

APA-1
Revised 4/2018

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control _____ Department or Agency: Alabama Board of Heating, Air Conditioning & Refrigeration Contractors
Rule No. 440-X-3-17
Rule Title: Military Members and Military Spouses

X New _____ 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 a 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 
Date: September 15, 2021

REC'D FILED

SEP 15 2021

(DATE FILED)
(STAMP)

APA-2

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-3-.17 Military Members and Military Spouses

INTENDED ACTION:

Comply with Code of Alabama 1975, §§ 31-1-6, §§ 31-12A-2

SUBSTANCE OF PROPOSED ACTION:

To accept military experience to sit for the exam and to waive licensing fees and examination requirements for military spouses who hold an equivalent certification issued by the Board from another state.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

11:00 A.M., November 17, 2021 100 N. Union Street, Suite 986,
Montgomery, Alabama 36104

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Written comment will be accepted until 5:00 P.M., Monday, November 5, 2021. All comments will be read before the Board on Wednesday November 17, 2021.

CONTACT PERSON AT AGENCY:


Jeffrey M. Becraft
Executive Director

440-X-3-.17 Military Members and Military Spouses

(1) Acceptance of Military Education, Training, or Service.

(a) The Board may accept education, training, or service completed by an individual as a member of the Armed Forces or reserves of the United States, the National Guard of any state, the military reserves of any state, or the naval militia of any state as sufficient education or experience to sit for examination.

(2) Acknowledgement of Military Personnel and Military Spouses

(a) After receiving military orders to the State of Alabama, the Board may waive the heating and air conditioning and/or refrigeration examination for military personnel and military spouses who hold a current and valid heating and air conditioning, refrigeration, or mechanical license or certification in another state, district, or territory of the United States, or in any branch of the United States Armed Forces, including the National Guard, with licensing or certification.

(b) The Board may waive the licensing fee for military spouses upon initial certification during a transfer of station ordered by the Armed Forces or reserves of the United States.

Author: Jeffrey M. Becraft

Statutory Authority: Code of Alabama 1975, §§31-12A-2, §§31-1-6

History: New Rule: Filed; September 15, 2021 ; Effective