

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 COMMITTEE SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 521

6 By: Montgomery

7 COMMITTEE SUBSTITUTE

8 An Act relating to roofing; amending 59 O.S. 2011,  
9 Sections 1151.2, as last amended by Section 1,  
10 Chapter 178, O.S.L. 2018, Section 8, Chapter 270,  
11 O.S.L. 2014, 1151.3, as amended by Section 2, Chapter  
12 270, O.S.L. 2014, 1151.5, as last amended by Section  
13 1, Chapter 265, O.S.L. 2015, 1151.7, as amended by  
14 Section 5, Chapter 270, O.S.L. 2014, 1151.9, as last  
15 amended by Section 2, Chapter 178, O.S.L. 2018,  
16 1151.10, as amended by Section 9, Chapter 270, O.S.L.  
17 2014, 1151.14, as amended by Section 11, Chapter 270,  
18 O.S.L. 2014, 1151.17, as amended by Section 13,  
19 Chapter 270, O.S.L. 2014, Section 16, Chapter 270,  
20 O.S.L. 2014, and Section 17, Chapter 270, O.S.L. 2014  
21 (59 O.S. Supp. 2020, Sections 1151.2, 1151.2a,  
22 1151.3, 1151.5, 1151.7, 1151.9, 1151.10, 1151.14,  
23 1151.17, 1151.27 and 1151.28), which relate to the  
24 Roofing Contractor Registration Act; adding certain  
definition; adding commercial labor-only endorsement  
registration; providing for subcontractor  
registration without commercial endorsement  
requirement; stating registration procedures and  
qualifications; requiring certain bond for certain  
purpose; setting bond amount; directing filing of  
bond with the Bond and Insurance Unit of the  
Construction Industries Board; requiring certain  
verifications of experiences; setting maximum  
registration fee and renewal fee; requiring certain  
amount of liability insurance; providing for late  
renewals; setting late renewal fee; requiring  
continuing education requirements for renewal;  
providing for renewal of active duty military  
service; excepting certain fee for certain military  
persons; and providing an effective date.

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

2 SECTION 1. AMENDATORY 59 O.S. 2011, Section 1151.2, as  
3 last amended by Section 1, Chapter 178, O.S.L. 2018 (59 O.S. Supp.  
4 2020, Section 1151.2), is amended to read as follows:

5 Section 1151.2. As used in the Roofing Contractor Registration  
6 Act:

7 1. "Advertise" means any written publication, dissemination,  
8 solicitation, contract, bid, promotional item, or circulation which  
9 is intended to directly or indirectly induce any person to contract  
10 for roofing construction services with the advertiser, including,  
11 but not limited to, business cards, telephone directory display  
12 advertisements, vehicle signage, radio, television and electronic  
13 solicitations;

14 2. "Applicant" means the qualifying party, or if no qualifying  
15 party, any person applying under the Roofing Contractor Registration  
16 Act for a roofing contractor registration to be issued by the  
17 Construction Industries Board;

18 3. "Board" means the Construction Industries Board;

19 4. "Committee" means the Committee of Roofing Examiners;

20 5. "Homeowner" means one who owns and resides in, or who  
21 resides in, or who contracts for the purchase, construction,  
22 remodeling or repairing of a residence;

23 6. "Nonresident contractor" means any contractor who has not  
24 established and maintained a place of business as a roofing

1 contractor in this state within the preceding year, or who claims  
2 residency in another state, or who has not submitted an income tax  
3 return as a resident of this state within the preceding year;

4 7. "Owner" means person who owns the property or is a lessee of  
5 the property;

6 8. "Person" means any natural person, firm, limited or general  
7 partnership, corporation, association, limited liability company,  
8 trust, association, other legal entity and any organization capable  
9 of conducting business, or any combination thereof acting as a unit,  
10 unless the intent to give a more limited meaning is disclosed  
11 clearly by the Roofing Contractor Registration Act;

12 9. "Prime contractor" means a general contractor, commercial  
13 contractor, or other contractor who contracts directly with the  
14 owner for construction trade work in multiple trade areas;

15 10. "Project manager" means one who manages construction  
16 projects consisting of work involving multiple trades;

17 11. "Public contract" means a contract with the State of  
18 Oklahoma, its political subdivisions, or any board, commission, or  
19 department thereof, or with any board of county commissioners, or  
20 with any city council, school board, or with any state or municipal  
21 agency, or with any other public board, body, commission, or agency  
22 authorized to award contracts for the construction or reconstruction  
23 of public works and includes subcontracts undertaken to perform  
24 works covered by the original contract or any part thereof;

1       12. "Qualifying party" means a natural person who is an officer  
2 or owner of the corporation, a member of the limited liability  
3 company, or a general partner of the limited liability partnership,  
4 and who is actively engaged in the work undertaken by the registrant  
5 for which a registration is required pursuant to the Roofing  
6 Contractor Registration Act who meets the experience and ability  
7 requirements for registration on behalf of the registrant;

8       13. "Registrar" means the Construction Industries Board or any  
9 person designated by the Board to administer the provisions of the  
10 Roofing Contractor Registration Act;

11       14. "Registration" means the process of applying for an initial  
12 or renewal registration which upon approval is exhibited by a  
13 registration number and card issued pursuant to the Roofing  
14 Contractor Registration Act;

15       15. "Registration number" means the roofing registration number  
16 issued by the registrar to the registrant's qualifying party;

17       16. "Registrant" means a holder of a registration issued  
18 pursuant to the Roofing Contractor Registration Act;

19       17. "Residence" means a single structure for residential  
20 occupancy or use which is a detached one- to four-family dwelling or  
21 a multiple single-family dwelling (townhouse) not more than three  
22 stories/floors above grade plane in height with a separate means of  
23 egress, and any appurtenances thereto, which is intended for use as  
24 a primary habitation and is in compliance with the International

1 Residential Code, as adopted by the Oklahoma Uniform Building Code  
2 Commission;

3 18. "Roofing contractor" means any person, including a  
4 subcontractor and nonresident contractor, engaged in the business of  
5 commercial or residential roofing contractor work, or who himself or  
6 herself, or through another, attempts to or advertises, holds  
7 himself or herself out as having, or purports to have, the capacity  
8 to undertake roofing contractor work, or offers to engage in or  
9 solicits roofing installation-related services, including  
10 construction, installation, renovation, remodeling, reroofing,  
11 repair, maintenance, alteration, and waterproofing, unless  
12 specifically exempted in the Roofing Contractor Registration Act.

13 Roofing contractor shall not mean:

- 14 a. a person engaged in the demolition of a structure or  
15 the cleanup of construction waste and debris that  
16 contains roofing material,
- 17 b. a person working under the direct supervision of the  
18 roofing contractor who is hired either as an employee,  
19 day laborer, or contract laborer whose payment,  
20 received in any form, from the roofing contractor is  
21 subject to self-employment tax,
- 22 c. a person working on his or her own property or that of  
23 an immediate relative and such person is not receiving  
24 any compensation, or

1 d. a person acting as a handyman who is receiving  
2 compensation from the property owner and who is  
3 performing the roofing repair in conjunction with  
4 other repairs to the property and who does not perform  
5 more than two roofing jobs per year;

6 19. "Roofing contractor work" means the installation,  
7 fabrication or assembly of equipment or systems included in roofing  
8 systems as defined in the International Building Code and the  
9 International Residential Code, as adopted by the Oklahoma Uniform  
10 Building Code Commission, and which codes are hereby adopted and  
11 incorporated by reference. Roofing construction work includes, but  
12 is not limited to, installation, renovation, remodeling, reroofing,  
13 reconstructing, repair, maintenance, improvement, alteration, and  
14 waterproofing, unless specifically exempted in the Roofing  
15 Contractor Registration Act.

