

APA-1
04/2018

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control No. 440 Department or Agency: Board of Heating, Air Conditioning & Refrigeration Contractors
Rule No. 440-X-4-.02 Continuing Education Requirements for Certified Contractors
Rule Title: Requirements

 New X Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly
Harm or endanger the public health, welfare, or safety? No

Is there a reasonable relationship between the state's
Police power and the protection of the public health,
Safety or welfare? Yes

Is there another, less restrictive method of regulation
Available that could adequately protect the public? No

Does the proposed rule have the effect of directly or
Indirectly increasing the costs of any goods or services
Involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public
Than the harm that might result from the absence of
The proposed rule? No

Are all facets of the rulemaking process designed solely
For the purpose of, and so they have, as their primary
Effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner
any litigation which the agency is party to concerning the
subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by
a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama,
1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22,
Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative
Procedure Division of the Legislative Services Agency.

Signature of certifying officer Jim Beaufort

Date: June 14, 2018

(DATE FILED)
(STAMP)

APA-2
07/04

Alabama State Board of Heating, Air Conditioning & Refrigeration Contractors

NOTICE OF INTENDED ACTION

AGENCY NAME: Board of Heating, Air Conditioning & Refrigeration Contractors

RULE NO. & TITLE: 440-X-4-.02 Requirements (Continuing Education)

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

The Board proposes to change the due date of continuing education hours for contractors.

TIME, PLACE, MANNER OF PRESENTING VIEW:

Comments may be submitted in writing or orally at a public hearing to be held at 9:00am, September 6, 2018, in the Board's office located at 121 Coosa Street, Suite 250, Montgomery, Alabama 36104.

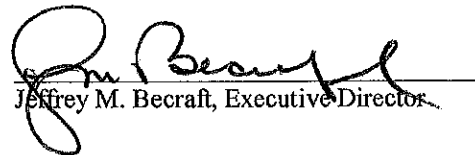
FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

September 7, 2018

CONTACT PERSON AT AGENCY:

Jeffrey M. Becraft

(334) 241-0840


Jeffrey M. Becraft, Executive Director

CE Requirements Proposed Rule 440-X-4-.02

- (1) Beginning in the calendar year 2010, all certified contractors shall be required to acquire four (4) credit hours of continuing education every year. Hours of credit in excess of the minimum annual requirement may be carried forward and applied to the succeeding calendar year's requirement only; however, such hours must be reported in the year in which they were completed and must be designated as hours to be carried forward. The Board may require certified contractors and providers to submit to the Board proof of compliance with the continuing education requirement before November 1st annually ~~on an annual basis~~ to allow the Board to maintain its records regarding continuing education attendance of each certified contractor.

- (2) All certified contractors licensed with the Board shall complete the required continuing education hours prior to receiving a renewal of their certification. The failure to complete the minimum continuing education requirements before November 1st annually ~~shall will~~ prevent the renewal of a certified contractor's license until proof of compliance is submitted in writing to the Board. All continuing education submitted after December 31st of the year in which the hours are intended shall result in accrual of, all late, penalty and delinquent fees are applicable.

Authors: Mark Montiel, Jeffrey Becraft

Statutory Authority: *Code of Ala., 1975, § 34-31-26*

History: New Rule: Filed April 9, 2003; effective May 14, 2003.

Amended: Filed August 14, 2009; effective September 18, 2009

Amended: Filed June 14, 2018