



May 20, 2008

Reciprocal License Requirements

Opportunity for public input:

Those who would like to provide public testimony may attend a public hearing on May 20, 2008 at 9:30 a.m. The hearing will be located at the Building Codes Division, Conference Room A. Written comments may also be submitted to the contact below. The last day to submit written comments is 5:00 p.m. May 20, 2008.

Purpose of the rule:

These proposed rules clarify the procedures for individuals applying for an electrical or plumbing license through reciprocity.

These proposed rule would become effective July 1, 2008.

Citation:

Adopt: OAR 918-030-0045; and

Amends: OAR 918-030, 918-282, & 918-695

History:

In order to receive a plumbing or electrical license in Oregon, individuals must qualify for and pass an license examination. Oregon has entered into reciprocal licensing agreements that allow an individual to apply for particular licenses in Oregon without sitting for the Oregon examination.

Electrical - Oregon has reciprocal agreements for **journeyman electrical licenses** with: Arkansas, Idaho, Maine, Massachusetts, Montana, Utah, and Wyoming. It has **master or supervising electrical license** agreements with: Arkansas and Utah.

Plumbing - Oregon also has reciprocal agreements for **journeyman plumber licenses** with: Idaho and Montana.

The division is proposing these rules to ensure consistency in processing and administering reciprocal license applications. These rules do not amend the reciprocal agreements. They ensure consistency in administering the existing agreements.

Contact:

If you have questions or need further information, please contact the Hearing Officer, Aeron Teverbaugh at 503-373-1354, or Aeron.Teverbaugh@state.or.us.



Secretary of State
NOTICE OF PROPOSED RULEMAKING HEARING*

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
Nicole Jantz	(503) 378-4130
Rules Coordinator	Telephone

PO Box 14470, Salem, OR 97309

Address

RULE CAPTION

Clarifies the requirements for reciprocal electrical and plumbing licensing.

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

May 20, 2008	9:30 a.m.	1535 Edgewater Street NW, Salem, Oregon	Aeron Teverbaugh
Hearing Date	Time	Location	Hearings Officer

Auxiliary aids for persons with disabilities are available upon advance request.

RULEMAKING ACTION

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

ADOPT: OAR 918-030-0045

AMEND: OAR 918-030, 918-282, & 918-695

REPEAL:

RENUMBER:

AMEND & RENUMBER:

Stat. Auth.: ORS 455.117

Other Auth.:

Stats. Implemented: ORS 455.117 & 670.380

RULE SUMMARY

This proposed rule clarifies the qualifying criteria for persons applying for reciprocal electrical or plumbing licensing.

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.

May 20, 2008 at 5:00 p.m.

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

Mark Long

Signature

Printed name

Date

*Hearing 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. ARC 920-2005

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

In the Matter of: Adopting OAR 918-030-0045 and Amending OAR 918-030, 918-282, & 918-695

Rule Caption: (Not more than 15 words that reasonably identifies the subject matter of the agency’s intended action.)
Clarifies the requirements for reciprocal electrical and plumbing licensing.

Statutory Authority: ORS 455.117

Other Authority:

Stats. Implemented: ORS 455.117 & 670.380

Need for the Rule(s): This proposed rule is needed to clarify the requirements for obtaining Oregon electrical or plumbing licensure through reciprocity with a reciprocating state. The Building Codes Division and its advisory boards have reciprocal agreements with other states allowing individuals to apply for Oregon licenses if they possess a valid license from a reciprocating state. The division must enact rules in order to ensure consistency for processing reciprocal license applications and to clarify the requirements for applicants from reciprocating states.

Documents Relied Upon, and where they are available: Letter from Electrical and Elevator Board member, Tim Nicol, dated February 21, 2007; Electrical and Elevator Board minutes from March 22 and July 26, 2007; and draft rules which are available from the division’s rule coordinator located at 1535 Edgewater St NW, Salem OR 97310, and are posted on the division’s Web site.

Fiscal and Economic Impact, including Statement of Cost of Compliance: Based on the information made available to the division, the division has determined that this proposed rule will have no foreseeable significant fiscal impact on state agencies, units of local government, or small businesses with 50 or fewer employees. The division believes no members of the public will be economically impacted by this proposed rule This proposed rule imposes no new reporting, record keeping, equipment, supply, labor, professional services, or other administrative requirements on small businesses.

How were small businesses involved in the development of this rule? Small businesses are represented on the Electrical and Elevator Board. The division contacted electrical and plumbing unions and contractor associations whose members may be in small business.

Administrative Rule Advisory Committee consulted?: No

If not, why?: The division discussed the matter with the Electrical and Elevator Board at its March 22 and July 26, 2007 meetings and will convene an advisory committee to discuss the issue before taking a draft rule to the Electrical and Elevator Board and the Plumbing Board.

Signature

Printed name

Date

Reciprocating Licensing Rules
1/3/08

OAR 918-030-0045

Oregon Reciprocal License Requirements

(1) The purpose of these rules is to assist the citizens of Oregon and reciprocating states with substantially similar electrical and plumbing licensing criteria to obtain a license without examination.

(2) For the purposes of this rule the following definitions apply:

(a) “ Reciprocal Applicant” means a person applying for a reciprocal license.

(b) “Reciprocal License” means a license issued by Oregon to a person who qualifies under these rules.

(c) “Reciprocal State” means a state with a reciprocal licensing agreement with Oregon.

(3) To qualify for a license under these rules, a reciprocal applicant must prove that they:

(a) Possess a license from the reciprocal state that is current, active, and in good standing with no violations;

(b) Qualified for the license from the reciprocal state through examination, with a score of 75 percent or better, and by a minimum of four (4) years (8,000 hours) of work experience in the reciprocal state;

(c) Have resided in the reciprocal state for at least six (6) months prior to the reciprocal licensing application and submitted at least two (2) pieces of corroborating evidence of a physical address.

(A) Residency can be documented through submission of driver’s license, utility bills, rental receipts, and other similar documents.

(B) A P.O. Box will not be accepted.

(d) Have worked a minimum of six (6) months (1,000 hours) under the license from the reciprocal state;

(e) Have not applied for licensure in Oregon, qualified for, or taken, the Oregon Licensing exam within the last six (6) months.

(4) This rule applies retroactively.

Stat. Auth.: ORS 455.110 & 455.117
Stats. Implemented: ORS 455.117 & 670.380
Hist.: f. & cert. ef. 1-3-08