

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15

16
17

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 (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) ~~Ne~~ 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 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.