16 a. "Commercial roofing contractor work" means work done  
17 on commercial, industrial or public building roofing  
18 systems or structures as defined in the International  
19 Building Code, as adopted by the Oklahoma Uniform  
20 Building Code Commission; except it does not mean  
21 buildings used for commercial purposes having  
22 equivalent or substantially the same roofing  
23 requirements as a "residence" defined herein,  
24 including, but not limited to, business offices

1 converted from a structure that formerly was a  
2 residence, and

3 b. "Residential roofing contractor work" means work done  
4 on roofing systems as defined in the International  
5 Residential Code, as adopted by the Oklahoma Uniform  
6 Building Code Commission, or as defined as a  
7 "residence" herein; including buildings used for  
8 commercial purposes having asphalt shingles, tile  
9 shingles, synthetic shakes, wood shakes or other  
10 comparable materials applied to a sloped roof equal to  
11 the same roofing requirements as a "residence" defined  
12 herein, including but not limited to business offices  
13 converted from a structure that formerly was a  
14 residence;

15 20. "Roofing Hearing Board" means the Roofing Hearing Board  
16 which shall consist of a designee of the Construction Industries  
17 Board, as chair, and the members of the Committee of Roofing  
18 Examiners;

19 21. "Subcontractor" means one who contracts with a prime  
20 contractor, general contractor, residential contractor, project  
21 manager, property manager, another subcontractor, or another entity  
22 for roofing contractor work;

23 22. "Variance" means the use of an alternative material or  
24 method of construction from that prescribed in the International

1 Building Code or the International Residential Code or other  
2 approved documents by the Oklahoma Uniform Building Code Commission  
3 for use at a particular location or project specified in the  
4 variance application;

5 23. "Variance and Appeals Board" means the Oklahoma State  
6 Roofing Installation Code Variance and Appeals Board;

7 24. "Labor-only crews" means a crew that is to perform the  
8 installation of asphalt shingles, tile shingles, synthetic shakes,  
9 wood shakes or other comparable materials to a sloped roof and to  
10 complete roofing work; ~~and~~

11 25. "Commercial labor-only subcontractor" means a registered  
12 roofing subcontractor that has a commercial labor-only endorsement  
13 that is hired and working under the direct supervision of a  
14 commercial-endorsed roofing contractor to perform the labor for  
15 installation of roofing work that does not provide any roofing  
16 materials for the work and is prohibited from bidding or contracting  
17 commercial roofing work directly with a building owner or other  
18 building management entity; and

19 26. "Prefabricated- or pre-engineered-metal-building erector"  
20 means the labor necessary to construct the components of a  
21 prefabricated- or pre-engineered-metal-building package, known as  
22 PEMB, as defined by the Construction Science Institute and  
23 Construction Specifications Institute in Division 13, Special  
24 Construction: Metal Building Systems.



1 SECTION 2. AMENDATORY Section 8, Chapter 270, O.S.L.  
2 2014 (59 O.S. Supp. 2020, Section 1151.2a), is amended to read as  
3 follows:

4 Section 1151.2a. A. The Construction Industries Board is  
5 authorized to administer and enforce the Roofing Contractor  
6 Registration Act.

7 B. 1. The Construction Industries Board is authorized to  
8 administer and enforce the commercial roofer endorsement and the  
9 commercial labor-only endorsement provisions of the Roofing  
10 Contractor Registration Act.

11 2. The Construction Industries Board shall have the authority  
12 to administer and enforce the provisions of the commercial roofer  
13 endorsement and the commercial labor-only endorsement provisions of  
14 the Roofing Contractor Registration Act, including the authority to:

15 a. establish the examination and continuing education  
16 requirements and procedures for endorsements of  
17 persons desiring or intending to engage in the  
18 business or trade of a commercial roofing contractor  
19 with the advice and input from the Committee of  
20 Roofing Examiners using assistance from a third-party  
21 vendor as necessary and appropriate,

22 b. establish and enforce the minimum standards of  
23 commercial roofer endorsements and commercial labor-  
24 only endorsements in this state and rules promulgated

- 1           pursuant to the commercial roofer endorsement and the  
2           commercial labor-only endorsement provisions of the  
3           Roofing Contractor Registration Act with the advice  
4           and input from the Committee of Roofing Examiners,  
5           c.   promulgate, prescribe, amend, and repeal rules  
6           necessary to implement the provisions of the  
7           commercial roofer endorsement and the commercial  
8           labor-only endorsement of the Roofing Contractor  
9           Registration Act with the advice and input from the  
10          Committee of Roofing Examiners,  
11          d.   issue, renew, suspend, revoke, modify or deny  
12          endorsements to engage in commercial roofing  
13          contractor work pursuant to the Roofing Contractor  
14          Registration Act,  
15          e.   conduct investigations for the purpose of inspecting  
16          commercial roofer endorsements and commercial labor-  
17          only endorsements for compliance with the commercial  
18          roofer endorsement and the commercial labor-only  
19          endorsement provisions of the Roofing Contractor  
20          Registration Act, and of the rules of the Board  
21          promulgated pursuant thereto, into the qualifications  
22          of applicants and allegations of violations,  
23          f.   establish and levy administrative fines against any  
24          person who violates any of the provisions of the

1 commercial roofer endorsement or the commercial labor-  
2 only endorsement standards of the Roofing Contractor  
3 Registration Act or any rule promulgated pursuant  
4 thereto, not to exceed five percent (5%) of the  
5 commercial job. For any residential job on a first  
6 violation the Board may issue a warning; on any second  
7 violation levy and administrative fine not to exceed  
8 Five Hundred Dollars (\$500.00); on a third violation,  
9 levy an administrative fine not to exceed Three  
10 Thousand Five Hundred Dollars (\$3,500.00); and for any  
11 subsequent violation, revoke the registration and  
12 commercial roofer endorsement or the commercial labor-  
13 only endorsement,

14 g. initiate disciplinary proceedings and provide hearings  
15 on any person who violates any of the provisions of  
16 the commercial roofer endorsement or the commercial  
17 labor-only endorsement standards of the Roofing  
18 Contractor Registration Act or any rule promulgated  
19 pursuant thereto,

20 h. request prosecution of and initiate injunctive  
21 proceedings against any person who violates any of the  
22 provisions of the commercial roofers endorsement or  
23 the commercial labor-only endorsement in the Roofing  
24 Contractor Registration Act or any rule promulgated

1           pursuant to the commercial roofer endorsement or the  
2           commercial labor-only endorsement of the Roofing  
3           Contractor Registration Act, and

- 4           i.    exercise all incidental powers as necessary and proper  
5           to implement and enforce the provisions of the  
6           commercial roofer endorsement and the commercial  
7           labor-only endorsement of the Roofing Contractor  
8           Registration Act and the rules promulgated pursuant  
9           thereto.

