



May 10, 2010

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**Oregon inspector certification renewal  
HB 3462 – Housekeeping changes**

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**Opportunity for public comment:**

Those who would like to provide public comment must submit comments to Dodie Wagner, Rules Coordinator, P.O. Box 14470, Salem, OR 97309-0404 or [Dodie.A.Wagner@state.or.us](mailto:Dodie.A.Wagner@state.or.us) . Public comments must be submitted on or before June 22, 2010 at 5:00 p.m.

**Purpose of the rule:**

These proposed rules make necessary housekeeping changes to electrical and plumbing inspector certification rules that were inadvertently missed during the rulemaking changes implementing Phase I of House Bill 3462 (2009).

These proposed rules would become effective July 1, 2010.

**Citation:**

Amend: OAR 918-281-0020 & 918-695-0400

**History:**

House Bill 3462 (2009) was sponsored by various State Representatives and Senators at the request of the Association of Oregon Counties. This bill allows the division to establish requirements for renewing Oregon certifications.

The division assembled a rule advisory committee to work on the first phase of implementing this legislation. The committee, which met during September, October and early November 2009, recommended amending Oregon Inspector Certification (OIC) rules. Under these rules every certified building code inspector, plans examiner, and building official must possess and renew a valid OIC. This committee also determined the OIC application and renewal fee for a three-year cycle. The first renewal cycle for all OICs, including those issued under the grandfather clause, will begin November 1, 2010. There is no renewal requirement for Oregon Code Certifications, but they become invalid if the OIC is not renewed.

**Contact:**

If you have questions or need further information, please contact Dodie Wagner, Rules Coordinator at 503-373-1258 or [Dodie.A.Wagner@state.or.us](mailto:Dodie.A.Wagner@state.or.us).



Secretary of State  
**NOTICE OF PROPOSED RULEMAKING\***  
A Statement of Need and Fiscal Impact accompanies this form.

Department of Consumer and Business Services, Building Codes Division	918
Agency and Division	Administrative Rules Chapter Number
Dolores Wagner	PO Box 14470, Salem, OR 97309
Rules Coordinator	Address
	Telephone

**RULE CAPTION**

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Housekeeping amendments to implement a certification renewal process as required by House Bill 3462 (2009)

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**Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.**

**RULEMAKING ACTION**

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing  
**ADOPT:**

**AMEND:** 918-281-0020 and 918-695-0400

**REPEAL:**

**RENUMBER:**

**AMEND & RENUMBER:**

Stat. Auth.: ORS 455.720

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Other Auth.:

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Stats. Implemented: ORS 455.720

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**RULE SUMMARY**

The proposed rules are necessary housekeeping changes to the division's rules as a result of the passage of House Bill 3462 during the 2009 legislative session. OAR Chapter 918, Division 98 rules were noticed and amended to require an Oregon Inspector Certification (OIC) for all building officials, inspectors, and plan reviewers and renewal of that certification every three years. Division 98 rules lay out the application requirements and fees for obtaining or renewing an OIC. These proposed rules update references to electrical and plumbing inspectors in divisions 281 and 695 to agree with amendments made to chapter 918, division 98 but were not included in the hearing notice for the hearing held on December 19, 2009.

The agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

Tuesday, June 22, 2010 at 5:00 p.m.

**Last Day for Public Comment** (Last day to submit written comments to the Rules Coordinator)

	Patrick Allen	
Signature	Printed name	Date

\*Rulemaking Notices published in the Oregon Bulletin must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, upon which the deadline is 5:00 pm the preceding workday. A public rulemaking hearing may be requested in writing by 10 or more people, or by an association with 10 or more members, within 21 days following the publication of the Rulemaking Notice in the Oregon Bulletin or 28 days from the date Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, notice of the date and time of the rulemaking hearing must be published in the Oregon Bulletin at least 14 days before the hearing.

ARC 923-2005

**STATEMENT OF NEED AND FISCAL IMPACT**

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Department of Consumer and Business Services, Building Codes Division

918

Agency and Division

Administrative Rules Chapter Number

Makes administrative changes to the division’s rules as a result of HB 3462 (2009)

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency’s intended action.)

