

13 VAC 5-21. VIRGINIA CERTIFICATION STANDARDS (Amending 13 VAC 5-21-10 through 13 VAC 5-21-61).

13 VAC 5-21-10. Definitions.

A. The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

"Applicant" means a person seeking a certificate ~~from the BHCD~~ .

"BCAAC" means the Building Code Academy Advisory Committee appointed ~~by the BHCD~~ ~~under~~ pursuant to subdivision 7 of § 36-137 of the Code of Virginia.

"BHCD" means the Virginia Board of Housing and Community Development.

"Certificate" means a certificate of competence issued pursuant to subdivision 6 of § 36-137 of the Code of Virginia concerning the content, application, and intent of specified subject areas of the building and fire prevention regulations promulgated by the BHCD and issued to present or prospective personnel of local governments and to any other persons seeking to become qualified to perform inspections pursuant to Chapter 6 (§ 36-97 et seq.) of Title 36 of the Code of Virginia, Chapter 9 (§ 27-94 et seq.) of Title 27 of the Code of Virginia, and any regulations adopted thereunder, who have completed training programs or in other ways demonstrated adequate knowledge.

"Certificate holder" means a person to whom ~~the BHCD has issued~~ a certificate has been issued .

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"Code academy" means the Virginia Building Code Academy established under subdivision 14 of § 36-139 of the Code of Virginia or individual or regional training academies accredited by ~~DHCD~~ the Department pursuant to subdivision 7 of § 36-137 of the Code of Virginia.

"DFP" means the Virginia Department of Fire Programs.

~~"DHCD"~~ "Department" means the Virginia Department of Housing and Community Development.

"SFPC" means the Virginia Statewide Fire Prevention Code (13 VAC 5-51).

"State Review Board" means the Virginia State Building Code Technical Review Board established under § 36-108 of the Code of Virginia.

"USBC" means the Virginia Uniform Statewide Building Code (13 VAC 5-63).

"VADR" means the Virginia Amusement Device Regulations (13 VAC 5-31).

B. Words and terms used in this chapter that are defined in the USBC, VADR or SFPC and that are not defined in this chapter shall have the meaning ascribed to them in those regulations unless the context clearly indicates otherwise.

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13 VAC 5-21-20. Purpose.

The purpose of this chapter is to establish standards for applicants for a ~~BHCD~~ certificate and standards to be used by ~~DHCD~~ the Department in the evaluation and determination of a person's eligibility for the issuance of ~~BHCD~~ certificates.

13 VAC 5-21-31. Qualification and examination requirements.

A. An applicant for a ~~BHCD~~ certificate in categories associated with the USBC or the SFPC shall provide a written endorsement from the code official or the code official's supervisor in the locality in which they are employed certifying that the applicant complies with the qualification section in the USBC or the SFPC for each type of certificate sought. When the applicant for a ~~BHCD~~ certificate in categories associated with the USBC or the SFPC is a nongovernment employee, the applicant shall provide documentation that the applicant complies with the qualification section in the USBC or the SFPC as it would relate to the applicant's job responsibilities for each type of certificate sought.

B. An applicant for a ~~BHCD~~ certificate in categories associated with the VADR shall provide a written endorsement from the applicant's supervisor or a person having a similar relationship to the applicant certifying that the applicant is generally qualified to conduct activities related to the VADR.

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C. Applicants for all ~~BHCD~~ certificates shall provide proof of successful completion of approved examinations for each ~~type of~~ certificate sought, except as provided for in 13 VAC 5-21-45.

~~DHCD~~ The Department shall maintain a list of approved testing agencies and examinations that meet nationally accepted standards for each ~~type of~~ certificate offered . For information on approved testing agencies and examinations contact : ~~DHCD, Division of Building and Fire Regulation~~ the Department's Technical Assistance Services Office , 501 N. 2nd St., Richmond, VA 23219, telephone (804) 371-7180.

13 VAC 5-21-41. Certification categories and training requirements.

A. ~~DHCD shall maintain~~ The Department maintains a list of all ~~BHCD certification categories~~ certificates offered and the list ~~shall set~~ sets out the required training necessary to attend and complete to obtain a certificate. This section also contains specific training requirements for some ~~certification categories~~ certificates offered that may be duplicated on the list or that may be in addition to those ~~set out~~ on the list. Alternatives to the training requirements set out in 13 VAC 5-21-45 shall be permitted for all ~~categories on the list~~ certificates offered except that no alternative shall be accepted for the code academy core module.