10          SECTION 3.        AMENDATORY        59 O.S. 2011, Section 1151.3, as  
11    amended by Section 2, Chapter 270, O.S.L. 2014 (59 O.S. Supp. 2020,  
12    Section 1151.3), is amended to read as follows:

13          Section 1151.3.   A.   All roofing contractors shall be registered  
14    annually by the Board.   All registrations shall be nontransferable.  
15    It is unlawful for any person to act as a roofing contractor without  
16    having a current and valid roofing contractor's registration or act  
17    as a commercial roofing contractor without a current and valid  
18    commercial roofer endorsement or commercial labor-only endorsement  
19    issued pursuant to the Roofing Contractor Registration Act, unless  
20    the person is exempt under the Roofing Contractor Registration Act.  
21    Evidence of securing a permit, including roofing work from a  
22    governmental agency or the employment of a person on a roofing  
23    project, shall be accepted in any court as prima facie evidence of  
24    the existence of a contract.

1 Each copy of a roofing contractor's record, which would include  
2 responses to any complaints, that is from and verified by the  
3 registrar, or a verified statement from the registrar that there is  
4 no record as no application was made, shall be received in all  
5 courts in this state as prima facie evidence of the facts stated  
6 therein.

7 A verified copy of a roofing contractor's administrative  
8 citation for unregistered activity or without required commercial  
9 roofer endorsement or commercial labor-only endorsement and order of  
10 final disposition from the registrar shall be received in all courts  
11 in this state as prima facie evidence of the facts stated therein,  
12 including establishment thereby of the first offense.

13 B. A person shall not engage or offer to engage in, by  
14 advertisement or otherwise, the business nor act in the capacity of  
15 a roofing contractor within this state nor shall that person bring  
16 or maintain any claim, action, suit, or proceeding in any court of  
17 this state related to the person's business or capacity as a roofing  
18 contractor without a valid registration and commercial roofer  
19 endorsement or commercial labor-only endorsement, when required,  
20 continuously while performing the work for which the claim, action,  
21 suit, or proceeding is sought, as provided in the Roofing Contractor  
22 Registration Act. No business entity shall advertise or act as a  
23 roofing contractor unless such business is a registered roofing  
24 contractor with a valid commercial roofer endorsement or commercial

1 labor-only endorsement, when required, and is in good standing, and  
2 is associated with and responsible for all roofing contractor work  
3 of such entity. Any business entity violating the provisions of  
4 this subsection shall be subject to administrative penalty by the  
5 Board not to exceed Five Thousand Dollars (\$5,000.00).

6 C. A person who fails to obtain a valid registration and  
7 endorsement when required prior to advertising or offering to engage  
8 as or acting as a roofing contractor as defined in the Roofing  
9 Contractor Registration Act, or a person who acts as a roofing  
10 contractor while his or her registration is not in good standing or  
11 is suspended or revoked without complying with the required  
12 disclosure and option for homeowner to cancel the contract  
13 provisions of subsection I of Section 1151.5 of this title, or a  
14 person who violates any provision of the Roofing Contractor  
15 Registration Act, shall be guilty of a misdemeanor, upon conviction  
16 or plea, punishable by a fine not to exceed Five Hundred Dollars  
17 (\$500.00) for each violation. More than one misdemeanor violation  
18 in any twelve-month period shall be grounds for the suspension of  
19 the registration, and shall cause the person to be ineligible for  
20 registration for a period not to exceed twenty-four (24) months  
21 after all requirements of the sentence, or deferment of sentence,  
22 and probation have been met, including the payment of any  
23 restitution or rehabilitative treatment.

24

1 D. In lieu of referring complaints of violations of the Roofing  
2 Contractor Registration Act to the district attorney for misdemeanor  
3 prosecution, the Board in its discretion may issue administrative  
4 fines to any person up to Five Hundred Dollars (\$500.00) for  
5 violations of any provision of the Roofing Contractor Registration  
6 Act or its rules or regulations. A person who fails to obtain a  
7 valid registration prior to acting as a roofing contractor, or a  
8 person who acts as a roofing contractor while his or her  
9 registration or commercial roofer endorsement or commercial labor-  
10 only endorsement is not in good standing or is suspended or revoked  
11 without complying with the required disclosure and option for  
12 homeowner to cancel the contract provisions of subsection I of  
13 Section 1151.5 of this title, on first offense, may be  
14 administratively fined and disciplined after notice and opportunity  
15 for hearing before the Roofing Hearing Board. A person who violates  
16 any other provision of the Roofing Contractor Registration Act, on  
17 first offense within a two-year period, may be administratively  
18 fined and disciplined by the Roofing Hearing Board in its discretion  
19 in lieu of referral to the district attorney as a misdemeanor, or  
20 the matter may be referred to the district attorney. Misdemeanor  
21 conviction, guilty plea, or nolo contendere plea due to alleged  
22 violations of the Roofing Contractor Registration Act shall be  
23 grounds for the revocation of the registration and shall cause the  
24 person to be ineligible for registration for a period not to exceed

1 twelve (12) months after all requirements of the sentence, or  
2 deferment of sentence, and probation have been met, including the  
3 payment of any restitution or rehabilitative treatment.

4 E. Administrative fines collected pursuant to the Roofing  
5 Contractor Registration Act shall be placed in the Roofing  
6 Contractor Registration Revolving Fund pursuant to Section 1151.20  
7 of this title.

8 F. It is the duty of the building official or other authority  
9 charged with the duty of issuing roofing permits of any incorporated  
10 municipality or subdivision of the municipality or county to refuse  
11 to issue a roofing permit for any roofing undertaking which would  
12 require a registration pursuant to the Roofing Contractor  
13 Registration Act unless the applicant has furnished evidence that he  
14 or she is either registered as required or is exempt from the  
15 registration requirements of the Roofing Contractor Registration  
16 Act.

17 G. The Roofing Hearing Board may make application to the  
18 appropriate court for an order enjoining the acts or practices  
19 prohibited by the Roofing Contractor Registration Act, and upon a  
20 showing by the Roofing Hearing Board that the person or firm has  
21 engaged in, or is about to engage in, any of the prohibited acts or  
22 practices, an injunction, restraining order or other order as may be  
23 appropriate shall be granted by the court.

24



1 SECTION 4. AMENDATORY 59 O.S. 2011, Section 1151.5 as  
2 last amended by Section 1, Chapter 265, O.S.L. 2015 (59 O.S. Supp.  
3 2020, Section 1151.5), is amended to read as follows:

4 Section 1151.5. A. Applications for registration shall be made  
5 to the Construction Industries Board in writing on forms approved  
6 and provided by the Board and shall be accompanied by the proper  
7 fee.

8 B. An applicant or qualifying party whose registration is  
9 denied, or the person has a conviction, or pled guilty or nolo  
10 contendere to a misdemeanor, or otherwise fails to meet the  
11 requirements of application, may obtain a hearing before the  
12 Committee of Roofing Examiners in order to provide information in  
13 support of the application requirements and any other information  
14 showing the applicant's ability and willingness to comply with the  
15 requirements of the Roofing Contractor Registration Act, and to  
16 protect the public health, safety and welfare.