In the Matter of: Amending 918-281-0020 and 918-695-0400.

Statutory Authority: ORS 455.720

Other Authority:

Stats. Implemented: ORS 455.720

Need for the Rule(s): The proposed rules are necessary housekeeping changes to the division’s rules as a result of the passage of House Bill 3462 during the 2009 legislative session. OAR Chapter 918, Division 98 rules were noticed and amended to require an Oregon Inspector Certification (OIC) for all building officials, inspectors, and plan reviewers and renewal of that certification every three years. Because of these changes, the rules that reference electrical and plumbing inspectors in Division 281 and 695 need to be updated to reflect the changes.

Documents Relied Upon, and where they are available: House Bill 3462 (2009); HB 3462 Phase I Rulemaking Advisory Committee minutes from September 22, October 15, and November 4, 2009; and draft rules are available from the division’s rules coordinator located at 1535 Edgewater Street NW, Salem, OR 97304 and are posted on the division’s Web site at [www.bcd.oregon.gov](http://www.bcd.oregon.gov).

Fiscal and Economic Impact:

The division has determined these proposed rule changes will not have a fiscal or economic impact on state agencies, units of local government, members of the public, or small businesses. The changes to the rules are purely administrative “housekeeping” clarifications resulting from House Bill 3462, which was passed during the 2009 legislative session.

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

There should be no cost of compliance impact on state agencies, local government, or the public because the changes are non-substantive housekeeping and clarification amendments.

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small businesses and types of business and industries with small businesses subject to the rule: The division has determined these proposed rule changes will not have a fiscal or economic impact on small businesses because the changes are non-substantive housekeeping and clarification amendments.

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:

Because the division has determined there is no impact to small businesses as a result of the proposed rules, no additional reporting, recordkeeping, administrative, or professional services are required.

c. Equipment, supplies, labor and increased administration required for compliance:

Because the division has determined there is no impact to small businesses as a result of the proposed rules, no additional equipment, supplies, labor, or increased administration are required.

How were small businesses involved in the development of this rule? The Oregon Building Official Association, which represents inspectors, plans examiners, and building officials, was involved on the rule advisory committee.

Administrative Rule Advisory Committee consulted?: Yes

If not, why?:

Patrick Allen

Signature

Printed name

Date

## 918-281-0020

### Electrical Specialty Code Inspector Certification

- (1) Scope: An Electrical Specialty Code inspector:
- (a) Inspects electrical installations regulated by the **Oregon Electrical Specialty Code**;
  - (b) Inspects electrical installations regulated by the **Oregon Residential Specialty Code**;
- and
- (c) May do electrical plan reviews as provided in OAR 918-311-0040.
- (2) Qualifications: To qualify for the certification, the individual must have the following training or experience or both:
- (a) Four years experience as a licensed general journeyman electrician and a ~~current~~ valid Oregon general supervising electrician license;
  - (b) A four-year Bachelor of Science degree in electrical engineering, plus three years approved experience in design, inspection, or supervision of installations covered by the National Electrical Code or **Oregon Electrical Specialty Code**; or
  - (c) Equivalent experience or qualifications approved by the board.
- (3) Application for Certification: A person seeking certification under this rule must apply for an Oregon Code Certification as provided in OAR 918-098-1025.
- (4) All applicants must pass a board-approved examination with a minimum grade of 75 percent covering:
- (a) The **Oregon Electrical Specialty Code** and electrical provisions of the **Oregon Residential Specialty Code**; and
  - (b) Electrical theory, design, installation, and materials.
- (5) A person who is certified ~~after October 1, 2005~~ **under this rule** must also possess a valid Oregon Inspector Certification issued under OAR 918-098-1025 prior to performing electrical inspections or plan reviews.
- (6) Persons qualifying under subsection (2)(b) or ~~(2)~~(c) of this rule must pass the Oregon general supervising electrician license examination with a minimum grade of 75 percent. An Oregon general supervising electrician license may not be issued to applicants under these subsections.
- (7) For purposes of this rule, one year of experience equals 2,000 hours.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.720  
Stats. Implemented: ORS 455.720

## **918-695-0400**

### **Rules Establishing Certification for Plumbing Inspectors**

(1) Scope: To promote effective and uniform enforcement of the **Oregon Plumbing Specialty Code** by improving the competence of plumbing inspectors, this rule establishes minimum training and experience qualifications to make inspections for compliance with the **Oregon Plumbing Specialty Code**.