~~For further information on BHCD certification categories and required training, contact: DHCD, Division of Building and Fire Regulation, 501 N. 2nd St., Richmond, VA 23219, (804) 371-7180.~~

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B. Applicants for all ~~BHCD~~ certificates shall attend and complete the code academy core module. In addition to the completion of the core module, applicants for the following ~~categories~~ of ~~BHCD certification~~ certificates are required to attend and complete the following code academy training, except as provided for in 13 VAC 5-21-45:

Category of BHCD Certification <u>Certificate</u>	Code Academy Training
Building official	Advanced official module
Fire official	Advanced official module and the 1031 school as administered by DFP
Building maintenance official	Advanced official module and the property maintenance module
Fire prevention inspector	The 1031 school as administered by DFP
Amusement device inspector	Amusement device inspection module

13 VAC 5-21-45. Alternatives to examination and training requirements.

A. An applicant for a ~~BHCD~~ certificate with the written endorsement or documentation required by 13 VAC 5-21-31 may submit a written request to ~~DHCD~~ the Department to approve an equivalent examination by a testing agency not on the list of approved testing agencies ~~maintained by DHCD~~ to satisfy the examination requirements of 13 VAC 5-21-31. ~~DHCD may request the assistance of BCAAC~~ may be consulted with in any such consideration.

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B. Upon written ~~application by any applicant for a BHCD certificate, DHCD may approve~~ request, alternative training or a combination of training, education or experience to satisfy the training requirements of 13 VAC 5-21-41 may be approved , provided that such alternatives or combinations are determined to be equivalent to that required. However, as provided in 13 VAC 5-21-41, no substitutions shall be approved for the code academy core module. The types of combinations of education and experience may include military training, college classes, technical schools or long-term work experiences, except that long-term work experiences shall not be approved as the sole substitute to satisfy the training requirements. ~~DHCD may request the assistance of BCAAC~~ may be consulted with in any such consideration.

13 VAC 5-21-51. Issuance of certificates.

A. Certificates will be issued when ~~DHCD determines~~ an applicant has complied with the applicable requirements of this chapter ~~for the certification sought~~ . Certificate holders will be classified ~~by DHCD~~ as active or inactive. An active certificate holder is a person who is certified and who has attended all periodic training courses designated by ~~DHCD~~ the Department subsequent to becoming certified. An inactive certificate holder is a person who is certified but has not attended all such training courses. An inactive certificate holder may request reinstatement ~~from DHCD~~ as an active certificate holder after completing make-up training courses authorized by ~~DHCD~~ the Department . ~~DHCD may also issue~~ Provisional certificates may also be issued in accordance with subsection C of this section.

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B. All certificates issued ~~by the BHCD~~ since June 1978 are considered to be valid unless revoked or suspended ~~by the BHCD~~ , except that provisional certificates shall remain valid as set out under subsection C of this section.

C. A provisional certificate may be issued ~~by the BHCD~~ to (i) a person who has been directed by the ~~BHCD~~ Department to obtain a certificate; (ii) an applicant requesting a certificate under the alternative examination or training provisions of 13 VAC 5-21-45; or (iii) an applicant when the required ~~DHCD or DFP~~ training has not been provided or offered.

Such a provisional certificate may be issued when the applicant has (i) provided the written endorsement or documentation required by 13 VAC 5-21-31, (ii) satisfactorily completed the code academy core module, and (iii) completed any training through the code academy or through other providers determined ~~by DHCD~~ to warrant the issuance of the provisional certificate.

The provisional certificate is valid for a period of one year after the date of issuance and shall only be issued once to any individual, except that a provisional certificate shall remain valid when the required ~~DHCD or DFP~~ training has not been provided or offered.

13 VAC 5-21-61. Sanctions.

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When the BHCD determines a certificate holder has failed to comply with an order issued by the State Review Board or failed to meet the required training or testing requirements, ~~then~~ a warning letter may be issued ~~and kept in records by DHCD for that individual~~ to the certificate holder or a certificate ~~issued under this chapter~~ may be revoked or suspended by the BHCD. A record of any action taken pursuant to this section shall be retained in the training record of the certificate holder.