17 C. To obtain a roofing contractor registration under the  
18 Roofing Contractor Registration Act, a qualifying party who is  
19 eighteen (18) years of age or older shall submit, on forms the  
20 registrar prescribes:

- 21 1. An application under oath containing a statement:
  - 22 a. of the qualifying party's experience and
  - 23 qualifications as a roofing contractor, if any,

24

- 1           b.    that the qualifying party desires the issuance of a  
2                roofing contractor registration certificate,
- 3           c.    that the qualifying party has read the Roofing  
4                Contractor Registration Act and will comply with the  
5                provisions of the Roofing Contractor Registration Act  
6                and rules,
- 7           d.    that the qualifying party will comply with state laws  
8                and local ordinances relating to standards and  
9                permits,
- 10          e.    that the qualifying party has or has not been  
11                registered or licensed as a roofing contractor in  
12                another state and whether any disciplinary action has  
13                been taken against such registration or license and  
14                whether it is currently in good standing, and
- 15          f.    that the nonresident qualifying party appoints the  
16                Secretary of State as legal service agent for all  
17                lawful process to be served upon the applicant for  
18                work performed in this state or as otherwise provided  
19                in the Roofing Contractor Registration Act;

20          2.    The qualifying party's name, physical address, business  
21                name, telephone number, address and place of incorporation, if  
22                different, information on any other person who will be authorized to  
23                act as the business entity, and the applicant's phone number, if  
24                different;

1           3. The entity's federal tax ID number, or the employer's or  
2 owner's or qualifying party's social security number, and the  
3 employer's account number assigned by the Employment Security  
4 Commission. The social security number information shall remain  
5 with the registrar as confidential and privileged except for  
6 necessary disclosures to state agencies to verify compliance with  
7 requirements with this act, or upon request by law enforcement; and

8           4. A copy of the roofing contractor's certificate of liability  
9 insurance shall be filed with the application and shall be not less  
10 than Five Hundred Thousand Dollars (\$500,000.00) for residential  
11 roofing contractor work and shall not be less than One Million  
12 Dollars (\$1,000,000.00) for commercial roofing contractor work or  
13 commercial labor-only subcontractor work. Any insurance company  
14 issuing a liability policy to a roofing contractor pursuant to the  
15 provisions of the Roofing Contractor Registration Act shall be  
16 required to notify the Construction Industries Board in the event  
17 such liability policy is cancelled for any reason or lapses for  
18 nonpayment of premiums. All registrations granted under the Roofing  
19 Contractor Registration Act shall be suspended on the date of the  
20 policy cancellation. The registrar must receive proof of insurance  
21 prior to restoring the registration.

22           In addition, the roofing contractor shall submit proof that the  
23 contractor has secured workers' compensation coverage satisfactory  
24 under the Workers' Compensation Act, or an affidavit of exemption or

1 self-insurance as authorized pursuant to the Workers' Compensation  
2 Act. If the registrar deems it appropriate or necessary, the  
3 registrar may also require other information to be included on the  
4 application form to assist the registrar in registering the person  
5 as a contractor.

6 D. The qualifying party applying for a commercial roofer  
7 endorsement or commercial labor-only endorsement must provide  
8 information on the legal entity, including but not limited to the  
9 articles, organizational agreements or documents establishing the  
10 legal entity, including a list of the officers, members, managers,  
11 partners, or other managing agents of the legal entity. The  
12 qualifying party shall also provide a certificate of good standing  
13 or a trade name report from the Office of the Secretary of State.

14 E. The registrar shall refuse to register any person if the  
15 registrar determines:

16 1. The application contains false, misleading, or incomplete  
17 information;

18 2. The applicant fails to provide a certificate of good  
19 standing or a trade name report from the Office of the Secretary of  
20 State;

21 3. The applicant, qualifying party, or any member of the legal  
22 entity fails or refuses to provide any information requested by the  
23 registrar;

24 4. The applicant fails or refuses to pay the required fees;

1       5. The applicant, qualifying party, or owner or officer or  
2 managing member of the legal entity is ineligible for registration  
3 due to a suspended or revoked registration in this state;

4       6. The nonresident applicant has a revoked or suspended  
5 registration or license required by law for roofing contractors in  
6 another state; or

7       7. The applicant, qualifying party, or legal entity has failed  
8 or refuses to submit any taxes due in this state.

9       F. The registrar shall notify the applicant in writing if the  
10 registrar denies a registration or renewal certificate, and shall  
11 provide the applicant an opportunity to respond to or cure any  
12 defect in the written application or renewal for a period of ten  
13 (10) days from the date of the written notification. An applicant  
14 aggrieved by a decision of the registrar denying a registration or  
15 renewal may appeal the decision as provided in the Roofing  
16 Contractor Registration Act, the Construction Industries Board Act,  
17 or the Administrative Procedures Act, or the applicant may reapply  
18 after a ninety-day waiting period, if otherwise eligible under the  
19 provisions of the Roofing Contractor Registration Act. The  
20 application and renewal fees shall not be refundable.

21       G. The registrar shall classify as not in good standing the  
22 registration of any roofing contractor who fails to:

23       1. Maintain liability insurance coverage;

1           2. Maintain workers' compensation coverage satisfactory under  
2 the Workers' Compensation Act, or provide an affidavit of exemption  
3 or self-insurance as authorized pursuant to the Workers'  
4 Compensation Act;

5           3. File, renew, or properly amend any fictitious name  
6 certificate;

7           4. Maintain an active status of a corporation or registration  
8 as a foreign corporation, a limited liability company or  
9 registration as a foreign limited liability company, a limited  
10 liability partnership registration or foreign limited liability  
11 partnership registration, or a limited partnership certificate or  
12 limited partnership or foreign limited partnership certificate of  
13 authority, with the Office of the Secretary of State;

14           5. File or renew a trade name registration;

15           6. Maintain or renew a roofing contractor registration as  
16 provided in the Roofing Contractor Registration Act;

17           7. Notify the registrar of a change in name, address, legal  
18 business entity, qualifying party, legal service agent, or  
19 adjudication by a court of competent jurisdiction for any act or  
20 omission specified in subsection A of Section 1151.14 of this title  
21 or a violation of the Roofing Contractor Registration Act;

22           8. Maintain a registration as required by law in another state  
23 while registered in this state as a nonresident roofing contractor;  
24 or

1           9. File and pay all taxes of the qualifying party and legal  
2 entity when due in this state.

3           H. The registrar shall send a written notice to the qualifying  
4 party when his or her registration is not in good standing.

5           I. Any roofing contractor who has been notified by the  
6 registrar that his or her registration is not in good standing shall  
7 cease soliciting or entering new roofing services and projects as of  
8 the date of such notification; however, the roofing contractor shall  
9 be allowed to complete roofing projects where actual physical work  
10 has begun prior to the date of issuance of the notice that his or  
11 her registration is not in good standing. The roofing contractor  
12 must disclose the change in standing to any homeowner or other  
13 person who has an interest in any job covered under the Roofing  
14 Contractor Registration Act. Upon notice of a change in standing,  
15 the homeowner shall have the option to cancel the contract. The  
16 roofing contractor will be owed the actual cost incurred for  
17 materials and the market value of labor already incurred on the job.  
18 The roofing contractor must obtain an updated authorization from the  
19 homeowner and other parties of interest if there is an agreement to  
20 continue the job as originally negotiated. If the roofing  
21 contractor fails to correct the deficiency specified in the notice  
22 by evidence satisfactory to the registrar within thirty (30) days of  
23 the date of the notice, or if the roofing contractor solicits or  
24 enters into new roofing services contracts or projects while the

1 roofing contractor's registration is not in good standing, or while  
2 such registration is suspended or revoked, the roofing contractor  
3 shall be in violation of the provisions of the Roofing Contractor  
4 Registration Act.