(2) A plumbing inspector:

(a) Inspects plumbing installations regulated by the **Oregon Plumbing Specialty Code**;

(b) Inspects plumbing installations regulated by the **Oregon Residential Specialty Code**;

and

(c) May do plumbing plan reviews as provided in OAR 918-780-0040.

(3) Limits on Municipalities: Nothing in the rules prohibits a local government from establishing additional requirements in the selection and hiring of plumbing inspectors. Nothing in OAR chapter 918, divisions 750 to 785 is intended to dictate the internal administrative organization of a city or county or to limit or otherwise affect the authority of a municipality to dismiss or suspend an inspector.

(4) Plumbing inspectors must meet continuing education requirements established by the division under OAR 918-098-1450.

(5) Application for Certification, ~~or Appeals~~: A person seeking certification under this rule must apply for an Oregon Code Certification as provided in OAR 918-098-1025. A ~~certification fee must be submitted with the application as listed in ORS 455.735.~~

(6) Qualifications: An applicant will be certified as a plumbing inspector under this rule if the following minimum qualifications are met:

(a) Experience and Training:

(A) 3 years of employment and experience as a Journeyman Plumber, with an Oregon Journeyman Plumber's license or its equivalent;

(B) A degree in mechanical engineering or certified professional registration with 2 years of work experience in plumbing design, installation, or inspection;

(C) 4 years of work experience in the inspection of plumbing installations of which at least 2 years is of commercial, industrial, and multi-family structures, or if the 4 years of work experience is in the inspection of residential installations, the completion of a division-approved plumbing inspector training program; or

(D) ~~Equivalent~~ Experience and training of equivalent to paragraphs (A), (B), and (C) of this subsection; or

(E) Persons certified in OAR 918-098-1210 as ~~Oregon one and two-family dwelling~~ residential plumbing inspectors as of April 1, 1998 and completing five years of plumbing inspection experience ~~shall be~~ are considered qualified to sit for examinations as a plumbing inspector.

(b) Examination: Passing a board-approved examination on the **Oregon Plumbing Specialty Code** covering plumbing theory, inspection techniques, communication skills, public relations, design, installation, statutory rules, authority, and materials.

(7) Training:

(a) Upon application, the division ~~shall~~ may examine and evaluate any program or facility established by a municipality or educational institution for the training of plumbing inspectors.

(b) If the division finds that a training program meets the minimum requirements established pursuant to this rule, the division shall, in writing, certify the training program as qualified for such time and conditions as the division may prescribe. An individual complies with any minimum requirement for plumbing inspector established pursuant to classification and requirements in this rule after satisfactorily completing a training program certified under this rule.

(8) A person issued a plumbing inspector certification or a limited plumbing inspector building sewers certification ~~after October 1, 2005~~ under this rule must also possess a valid Oregon Inspector Certification issued under OAR 918-098-1025 prior to performing plumbing inspections or plan reviews.

(9) Special Certification:

(a) Limited Certification: The division, with board approval, may issue a limited certification for special types of inspections. Such limited certification will only be issued after the applicant passes an appropriate test of knowledge and ability;

(b) Limited Plumbing Inspector -- Building Sewers. Limited certification for plumbing inspection of building sewers from five feet outside the building to the disposal terminal or connection with a main sewer line may be issued. To be certified, an applicant must have the following qualifications:

(A) A Journeyman Plumber License;

(B) Two years' experience in sewer design, installation, or inspection; or

(C) Experience and training equivalent to paragraph (A) or (B) of this subsection approved by the board; and

(D) Passing a board-approved examination on code, materials, and installation practices for building sewers and sewers.

(10) For purposes of this rule, one year of experience is equal to 2,000 hours.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.720

Stats. Implemented: ORS 455.720