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S.220

Introduced by Senators White, Ashe, Bray, Clarkson, Pearson, Perchlik and  
Pollina

Referred to Committee on

Date:

Subject: Professions and occupations; Office of Professional Regulation;  
Department of Public Safety; continuing education; State energy  
goals; architects; boiler inspectors; electricians; gas appliance  
installers; landscape architects; oil burning equipment installers;  
plumbers; pollution abatement facility operators; potable water supply  
and wastewater system designers; professional engineers; property  
inspectors; real estate appraisers; real estate brokers and salespersons

Statement of purpose of bill as introduced: This bill proposes to require  
specified professionals to obtain education on the State's energy goals as a  
condition of initial licensure and license renewal.

An act relating to educating specified professionals on the State's energy  
goals

1 It is hereby enacted by the General Assembly of the State of Vermont:

2 Sec. 1. PURPOSE

3 The purpose of this act is to further the State's energy goals through the  
4 education of specified licensed professionals.

5 Sec. 2. 3 V.S.A. § 138 is added to read:

6 § 138. REQUIRED EDUCATION FOR SPECIFIED LICENSEES; STATE

7 ENERGY GOALS

8 (a) The following licensees are required to complete the education module  
9 regarding the State's energy goals as described in this section:

10 (1) architects licensed under 26 V.S.A. chapter 3;

11 (2) landscape architects licensed under 26 V.S.A. chapter 46;

12 (3) pollution abatement facility operators licensed under 26 V.S.A.  
13 chapter 99;

14 (4) potable water supply and wastewater system designers licensed  
15 under 26 V.S.A. chapter 97;

16 (5) professional engineers licensed under 26 V.S.A. chapter 20;

17 (6) property inspectors licensed under 26 V.S.A. chapter 19;

18 (7) real estate appraisers licensed under 26 V.S.A. chapter 69; and

19 (8) real estate brokers and salespersons licensed under 26 V.S.A.

20 chapter 41.



1           (1) The Commissioner is authorized to adopt rules regarding the  
2           construction of buildings, maintenance and operation of premises, and  
3           prevention of fires and removal of fire hazards, and to prescribe standards  
4           necessary to protect the public, employees, and property against harm arising  
5           out of or likely to arise out of fire.

6           (2)(A) The Commissioner shall adopt rules to require each of the  
7           following certificants to complete an education module regarding the State's  
8           energy goals and how each certificant's specific profession can further those  
9           goals:

10           (i) gas appliance installers, inspectors, and servicers certified  
11           under subdivision (c)(4)(C) of this section;

12           (ii) oil burning equipment installers, inspectors, and servicers  
13           certified under subdivision (c)(4)(D) of this section; and

14           (iii) limited oil burning equipment installers, inspectors, and  
15           services certified under subdivision (c)(4)(F) of this section.

16           (B) The education module shall be not more than two hours and shall  
17           be required as a condition of initial certification and certification renewal.

18           (C) The Commissioner shall adopt these rules in consultation with  
19           the Agency of Natural Resources and the Department of Public Service.

20           (D)(i) The education module shall be provided to the required  
21           applicants for initial certification and certification renewal at no cost.

1                   (ii) The Commissioner may incorporate any cost of providing this  
2                   education module into the Division of Fire Safety’s certification fee structure if  
3                   that incorporation is approved by the General Assembly.

4           (b) Inspections.

5                   (1) The Commissioner shall conduct inspections of premises to ~~assure~~  
6                   ensure that the rules adopted under this subchapter are being observed and may  
7                   establish priorities for enforcing these rules and standards based on the relative  
8                   risks to persons and property from fire of particular types of premises.

9                   (2) The Commissioner may also conduct inspections to ~~assure~~ ensure  
10                   that buildings are constructed in accordance with approved plans and drawings.

11           (c) Fees. The following fire prevention and building code fees are  
12           established:

13   \* \* \*

14                   (4) Three-year initial certificate of fitness and renewal fees for  
15                   individuals performing activities related to fire or life safety established under  
16                   subsection (a) of this section shall be:

17                   (A) Water-based fire protection system design:

18                                   (i) Initial certification: \$150.00.

19                                   (ii) Renewal: \$50.00.

20                   (B) Water-based fire protection system installation, maintenance,  
21                   repair, and testing:

1 (i) Initial certification: \$115.00.

2 (ii) Renewal: \$50.00.

3 (C) Gas appliance installation, inspection, and service: \$60.00.

4 (D) Oil burning equipment installation, inspection, and service:  
5 \$60.00.

6 (E) Fire alarm system inspection and testing: \$90.00.

7 (F) Limited oil burning equipment installation, inspection, and  
8 service: \$60.00.

9 (G) Domestic water-based fire protection system installation,  
10 maintenance, repair, and testing:

11 (i) Initial certification: \$60.00.

12 (ii) Renewal: \$20.00.

13 (H) Fixed fire extinguishing system design, installation, inspection,  
14 servicing, and recharging:

15 (i) Initial certification: \$60.00.

16 (ii) Renewal: \$20.00.