5 J. Any registration that remains not in good standing for a  
6 sixty-day period shall be suspended on the sixtieth day from the  
7 date of issuance of the notice to the roofing contractor that his or  
8 her registration is not in good standing. Any registration that  
9 remains not in good standing, and is suspended for such cause, shall  
10 be revoked on the ninetieth day from the date of issuance of the  
11 notice to the roofing contractor that his or her registration is not  
12 in good standing. The registrar shall notify the roofing contractor  
13 upon suspension or revocation of his or her registration for failure  
14 to comply in bringing such registration into good standing as  
15 required by law. The roofing contractor may reinstate his or her  
16 registration to good standing by paying the required fees provided  
17 in Section 1151.12 of this title and complying with all other  
18 requirements for issuance of a registration in good standing.

19 K. Any registrant, qualifying party, or roofing company owner  
20 aggrieved by the decision of the registrar to suspend or revoke a  
21 registration pursuant to this section may appeal such decision as  
22 provided in this act or the Administrative Procedures Act.

23

24



1 SECTION 5. AMENDATORY 59 O.S. 2011, Section 1151.7, as  
2 amended by Section 5, Chapter 270, O.S.L. 2014 (59 O.S. Supp. 2020,  
3 Section 1151.7), is amended to read as follows:

4 Section 1151.7. The holder of a roofing contractor registration  
5 certificate is entitled to engage in the roofing business within  
6 this state pursuant to the provisions of the Roofing Contractor  
7 Registration Act, and subject to the following limitations:

8 1. A roofing contractor's registration certificate number shall  
9 be valid and in good standing at the time of soliciting a project  
10 and during subsequent job performance;

11 2. Each roofing contractor issued a roofing contractor  
12 registration shall display the roofing firm name and the roofing  
13 contractor registration number bearing the initials "OK" preceding  
14 that registration number issued by the registrar on all vehicles  
15 used to transport materials and tools in the operation of the  
16 business. Such names, endorsements and numbers shall be printed in  
17 letters and numerals at least two (2) inches in height in a  
18 conspicuous location on both sides of each vehicle in contrasting  
19 color to the background color;

20 3. Each roofing contractor issued a commercial roofer  
21 endorsement or a commercial labor-only endorsement shall display the  
22 roofing firm name and the information that the roofing contractor  
23 has a commercial roofer endorsement or a commercial labor-only  
24 endorsement issued by the registrar on all vehicles used to

1 transport materials and tools in the operation of the business.

2 Such endorsement information shall be in print size that is at least  
3 two (2) inches in height in a conspicuous location on both sides of  
4 each vehicle in contrasting color to the background color;

5 4. Each registrant shall post in a conspicuous place on the job  
6 site the name, existence of any endorsement, registration number,  
7 and telephone number for the registration under which any work is  
8 being performed, and on all media containing the registrant's name,  
9 including but not limited to magnetic signs on vehicles, business  
10 cards, contracts, bids, letterhead, signs, and advertisements;

11 5. A roofing contractor's registration certificate number shall  
12 be submitted when applying for any permit issued by the state, or  
13 any of its political subdivisions, for commercial or residential  
14 roofing services or projects, if a permit is required by such  
15 authority, and shall be written upon each permit issued. Provided,  
16 however, no permitting authority shall require a roofing contractor  
17 registration certificate as a condition to issuing a permit when  
18 registration is exempt pursuant to Section 1151.9 of this title;

19 6. A roofing contractor's registration certificate cannot be  
20 shared or used by any other individual or business entity; provided,  
21 however, a business firm, partnership, association, corporation,  
22 limited liability company, or other group or combination thereof  
23 acting as a unit may be granted a single roofing registration  
24 certificate number for use by designated roofing contractors acting

1 as agents for the business entity when the application for  
2 registration contained sufficient information on each member,  
3 partner, officer and agent and the registrar issued a single  
4 certificate number to such persons as a business unit;

5 7. Upon any change to the name, address, business entity,  
6 qualifying party, change in firm ownership of fifty percent (50%) or  
7 more of the stock or beneficial interest in the company, or legal  
8 service agent of a roofing contractor or upon adjudication by a  
9 court of competent jurisdiction for a violation of the Roofing  
10 Contractor Registration Act or an act or omission specified in  
11 subsection A of Section 1151.14 of this title, the registrar shall  
12 be notified in writing within ten (10) days. Any proposed or final  
13 order or notice of hearing to the last-known address of record shall  
14 be considered delivered when deposited in the United States mail  
15 and/or sent registered or certified or post office receipt secured.  
16 Any other communication to the last-known address of record of a  
17 registrant shall be considered delivered when deposited in the  
18 United States mail, regular mail;

19 8. A roofing contractor shall comply with state laws and local  
20 ordinances relating to standards and permits for roofing services  
21 and projects;

22 9. A roofing contractor must pay taxes due in this state;

23 10. Each registrant shall notify the registrar within ten (10)  
24 days after he or she receives notice that any felony conviction has

1 | been rendered against him or her or the registrant or qualifying  
2 | party has pled guilty or nolo contendere to a felony. The  
3 | notification shall be in writing, by certified mail, and shall  
4 | include a copy of the conviction, plea, or judgment and sentence;

5 |       11. Each registrant shall notify the registrar immediately upon  
6 | receipt of an order imposing disciplinary action upon its  
7 | registration issued by any other professional regulatory board, in  
8 | this or any other jurisdiction. Disciplinary action taken against  
9 | any other professional registration or license held by the  
10 | registrant in this jurisdiction or any other jurisdiction is grounds  
11 | for disciplinary action against the registration issued pursuant to  
12 | the Roofing Contractor Registration Act; and

13 |       12. Each registrant shall utilize a valid written contract when  
14 | engaging in the business of roofing contractor work. The contract  
15 | shall contain the requirements described in Section 1151.21 of this  
16 | title. Committing fraud when executing or materially altering a  
17 | roofing contract, mortgage, promissory note or other document  
18 | incidental to performing roofing contractor work, is a violation of  
19 | the Roofing Contractor Registration Act.

20 |       SECTION 6.        AMENDATORY        59 O.S. 2011, Section 1151.9, as  
21 | last amended by Section 2, Chapter 178, O.S.L. 2018 (59 O.S. Supp.  
22 | 2020, Section 1151.9), is amended to read as follows:

23 |       Section 1151.9. A. Any administrative or governing body with  
24 | authority to enter into public contracts shall require individual

1 roofing contractor registration for purposes of such persons  
2 submitting or entering into any bid or contract involving roofing  
3 contractor work.

