commercial roofing contractor or registering or renewing a
21 registration pursuant to the Roofing Contractor Registration Act.
22 However, when a state of emergency is declared by the Governor, the
23 Governor may direct the registrar to waive the commercial roofing
24 examination requirement for nonresident commercial roofing

1 contractors when a clear need exists for commercial roofing services
2 and the nonresident roofing contractor registers in this state
3 pursuant to the Roofing Contractor Registration Act and
4 substantiates his or her prior commercial roofing experience upon
5 registration.

6 D. The commercial roofing examination fee covering professional
7 competencies, skills and best practices shall be One Hundred Fifty
8 Dollars (\$150.00). The examination fee covering the portion of the
9 examination on Oklahoma law and construction codes shall be Fifty
10 Dollars (\$50.00). The commercial roofing examination may be retaken
11 if a first test score does not result in successful passage. No
12 person shall take the commercial roofing examination more than twice
13 in one year and there shall be a minimum waiting period of at least
14 thirty (30) days between any repeat testing. The commercial roofing
15 examination shall be offered at least monthly on dates and times
16 determined by the registrar.

17 SECTION 3. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 1151.26 of Title 59, unless
19 there is created a duplication in numbering, reads as follows:

20 A. There is hereby created the Roofing Examination and Review
21 Board for the sole purpose of creating a state commercial roofing
22 examination and scoring mechanism for the Roofing Contractor
23 Registration Act. The Board shall create additional examination
24 materials to be included as part of the commercial roofing

1 examination which shall relate specifically to Oklahoma law and
2 construction codes.

3 B. The Board shall commence its work within thirty (30) days of
4 the date of the last member appointment to the Board and shall
5 terminate its work on the thirtieth day after the first examination
6 date on the new test materials. The Board is prohibited from
7 conducting business after the date terminating official business
8 until the Governor has reconstituted a new Board. The Board shall
9 be reconstituted with the same or newly appointed members every
10 third year not later than September 1; provided, however, the
11 Governor may reconstitute the Board earlier than the third year if
12 significant legislative changes have been made to the Roofing
13 Contractor Registration Act or the construction codes are amended.
14 All appointments for a reconstituted Board shall be made by the
15 Governor in the same manner as initial appointments to the Board.
16 Each reconstituted Board shall review the current approved
17 commercial roofing examination materials and make adjustments to the
18 examination materials as necessary to adjust for any changes in the
19 roofing industry, law or construction codes. Each reconstituted
20 Board shall commence its work within thirty (30) days of the date of
21 the last member appointment to the Board and shall terminate its
22 work on the thirtieth day after the first examination date on the
23 new approved test materials.

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1 C. Members of the Roofing Examination and Review Board shall
2 each have one vote and shall be appointed by the Governor as
3 follows:

4 1. One member shall be a licensed architect with a minimum of
5 five (5) years' experience in commercial roof design. This member
6 shall be selected from a list of three qualified and eligible
7 architects submitted by a state organization representing engineers;

8 2. Two members shall be commercial roofing contractors each
9 with a minimum of five (5) years' business experience in commercial
10 roofing in this state and who are registered pursuant to the Roofing
11 Contractor Registration Act;

12 3. One member shall be an employee of the Construction and
13 Property Division of the Oklahoma State Department of Central
14 Services with experience in developing roofing standards or
15 supervising roofing construction or repairs;

16 4. One member shall be a licensed engineer with a minimum of
17 five (5) years' experience in commercial roof design. This member
18 shall be selected from a list of three qualified and eligible
19 engineers submitted by a state organization representing engineers;

20 5. One member shall be a general contractor with a minimum of
21 five (5) years' experience in commercial construction. This member
22 shall be selected from a list of three qualified and eligible
23 general contractors submitted by a state organization representing
24 general contractors; and

1 6. One member shall be a lay member residing in this state.

2 The Director of the Construction Industries Board shall be a
3 nonvoting, ex officio member of the Board.

4 D. The Board shall comply with the Oklahoma Open Meeting Act
5 and the Oklahoma Open Records Act. Four members shall constitute a
6 quorum for purposes of conducting official business and business may
7 be transacted by electronic means as deemed appropriate. Members
8 may receive travel reimbursements as allowed by the State Travel
9 Reimbursement Act; however, no member shall receive any other
10 compensation for performance of Board duties. Members may be
11 removed by the Governor and any vacancy in membership may be filled
12 for the unexpired term as provided for the initial appointment.
13 Members shall not be limited in the number of their reappointments.

14 E. The registrar shall provide staff and administrative
15 assistance to the Board to complete its duties and shall pay any
16 travel reimbursements allowed by law for members. The registrar
17 shall employ a person or persons to actually conduct the commercial
18 roofing examinations, score examinations and notify the examinee of
19 passage or failure to pass the examination. The registrar shall
20 develop an application form and procedures for an applicant to
21 schedule and take or retake the commercial roofing examination. The
22 registrar shall include a notation on each roofing contractor's
23 registration information when the roofing contractor has
24 successfully passed the commercial roofing examination and exam

1 portion on Oklahoma law and construction codes so the public will
2 have notification of all successfully examined commercial roofing
3 contractors in the roofing contractor registration database.

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5 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
6 03/29/2012 - DO PASS, As Amended.

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