

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 SENATE BILL 1438

By: Newberry

4  
5  
6 AS INTRODUCED

7 An Act relating to the Oklahoma Mechanical Licensing  
8 Act; amending 59 O.S. 2011, Section 1850.10, which  
9 relates to application of licensing; providing  
certain exceptions; providing an effective date; and  
declaring an emergency.

10  
11  
12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 59 O.S. 2011, Section 1850.10, is  
14 amended to read as follows:

15 Section 1850.10. A. 1. No person shall install, replace or  
16 repair gas piping unless such person is licensed under the  
17 Mechanical Licensing Act or is licensed as a plumbing contractor or  
18 journeyman plumber pursuant to the laws of this state.

19 2. No person shall install, replace or repair floor furnaces or  
20 wall heaters unless such person is licensed under the Mechanical  
21 Licensing Act or is licensed as a plumbing contractor or journeyman  
22 plumber pursuant to the laws of this state.

23 3. No person shall install, replace or repair any radiant-floor  
24 heating systems unless such person is licensed under the Mechanical

1 Licensing Act or is licensed as a plumbing contractor or journeyman  
2 plumber pursuant to the laws of this state.

3 B. The Mechanical Licensing Act shall not apply to:

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

10 2. The installation of portable, self-contained, ductless air  
11 conditioners or heaters;

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

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

22 5. The service, repair and installation of boilers, pressure  
23 vessels and welded steam lines which are subject to the jurisdiction  
24

1 of the Commissioner of Labor pursuant to the provisions of Sections  
2 141.1 through 141.18 of Title 40 of the Oklahoma Statutes; or

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

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

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

24

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

9 SECTION 2. This act shall become effective July 1, 2014.

10 SECTION 3. It being immediately necessary for the preservation  
11 of the public peace, health and safety, an emergency is hereby  
12 declared to exist, by reason whereof this act shall take effect and  
13 be in full force from and after its passage and approval.

14

15 54-2-2754 NP 1/14/2014 10:49:43 AM

16

17

18

19

20

21

22

23

24