4 B. The Roofing Contractor Registration Act does not apply to:

5 1. An actual owner of residential or farm property who  
6 physically performs, or has family member, employee or employees who  
7 perform with or without remuneration, roofing services including,  
8 construction, installation, renovation, repair, maintenance,  
9 alteration, waterproofing, or removal of materials or structures on  
10 property owned by such person;

11 2. Any authorized employee, representative or representatives  
12 of the United States Government, the State of Oklahoma, or any  
13 county, municipality, or other political subdivision of this state;

14 3. Any person who furnishes any fabricated or finished product,  
15 material, or article of merchandise which is not incorporated into  
16 or attached to real property by such person so as to become affixed  
17 thereto;

18 4. Any person including churches or other charitable entities  
19 that provide roof repairs or replacements at no charge using  
20 volunteer labor;

21 5. Any employee of a registrant who does not hold himself or  
22 herself out for hire, advertise, or engage in contracting, except as  
23 an employee of a registrant;

24

1       6. Licensed engineers, licensed architects, licensed HVAC and  
2 any other person licensed by the jurisdiction, operating under the  
3 purview and within the scope of their respective license;

4       7. A person who only furnishes roofing materials, roofing  
5 supplies or equipment and does not, nor do the person's employees,  
6 install or fabricate them into or consume them in the performance of  
7 the work of the roofing contractor;

8       8. Prime contractors, general contractors, property managers  
9 and project managers who bid on construction trade work in areas  
10 additional to roofing contractor work, and subcontract the roofing  
11 contractor work as long as they subcontract the roofing work to a  
12 currently registered roofing contractor who is in good standing; if  
13 the bid is solely for roofing contractor work, then a registration  
14 is required;

15       9. Owners of commercial properties including residential rental  
16 properties consisting of four dwelling units or less, when acting as  
17 their own roofing contractor and providing all material supervision  
18 themselves, lessees of residential properties with the consent of  
19 the owner, who, whether themselves or with their own employees,  
20 perform roofing construction in or upon the properties, all  
21 installing roofing materials according to the International Building  
22 Code, as adopted by the Oklahoma Uniform Building Code Commission,  
23 or the manufacturer's installation instructions;

1           10. Owners of property when acting as their own roofing  
2 contractor, providing all material supervision themselves, and  
3 installing roofing materials according to the International  
4 Residential Code, as adopted by the Oklahoma Uniform Building Code  
5 Commission, or the manufacturer's installation instructions when  
6 building or improving a single-family dwelling residence on such  
7 property for the occupancy of such owners and not intended for sale  
8 or rent. In any action brought under the Roofing Contractor  
9 Registration Act, proof of the sale or offering for sale of such  
10 structure or the renting or offering to rent of such structure by  
11 the owners of the property within one (1) year after substantial  
12 completion of the structure when the structure can be occupied and  
13 used as intended but punch list items may remain, is presumptive  
14 evidence that the construction was undertaken with the intent of  
15 sale or rent; or

16           11. Metal building erectors who install prefabricated- or pre-  
17 engineered-metal-building packages, known as PEMBs, as defined by  
18 the Construction Science Institute and Construction Specifications  
19 Institute in Division 13, Special Construction: Metal Building  
20 Systems.

21           C. 1. Labor-only crews performing the installation of asphalt  
22 shingles, tile shingles, synthetic shakes or wood shakes to a sloped  
23 roof must be registered but are not required to have a commercial  
24 endorsement.

1        2. Commercial labor-only subcontractors performing the labor  
2 for installation of roofing work must be registered and have a  
3 commercial labor-only endorsement but are not required to have a  
4 commercial endorsement and must be working under direct supervision  
5 of a commercial-endorsed contractor that has full responsibility  
6 over the actions and performance of the commercial labor-only  
7 subcontractor.

8            SECTION 7.            AMENDATORY            59 O.S. 2011, Section 1151.10, as  
9 amended by Section 9, Chapter 270, O.S.L. 2014 (59 O.S. Supp. 2020,  
10 Section 1151.10), is amended to read as follows:

11            Section 1151.10. A. Within twenty-five (25) calendar days from  
12 the date of application, the registrar shall either issue or deny  
13 the roofing contractor registration. No registration shall be  
14 issued to a qualifying party until the registrar receives all  
15 documentation and fees necessary to obtain a registration  
16 certificate in good standing. The registration certificate issued  
17 on an original application entitles the person to act as a roofing  
18 contractor within this state, subject to the limitations of the  
19 Roofing Contractor Registration Act. Until January 1, 2015, all  
20 registrations shall expire on June 30 of each year and may be  
21 renewed from year to year. Beginning no later than January 1, 2015,  
22 all registrations issued shall be renewed based on staggered  
23 expiration dates of the last day of the birth month of the  
24 qualifying party so that all registrations and endorsements shall



1 expire on the last day in the birth month of the qualifying party.  
2 The Construction Industries Board is authorized to prorate  
3 registration and renewal fees, as described by rule, so that  
4 beginning January 1, 2015, or thirty (30) days after rules have been  
5 approved, fees for renewals previously due by June 30, 2015, are  
6 prorated and converted to be due the last day of the birth month of  
7 the qualifying party by shortening or lengthening the next renewal  
8 date by up to six (6) months. Beginning the effective date of this  
9 act, new initial registrations and endorsements will be issued for  
10 up to eighteen (18) months and due for renewal the last day of the  
11 birth month of the qualifying party. After initial proration or  
12 conversion to birth month, no subsequent registration or endorsement  
13 shall be issued for longer than one (1) year and all endorsements  
14 shall expire on the last day in the birth month of the qualifying  
15 party. The Construction Industries Board shall implement rules for  
16 the scheduling of expiration and renewal of registrations and  
17 endorsements, including the prorating of fees and the identification  
18 and information of the qualifying party. The commercial roofer  
19 endorsement or commercial labor-only endorsement shall expire on the  
20 expiration date of the supporting registration.

21 B. An applicant or qualifying party whose registration or  
22 endorsement is refused or denied by the registrar may obtain a  
23 hearing before the Committee of Roofing Examiners with written  
24 notice to the registrar of the grounds for appeal and identification

1 of evidence to be presented in support of the application  
2 requirements and any other information showing the applicant's  
3 ability and willingness to comply with the requirements of the act,  
4 and to protect the public health, safety and welfare. Such appeals  
5 to the Committee of Roofing Examiners shall be made by the  
6 qualifying party in writing to the registrar within fourteen (14)  
7 days from the date of the written notification of denial or refusal  
8 to register or endorse.

9 C. The Construction Industries Board shall issue a commercial  
10 roofer endorsement to any person who:

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

13 2. Has paid the application and endorsement fee and has  
14 otherwise complied with all of the provisions of the commercial  
15 roofer endorsement of the Roofing Contractor Registration Act. The  
16 endorsement fee ~~is hereby established as up to~~ shall not exceed Two  
17 Hundred Dollars (\$200.00). Renewal of a commercial roofer  
18 endorsement shall be One Hundred Dollars (\$100.00).

19 Endorsements renewed more than thirty (30) days following the  
20 date of expiration may only be renewed upon application and payment  
21 of the required fees and payment of late renewal fee in the amount  
22 of One Hundred Dollars (\$100.00).

23

24

1 No endorsement shall be renewed unless the ~~licensee~~ person has  
2 completed the required hours of continuing education recommended by  
3 the Committee ~~and~~ as set forth by rule.

4 No late fee shall be charged to renew a registration or  
5 endorsement which expired while the applicant was in active military  
6 service, if application for renewal is made within one (1) year of  
7 discharge from active duty status.

