



May 20, 2008

**Continuing education requirements for
Boiler and Pressure Vessel licenses**

Opportunity for public input:

Those who would like to provide public testimony may attend a public hearing on May 20, 2008 at 10:30 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 23, 2008.

Purpose of the rule:

These proposed rules adjust continuing education requirements for boiler licenses to match the new three-year license cycle that begins July 1, 2008.

These proposed rule would become effective July 1, 2008.

Citation:

Amends: OAR 918-030

History:

Current continuing education requirements for Class 2, Class 3, Class 4, Class 5, Class 5A and Class 5B licenses is eight-hours of continuing education annually. The annual license term and continuing education requirements expire on July 1, 2008. Beginning July 1, 2008, boiler licenses transition from a one-year to a three-year license cycle.

Changes to the boiler license terms and continuing education requirements are a result of legislation from both the 2005 and 2007 Legislature; HB 2181 (2005) and HB 2219 (2007). These bills provided the statutory framework for creating consistent licensing procedures for division-issued licenses, including changes to ORS 480.630, which gave flexibility to the Boiler Board in setting continuing education requirements.

The Board of Boiler Rules, at its March 4, 2008 meeting, approved draft rules for the three-year license cycle starting July 1, 2008. Continuing education requirements for Class 3, Class 4, Class 5, Class 5A and Class 5B licenses essentially remains the same at twenty-four hours for a three-year license cycle. Continuing education for a Class 2 license would be reduced to eight hours for a three-year license cycle.

Contact:

If you have questions or need further information, please contact the Hearing Officer, Celina Patterson at 503-373-0855, or Celina.R.Patterson@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
Shauna M. Parker	PO Box 14470, Salem, OR 97309
Rules Coordinator	Address
	(503) 373-7438
	Telephone

RULE CAPTION

Revises continuing education requirements for licenses in the boiler and pressure vessel program.

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

May 20, 2008	10:00 a.m.	1535 Edgewater Street NW, Salem, OR 97304	Celina Patterson
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:

AMEND: 918-030

REPEAL:

RENUMBER:

AMEND & RENUMBER:

Stat. Auth.: ORS 455.117

Other Auth.:

Stats. Implemented: ORS 455.117

RULE SUMMARY

The proposed rules revise continuing education requirements for license holders in the boiler and pressure vessel program. The proposed rule sets requirements for the following license categories: Class 2 is set at eight hours of continuing education during each three-year cycle; Class 3, Class 4, Class 5, Class 5A, and Class 5B are set at twenty-four (24) hours of continuing education during each three-year cycle.

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.

Friday, May 23, 2008, 5:00 p.m.

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

Mark Long	
Signature	Date
Printed name	

*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
Agency and Division

918

Administrative Rules Chapter Number

In the Matter of: Amending OAR 918-030.

Rule Caption: (Not more than 15 words that reasonably identifies the subject matter of the agency’s intended action.)
Revises continuing education requirements for licenses in the boiler and pressure vessel program.

Statutory Authority: ORS 455.117

Other Authority:

Stats. Implemented: ORS 455.117

Need for the Rule(s): The Boiler and Pressure Vessel Program’s existing continuing education rules expire July 1, 2008. On July 1, 2008, boiler and pressure vessel licenses also transition from a one-year license to a three-year license cycle; continuing education requirements need to be adjusted accordingly.

Documents Relied Upon, and where they are available: Board of Boiler Rules minutes from March 4, 2008; and draft rules are available from the division’s rules coordinator located at 1535 Edgewater Street NW, Salem, OR 97304 and are available on the division’s Web site.

Fiscal and Economic Impact, including Statement of Cost of Compliance: Based on the information available to the division, the division has determined that these proposed rules will have no foreseeable significant fiscal impact on state agencies or units of local government. Members of the public that have a Class 2 license will experience a decreased cost to meet the lower continuing education requirements for renewal.