17 (I) Emergency generator installation, maintenance, repair, and  
18 testing: \$30.00;

19 (J) Chimney and solid fuel burning appliance cleaning, maintenance,  
20 and evaluation: \$30.00.

21 \* \* \*

1 (e) Variances; exemptions. ~~The~~ Except for the rules requiring the  
2 education module regarding the State's energy goals described in subdivision  
3 (a)(2) of this section, the Commissioner may grant variances or exemptions  
4 from rules adopted under this subchapter where strict compliance would entail  
5 practical difficulty, unnecessary hardship, or is otherwise found unwarranted,  
6 provided that:

7 (1) any such variance or exemption secures the public safety and health;

8 (2) any petitioner for such a variance or exemption can demonstrate that  
9 the methods, means, or practices proposed to be taken in lieu of compliance  
10 with the rule or rules provide, in the opinion of the Commissioner, equal  
11 protection of the public safety and health as provided by the rule or rules;

12 (3) the rule or rules from which the variance or exemption is sought has  
13 not also been adopted as a rule or standard under 21 V.S.A. chapter 3,  
14 subchapters 4 and 5; and

15 (4) any such variance or exemption does not violate any of the  
16 provisions of 26 V.S.A. chapters 3 and 20 or any rules adopted thereunder.

17 \* \* \*

18 Sec. 4. 20 V.S.A. chapter 173, subchapter 5 is amended to read:

19 Subchapter 5. Boilers and Pressure Vessels

20 \* \* \*

1 § 2883. BOILER INSPECTIONS

2 (1) The ~~commissioner~~ Commissioner has authority to obtain specific  
3 information from boiler inspectors on forms ~~which~~ that shall first be approved  
4 by the ~~commissioner~~ Commissioner.

5 (2) The ~~commissioner~~ Commissioner may authorize qualified inspectors  
6 to conduct inspections under such rules as the ~~commissioner~~ Commissioner  
7 may prescribe.

8 (A) If a boiler or pressure vessel is insured, the inspection may be  
9 conducted by a qualified inspector who is employed, or contractually  
10 authorized, by the insurer.

11 (B) If a boiler or pressure vessel is not insured, the inspection may be  
12 conducted by any qualified inspector authorized by the ~~commissioner~~  
13 Commissioner. In case the inspection is made by such an inspector, ~~no~~ a fee  
14 shall not be charged by the ~~division~~ Division, except a process fee of \$30.00  
15 for issuance of an operating certificate.

16 (3)(A) The fee for a person requesting a three-year authorization to  
17 conduct inspections shall be \$150.00.

18 (B) A licensed boiler inspector shall carry liability insurance in an  
19 amount determined by the ~~department~~ Department.



1 § 2884. QUALIFICATIONS OF INSPECTORS

2 (a) Examination. All boiler inspectors shall have passed the examination  
3 required by the National Board of Boiler and Pressure Vessel Inspectors, and  
4 hold annual certification from ~~such~~ that board.

5 (b) Education. The Commissioner shall adopt rules to require each boiler  
6 inspector to complete an education module regarding the State's energy goals  
7 and how the boiler inspection profession can further those goals.

8 (1) The education module shall be not more than two hours and shall be  
9 required as a condition of initial authorization and authorization renewal.

10 (2) The Commissioner shall adopt these rules in consultation with the  
11 Agency of Natural Resources and the Department of Public Service.

12 (3)(A) The education module shall be provided to boiler inspector  
13 applicants for initial authorization and authorization renewal at no cost.

14 (B) The Commissioner may incorporate any cost of providing this  
15 education module into the Division of Fire Safety's certification fee structure if  
16 that incorporation is approved by the General Assembly.

17 \* \* \*

18 Sec. 5. 26 V.S.A. chapter 15, subchapter 3 is amended to read:

19 Subchapter 3. Licensing Electricians

20 § 901. ELECTRICIANS' LICENSING BOARD

1 (a) A board for the licensing of electricians is created, to be known as the  
2 “Electricians’ Licensing Board.”

3 (b) The ~~board~~ Board consists of the Commissioner of Public Safety or a  
4 member of that Department designated by the Commissioner and four persons  
5 appointed by the Governor with the advice and consent of the Senate.

6 (1) The four appointed members shall serve for terms of three years,  
7 beginning on July 1 in the year of appointment, and they shall include one  
8 licensed master electrician, one licensed journeyman electrician, one person  
9 associated with the public electrical utility industry who is knowledgeable in  
10 technical as well as operational issues of the electrical utility industry, and one  
11 person associated with the fire insurance industry.

12 (2) ~~No~~ Not more than two appointed members’ terms shall expire in the  
13 same year.

14 (c) The Governor shall appoint one of the members of the Board to serve as  
15 its chair.

16 \* \* \*

17 § 905. APPLICATION; EXAMINATIONS, EDUCATION, AND FEES

18 (a)(1) Each applicant for a license shall submit to the Board, on forms  
19 furnished by it, a written application containing such relevant information as  
20 the Board may require, accompanied by the required examination fee.

1           (2) The examination fee shall be established by the Board but shall be  
2           no greater than the cost associated with administering the examination.  
3           Notwithstanding 32 V.S.A. § 502(a), if the examination is conducted by an  
4           outside testing service, the required examination fee may be paid directly to the  
5           testing service.