8 D. The Construction Industries Board shall issue a commercial  
9 labor-only endorsement to any person who:

10 1. Has submitted a surety bond in the amount of Five Thousand  
11 Dollars (\$5,000.00) to ensure the subcontractor will fully and  
12 faithfully comply with all provisions of law, rule, and regulation  
13 governing the authority to perform work authorized under the  
14 endorsement. The bond shall be a continuous bond with a thirty-day  
15 cancellation notice requirement. The bond shall be conditioned upon  
16 the faithful and lawful performance of all work entered upon by the  
17 subcontractor within this state and shall be for the benefit of  
18 persons injured or suffering financial loss by reason of failure of  
19 the subcontractor's performance. The bond must be filed with the  
20 Bonds and Insurance Unit of the Oklahoma Construction Industries  
21 Board;

22 2. Has submitted two notarized verification of experience  
23 letters signed and notarized by two separate commercial endorsed  
24 roofing contractors attesting to their personal knowledge that the

1 applicant has a minimum of two years commercial roofing installation  
2 experience;

3 3. Has paid the application and endorsement fee and has  
4 otherwise complied with all of the provisions of the commercial  
5 labor-only endorsement of the Roofing Contractor Registration Act.  
6 The endorsement fee shall not exceed Two Hundred Dollars (\$200.00).  
7 Renewal of a commercial labor-only endorsement shall be One Hundred  
8 Dollars (\$100.00); and

9 4. Has submitted a copy of the commercial labor-only  
10 subcontractor's certificate of liability insurance to be filed with  
11 the application which shall be not less than One Million Dollars  
12 (\$1,000,000.00) for commercial roofing labor-only work.

13 Endorsements renewed more than thirty (30) days following the  
14 date of expiration may only be renewed upon application and payment  
15 of the required fees and payment of the late renewal fee in the  
16 amount of One Hundred Dollars (\$100.00).

17 No endorsement shall be renewed unless the person has completed  
18 the required hours of continuing education recommended by the  
19 Committee as set forth by rule.

20 No late fee shall be charged to renew a registration or  
21 endorsement which expired while the applicant was in active military  
22 service, if application for renewal is made within one (1) year of  
23 discharge from active duty status.

24

1 SECTION 8. AMENDATORY 59 O.S. 2011, Section 1151.14, as  
2 amended by Section 11, Chapter 270, O.S.L. 2014 (59 O.S. Supp. 2020,  
3 Section 1151.14), is amended to read as follows:

4 Section 1151.14. A. Any person may file a written duly  
5 verified complaint with the registrar alleging that a person has  
6 committed any of the following acts or omissions:

7 1. Abandonment of a roofing contract without legal excuse after  
8 a deposit of money or other consideration has been paid;

9 2. Diversion of funds or property entrusted to a roofing  
10 contractor;

11 3. Engaging in any fraudulent or deceptive acts or practices or  
12 misrepresentation of products, services or qualifications as a  
13 roofing contractor;

14 4. Making a false or misleading statement in an application for  
15 roofing contractor registration or renewal application or in  
16 soliciting a contract for roofing services;

17 5. Adjudication against the roofing contractor by a court of  
18 competent jurisdiction for a violation of the provisions of the  
19 Roofing Contractor Registration Act, or a license or registration  
20 suspended, revoked or other discipline imposed by any other  
21 professional regulatory board in this or any other jurisdiction;

22 6. Engaging in or offering to engage in work without a valid  
23 registration and commercial roofer endorsement or commercial labor-  
24 only endorsement as required for roofing contractors pursuant to the

1 Roofing Contractor Registration Act or performing roofing services  
2 during any period when the roofing contractor's registration is  
3 denied, suspended or revoked;

4 7. Engaging in or offering to engage in roofing services  
5 without obtaining a proper permit as may be required by any state or  
6 local authority;

7 8. Failure to comply with any tax laws authorized by the state  
8 or any of its political subdivisions;

9 9. Damaging or injuring persons or property while performing  
10 roofing services under a valid roofing contractor registration for  
11 which the roofing contractor's liability insurance or workers  
12 compensation coverage was inadequate;

13 10. Failure to display the roofing firm name, existence of any  
14 commercial roofer endorsement or commercial labor-only endorsement,  
15 if any, and the roofing contractor registration number on all  
16 vehicles used to transport materials and tools in the operation of  
17 the business in letters and numerals at least two (2) inches in  
18 height in a conspicuous location on both sides of each vehicle in  
19 contrasting color to the background color;

20 11. Failure to post in a conspicuous place on each job site the  
21 name, existence of any commercial roofer endorsement or commercial  
22 labor-only endorsement, registration number, and telephone number  
23 for the registration under which any work is being performed;

24

1 12. Engaging in or offering to engage in roofing contractor  
2 work using a roofing registration number of another registrant,  
3 whether the registration is or is not in good standing;

4 13. Advertising, either directly or through another, for  
5 roofing contractor work without a valid, continuing registration, or  
6 without displaying registration number on advertisement, including  
7 but not limited to contracts and signage on vehicles;

8 14. Soliciting roofing contractor work through contracts  
9 obtained by salespersons not under the direct supervision and  
10 employment of a registered roofing contractor when such contract is  
11 then sold for remuneration or something of value and consists of a  
12 pattern of conduct that can be shown to be a business practice in a  
13 secondary market of sales of contracts for profit;

14 15. Gross defects in workmanship in a roofing contractor  
15 project that risks serious harm or injury to a person, or unjustly  
16 causes monetary damages in excess of Five Thousand Dollars  
17 (\$5,000.00); or

18 16. Failure to comply with a specified provision of the Roofing  
19 Contractor Registration Act.

20 B. The complaint shall be on a form approved by the registrar  
21 and shall set forth the alleged act or omission stated in subsection  
22 A of this section, and a statement of sufficient facts upon which a  
23 reasonable person could conclude that the act or omission specified  
24 in subsection A of this section has been committed. All complaints

1 filed with the registrar shall be open to public inspection.

2 Nothing in this section shall be construed to require the  
3 complainant to first file a complaint with the registrar before  
4 seeking relief or remedies allowed by law.

5 C. A complaint received by the registrar as provided in this  
6 section may be retained by the Board for investigation, citation,  
7 and hearing before the Roofing Hearing Board or, in the Board's  
8 discretion, the complaint may be referred to the district attorney  
9 for appropriate disposition as determined by the district attorney,  
10 in his or her discretion.

11 SECTION 9. AMENDATORY 59 O.S. 2011, Section 1151.17, as  
12 amended by Section 13, Chapter 270, O.S.L. 2014 (59 O.S. Supp. 2020,  
13 Section 1151.17), is amended to read as follows:

14 Section 1151.17. A. When applying for any permit required by  
15 the state or any of its political subdivisions for roofing services  
16 or jobs, a roofing contractor shall supply the permit-issuing  
17 official that roofing contractor's registration certificate number  
18 issued pursuant to the Roofing Contractor Registration Act. That  
19 official shall enter a roofing contractor's registration number on  
20 the permit. The registrar may investigate any roofing project for  
21 purposes of verifying roofing contractor registration or permit  
22 verification.

23 B. A person performing as a roofing contractor on his or her  
24 own property, although exempt from the registration requirements of



1 the Roofing Contractor Registration Act, shall, when applying for a  
2 permit required for the project, supply the permit-issuing official  
3 any roofing contractor registration number, as soon as available, of  
4 each roofing subcontractor engaged in roofing services and doing  
5 work covered by the permit, if any. That official shall enter each  
6 roofing contractor registration number so supplied before inspection  
7 of the job.