This rule affects small businesses that offer boiler and pressure vessel continuing education. These businesses may be impacted by the 2/3 reduction of continuing education requirements for Class 2 licensees. There are approximately 2,400 boiler or pressure vessel license holders who possess licenses requiring continuing education; of these, 82, or 3%, are Class 2 licensees. Because the proposed rule reduces the continuing education requirements for Class 2 license holders only, the division estimates that it may result in a 2% decrease in income for continuing education providers training Class 2 licensees over a three-year period. The proposed rule has no impact on the continuing education providers for Class 3, Class 4, Class 5, Class 5A, and Class 5B license holders, as the continuing education requirements for these license types remain the same over a three-year period.

The proposed rule imposes no new equipment, supply, labor, professional service, or other administrative requirements.

How were small businesses involved in the development of this rule? Small businesses are represented on the Board of Boiler Rules that discussed the proposed rule changes at its March 4, 2008 meeting.

Administrative Rule Advisory Committee consulted?: No

If not, why?: The Board of Boiler Rules provided input on the requirement. The board represents a wide segment of the boiler industry.

	Mark Long	
Signature	Printed name	Date

918-030-0120

Licenses Requiring 24 Hours of Continuing Education

(1) During each three-year license cycle, the following license holders are required to complete 24 hours of approved continuing education, including one code-change course if required by the appropriate board:

- (a) General Supervising Electrician;
- (b) Limited Supervising Electrician;
- (c) General Journeyman Electrician;
- (d) Journeyman Plumber;
- (e) Class 3 Boiler Building Service Mechanic;**
- (f) Class 4 Boiler Boilermaker;**
- (g) Class 5 Boiler Pressure-Piping Mechanic;**
- (h) Class 5A Boiler Process Piping Mechanic; and,**
- (i) Class 5B Boiler Refrigeration Piping Mechanic.**

(2) ~~The following licenses transition to a three-year cycle beginning July 2008. Until then holders of the following licenses are required to complete 8 hours of continuing education each year:~~

- ~~(e) Class 2 Boiler — Pressure Vessel Installer;~~
- ~~(f) Class 3 Boiler — Building Service Mechanic;~~
- ~~(g) Class 4 Boiler — Boilermaker;~~
- ~~(h) Class 5 Boiler — Pressure Piping Mechanic;~~
- ~~(i) Class 5A Boiler — Process Piping Mechanic; and~~
- ~~(j) Class 5B Boiler — Refrigeration Piping Mechanic.~~

Stat. Auth.: ~~ORS 183.335~~ **ORS 455.117**

Stat. Implemented: ~~ORS 183.335~~ **ORS 455.117**

Hist.: BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-030-0125

Licenses Requiring 16 Hours of Continuing Education

During each three-year license cycle, the following license holders are required to complete 16 hours of approved continuing education, including one code-change course if required by the appropriate board:

- (1) Limited Residential Electrician
- (2) Limited Journeyman Manufacturing Plant Electrician

Stat. Auth.: ~~ORS 183.335~~ **ORS 455.117**

Stat. Implemented: ~~ORS 183.335~~ **ORS 455.117**

Hist.: BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-030-0130

Licenses Requiring 8 Hours of Continuing Education

During each three-year license cycle, the following license holders are required to complete 8 hours of approved continuing education, including one code-change course if required by the appropriate board:

- (1) Limited Maintenance Electrician;
- (2) Class A Limited Energy Technician;
- (3) Class B Limited Energy Technician; and,
- (4) Solar Heating and cooling System Plumbing Installer; **and,**
- (5) Class 2 Boiler Pressure Vessel Installers.**

Stat. Auth.: ~~ORS 183.335~~ **ORS 455.117**

Stat. Implemented: ~~ORS 183.335~~ **ORS 455.117**

Hist.: BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-030-0135

Licenses Requiring 4 Hours of Continuing Education

During each three-year license cycle, the following license holders are required to complete 4 hours of approved continuing education, including one code-change course if required by the appropriate board:

- (1) Limited Renewable Energy Technician; and
- (2) Limited Journeyman Sign Electrician.

Stat. Auth.: ~~ORS 183.335~~ **ORS 455.117**

Stat. Implemented: ~~ORS 183.335~~ **ORS 455.117**

Hist.: BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

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