6   \* \* \*

7           (d)(1) Three-year electrical license fees shall be:

8                   (A) For a masters license (initial and renewal)               \$150.00;

9                   (B) For a journeyman’s license (initial and renewal)       \$115.00;

10                (C) For a type-S journeyman’s license (initial and renewal) per field  
11   \$115.00;

12           (2) The fee for a certificate for framing shall be:                   \$10.00.

13   \* \* \*

14           (g) In addition to other education requirements of this subchapter, the  
15           Commissioner shall adopt rules to require each applicant to complete an  
16           education module regarding the State’s energy goals and how the electrician  
17           profession can further those goals.

18               (1) The education module shall be not more than two hours and shall be  
19               required as a condition of initial licensure and license renewal.

20               (2) The Commissioner shall adopt these rules in consultation with the  
21               Agency of Natural Resources and the Department of Public Service.

1           (3)(A) The education module shall be provided to applicants for initial  
2           licensure and license renewal at no cost.

3           (B) The Commissioner may incorporate any cost of providing this  
4           education module into the Board’s license fee structure if that incorporation is  
5           approved by the General Assembly.

6   \* \* \*

7           Sec. 6. 26 V.S.A. chapter 39 is amended to read:

8   CHAPTER 39. PLUMBERS AND PLUMBING

9   \* \* \*

10    Subchapter 2. Plumber’s Examining Board

11           § 2181. PLUMBER’S EXAMINING BOARD; MEMBERSHIP; POWERS

12           (a) ~~A~~ The Plumber’s Examining Board, within the Department of Public  
13           Safety, ~~hereinafter called “Board,”~~ shall consist of five members, one of whom  
14           shall be the Commissioner of Public Safety or designee and one of whom shall  
15           represent the Commissioner of Health or designee. The remaining three  
16           members shall be appointed by the Governor with the advice and consent of  
17           the Senate. One of the appointive members shall be a master plumber, one  
18           shall be a journey plumber, and one shall be a public member not associated  
19           with the plumbing or heating trades.

20   \* \* \*

1 Subchapter 3. Licenses

2 \* \* \*

3 § 2193. APPLICATIONS ~~AND~~; EXAMINATIONS; EDUCATION, AND  
4 FEES

5 (a)(1) Each applicant for license shall present to the executive office of the  
6 Board on blanks furnished by the Board, a written application for examination  
7 and license containing such information as the Board may require,  
8 accompanied by the fee required. Notwithstanding 32 V.S.A. § 502(a), if the  
9 examination is conducted by an outside testing service, the required  
10 examination fee may be paid directly to the testing service.

11 (2) Examinations shall be in whole or in part in writing and shall include  
12 the theoretical and practical nature of plumbing or specialties, or both, and  
13 knowledge of State laws and Department of Health and Environmental  
14 Conservation regulations and such other regulations as the Board may  
15 determine necessary to satisfactorily determine the qualifications of the  
16 applicant. Examinations shall be relevant to the instructional material taught in  
17 classes, codes used, and new developments and procedures within the trade.

18 \* \* \*

19 (c) License and renewal fees are as follows:

- |    |                                |           |
|----|--------------------------------|-----------|
| 20 | (1) Master plumber license     | \$ 120.00 |
| 21 | (2) Journeyman plumber license | \$ 90.00  |

1	(3) Specialist license	\$ 50.00
2	(4) Master renewal fee	\$ 120.00
3	(5) Journeyman renewal fee	\$ 90.00
4	(6) Specialist renewal fee	\$ 50.00
5	(7) License certificate	\$ 10.00

6 (d) Master and journeyman plumbers shall be exempt from paying license  
7 or renewal fees as specialists.

8 (e) In addition to other education requirements of this subchapter, the  
9 Commissioner shall adopt rules to require each applicant to complete an  
10 education module regarding the State's energy goals and how the plumbing  
11 profession can further those goals.

12 (1) The education module shall be not more than two hours and shall be  
13 required as a condition of initial licensure and license renewal, except that  
14 master and journeyman plumbers who complete this education module shall  
15 not be required to complete this education module for any additional specialty  
16 license.

17 (2) The Commissioner shall adopt these rules in consultation with the  
18 Agency of Natural Resources and the Department of Public Service.

19 (3)(A) The education module shall be provided to applicants for initial  
20 licensure and license renewal at no cost.

1           (B) The Commissioner may incorporate any cost of providing this  
2           education module into the Board's license fee structure if that incorporation is  
3           approved by the General Assembly.

4   \* \* \*

5           Sec. 7. ADOPTION OF RULES; APPLICATION OF EDUCATION  
6   REQUIREMENTS

7           The Office of Professional Regulation and the Commissioner of Public  
8           Safety shall adopt the rules providing the State energy goals education module  
9           requirements described in this act so that the education modules are established  
10          and the rules are adopted and apply to the required professionals on or before  
11          December 31, 2020.

12          Sec. 8. EFFECTIVE DATE

13          This act shall take effect on passage.