8 C. A roofing contractor shall display his or her roofing  
9 contractor registration number issued pursuant to the Roofing  
10 Contractor Registration Act on every business sign, card,  
11 correspondence, and contract used to solicit and conduct roofing  
12 services in this state and shall display the roofing firm name,  
13 existence of any commercial roofer endorsement or commercial labor-  
14 only endorsement, and the roofing contractor registration number  
15 bearing the initials "OK" preceding that registration number issued  
16 by the registrar on all vehicles used to transport materials in the  
17 operation of the business. Such names, endorsements, and numbers  
18 shall be printed in letters and numerals at least two (2) inches in  
19 height in a conspicuous location on both sides of each vehicle in  
20 contrasting color to the background color.

21 D. Each registrant shall post in a conspicuous place on each  
22 job site the name, existence of any commercial roofer endorsement or  
23 commercial labor-only endorsement, registration number, and  
24 telephone number for the registration under which any work is being

1 performed, and on all media containing the registrant's name,  
2 including but not limited to magnetic signs on vehicles, business  
3 cards, contracts, bids, letterhead, signs, and advertisements.

4 SECTION 10. AMENDATORY Section 16, Chapter 270, O.S.L.  
5 2014 (59 O.S. Supp. 2020, Section 1151.27), is amended to read as  
6 follows:

7 Section 1151.27. The Committee of Roofing Examiners shall:

- 8 1. Assist and advise the Construction Industries Board on all  
9 matters relating to the formation of rules and standards in  
10 accordance with the provisions of the Roofing Contractor  
11 Registration Act and the provisions of the commercial roofer  
12 endorsement or commercial labor-only endorsement of the Roofing  
13 Contractor Registration Act;
- 14 2. Assist and advise the Board in prescribing and adopting  
15 forms for registration and endorsement applications;
- 16 3. Assist and advise the Board on the examinations for  
17 applicants for a commercial roofer endorsement of the Roofing  
18 Contractor Registration Act and rules thereof, and on all matters  
19 relating to the commercial roofer endorsement of the Roofing  
20 Contractor Registration Act;
- 21 4. Assist and advise the Board on establishment of standards  
22 and procedures for continuing education requirements for a  
23 commercial roofer endorsement and procedures for all matters  
24 pertaining to the formation of rules;

1           5. Approve applications for continuing education classes or  
2 credits for a commercial roofer endorsement, and assist and advise  
3 the Board on establishment of standards and procedures for the  
4 approval of continuing education provider applications;

5           6. In its discretion, issue an advisory opinion to any  
6 registrant, governmental official or entity substantially affected  
7 by a rule or statute enforceable by the Board;

8           7. Hear requests for reconsideration of registration and  
9 endorsement applications denied or refused by the registrar;

10          8. When deemed necessary by the Committee, appoint a member of  
11 the Committee to assist in investigating an alleged violation of the  
12 provisions of the Roofing Contractor Registration Act and of any  
13 rules promulgated pursuant thereto. Such member then would be  
14 disqualified from participation as a Roofing Hearing Board member in  
15 the same matter brought before the Roofing Hearing Board for  
16 adjudication;

17          9. Develop the requirements for issuance of a registration and  
18 endorsement by reciprocity to an applicant who is currently licensed  
19 or registered to engage in roofing contractor work in another state  
20 for recommendation to the Board for its rulemaking process;

21          10. Recommend to the Board that the Board enter into a written  
22 reciprocity agreement with another state if the requirements for  
23 registration in the other state are deemed by the Committee to be  
24 substantially the same or equivalent to the requirements for

1 obtaining an original registration in force in this state at the  
2 date of such registration and:

3 a. that one (1) year immediately prior to the date of  
4 payment of the required fee the applicant lawfully  
5 engaged in roofing contractor work within and under  
6 the laws of the state pursuant to a license or  
7 registration issued thereby authorizing such roofing  
8 work,

9 b. that no disciplinary matters are pending against the  
10 applicant in any city, state, country, territory or  
11 province, and relating to the roofing trade in which  
12 the applicant seeks reciprocity,

13 c. that the registration being reciprocated was obtained  
14 by equivalent or substantially the same requirements  
15 in the state wherein it was issued,

16 d. that there is a written agreement between the states  
17 with equivalent or substantially similar registration  
18 requirements, and

19 e. that the applicant meets all other requirements of the  
20 Construction Industries Board Act, including payment  
21 of the applicable license fee;

22 11. Have such other powers and duties as are necessary to  
23 implement the commercial roofer endorsement or commercial labor-only  
24 endorsement of the Roofing Contractor Registration Act; and

1        12. Assist and advise the Board in such other matters as  
2 requested thereby.

3        SECTION 11.        AMENDATORY        Section 17, Chapter 270, O.S.L.  
4 2014 (59 O.S. Supp. 2020, Section 1151.28), is amended to read as  
5 follows:

6        Section 1151.28. A. The designee of the Construction  
7 Industries Board, as chair, and the Committee of Roofing Examiners  
8 shall act as the Roofing Hearing Board and shall comply with the  
9 provisions of the Construction Industries Board Act, rules and  
10 Article II of the Administrative Procedures Act.

11        B. Any administrative hearing on suspensions, revocations or  
12 fines shall be conducted by a hearing examiner appointed by the  
13 Construction Industries Board. The hearing examiner's decision  
14 shall be a final decision which may be appealed to a district court  
15 in accordance with the Administrative Procedures Act and the  
16 Construction Industries Board Act and rules and regulations.

17        C. The Roofing Hearing Board may, upon its own motion, and  
18 shall, upon written complaint filed by any person, investigate and  
19 conduct hearings on the business transactions of any roofing  
20 contractor, firm or any person soliciting or engaging in roofing  
21 contractor work.

22        D. The Roofing Hearing Board may conduct hearings on citations  
23 issued to any person pursuant to the Roofing Contractor Registration  
24

1 Act, applications for suspension and revocation of a registration or  
2 endorsement.

3 E. The Construction Industries Board shall suspend or revoke or  
4 may refuse to issue or renew any license or registration under the  
5 commercial roofer endorsement or commercial labor-only subcontractor  
6 provisions of the Roofing Contractor Registration Act for any of the  
7 following standards of the Roofing Contractor Registration Act:

8 1. Making a material misstatement in the application for an  
9 endorsement, or the renewal of an endorsement;

10 2. Obtaining any endorsement by false or fraudulent  
11 representation;

12 3. Loaning or allowing the use of such endorsement by any other  
13 person or illegally using an endorsement;

14 4. Demonstrating incompetence to act as a commercial roofing  
15 contractor or commercial labor-only subcontractor;

16 5. Violating any provisions of the Roofing Contractor  
17 Registration Act, or any rule or order prescribed by the  
18 Construction Industries Board pursuant to the provisions of the  
19 Roofing Contractor Registration Act; or

20 6. Willfully failing to perform normal business obligations  
21 without justifiable cause.

22 F. Any person whose endorsement or registration has been  
23 revoked by the Roofing Hearing Board may apply for a new license one  
24 (1) year from the date of such revocation.

1 SECTION 12. This act shall become effective November 1, 2021.

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