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## Final Regulation Agency Background Document

<b>Agency name</b>	Board for Contractors
<b>Virginia Administrative Code (VAC) Chapter citation(s)</b>	18 VAC50-30
<b>VAC Chapter title(s)</b>	Individual License and Certification Regulations
<b>Action title</b>	Eligibility Requirement Amendment
<b>Date this document prepared</b>	October 7, 2024

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19, the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

### Brief Summary

*Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.*

The Board for Contractors (“the Board”) is amending the Individual License and Certification Regulations to revise the eligibility requirements to obtain approval to sit for an examination to enter the profession.

The amendments create a new residential tradesman class of license. The scope of practice for a residential license is limited to plumbing or HVAC work in dwellings and townhouses. It does not include commercial, industrial, institutional, or government use structures outside of dwellings and townhouses. The amendments also include revisions to experience and vocational training requirements for journeyman licenses in the gas fitting trade and revisions to qualifications for those who seek to qualify for licensure based solely on practical experience in a trade. Another change includes restructuring Part II of the regulation to better organize and clarify entry requirements for each trade. Additional amendments are made with the intention to make the regulation clearer and to ensure the regulation complements current Virginia law.

### Acronyms and Definitions

*Define all acronyms used in this form, and any technical terms that are not also defined in the "Definitions" section of the regulation.*

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"HVAC" means heating, ventilation, and air conditioning.

"LULA" means limited use/limited application.

### Statement of Final Agency Action

*Provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) the name of the agency taking the action; and 3) the title of the regulation.*

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On September 18, 2024, the Board adopted the final amendments to the Individual License and Certification Regulations.

### Mandate and Impetus

*List all changes to the information reported on the Agency Background Document submitted for the previous stage regarding the mandate for this regulatory change, and any other impetus that specifically prompted its initiation. If there are no changes to previously reported information, include a specific statement to that effect.*

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There are no changes to previously reported information.

### Legal Basis

*Identify (1) the promulgating agency, and (2) the state and/or federal legal authority for the regulatory change, including the most relevant citations to the Code of Virginia and Acts of Assembly chapter number(s), if applicable. Your citation must include a specific provision, if any, authorizing the promulgating agency to regulate this specific subject or program, as well as a reference to the agency's overall regulatory authority.*

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The promulgating agency is the Board for Contractors. Chapter 11 of Title 54.1 of the Code of Virginia enumerates the legal authority for the Board to administer the licensure and certification programs for tradesmen, gas fitters, liquefied petroleum gas fitters, natural gas fitter providers, water well systems providers, elevator mechanics, residential building energy analysts, backflow prevention device workers, and automatic fire sprinkler inspectors.

Section 54.1-1102 of the Code of Virginia states, in part:

- B. The Board shall promulgate regulations not inconsistent with statute necessary for the licensure of contractors and tradesmen and the certification of backflow prevention device workers, and for the relicensure of contractors and tradesmen and for the recertification of backflow prevention device workers, after license or certificate suspension or revocation.

In addition, § 54.1-201 of the Code of Virginia provides, in part:

- A. The powers and duties of regulatory boards shall be as follows:
  - 1. To establish the qualifications of applicants for certification or licensure by any such board, provided that all qualifications shall be necessary to ensure either competence or integrity to engage in such profession or occupation.
  - 5. To promulgate regulations in accordance with the Administrative Process Act (§ 2.2- 4000 et seq.) necessary to assure continued competency, to prevent deceptive or misleading practices by practitioners and to effectively administer the regulatory system administered by the regulatory board. The regulations shall not be in conflict with the purposes and intent of this chapter or of Chapters 1 (§ 54.1-100 et seq.) and 3 (§ 54.1- 300 et seq.) of this title.

**Purpose**

*Explain the need for the regulatory change, including a description of: (1) the rationale or justification, (2) the specific reasons the regulatory change is essential to protect the health, safety, or welfare of citizens, and (3) the goals of the regulatory change and the problems it is intended to solve.*

The General Assembly has charged the Board with the responsibility for regulating those who (i) engage, or offer to engage in, work as a tradesman (electrician, plumber, and HVAC technician), gas fitter, liquefied petroleum gas fitter, or natural gas fitter provider; (ii) engage in the drilling, installation, maintenance, or repair of a water well or water well system; (iii) engage in, or offer to engage in, work as an elevator mechanic or accessibility mechanic; (iv) engage in, or offer to engage in, work as a residential building energy analyst; (v) present themselves as a certified backflow prevention device worker; and (vi) perform or offer to perform inspections of automatic fire sprinkler systems, by requiring that such individuals obtain the appropriate licensure or certification.

The performing of trade-related work by those who lack sufficient expertise poses a risk to the public health, safety, and welfare. These risks include the potential for significant damage to property, personal injury, and death. In addition, the improper performing of trade-related work can pose a substantial risk of financial harm to a property owner who will be responsible for assuming costs to correct or complete work that is defective.

As mandated by the General Assembly, the Board protects the public health, safety, and welfare, in part, by establishing through regulation the minimum qualifications for entry into the profession.

The goals of this regulatory action are to:

- 1. Revise the eligibility requirements to obtain approval to sit for an examination to enter the profession;
- 2. Update and clarify provisions of the regulation; and
- 3. Ensure the regulation complements current Virginia law and is clearly written and understandable.

**Substance**

*Briefly identify and explain the new substantive provisions, the substantive changes to existing sections, or both. A more detailed discussion is provided in the “Detail of Changes” section below.*

1. Section -10 is revised to add definitions for “residential HVAC tradesman” and “residential plumber tradesman.” This change is made in conjunction with the creation of a new class of license for residential HVAC and residential plumber tradesmen in new section -39. The definition for “helper or laborer” is removed as this term is not used in the regulation.
2. A new section (-39) is added and contains qualifications for examination approval for a tradesman, gas fitter, liquefied petroleum gas fitter, and natural gas fitter provider license. Many provisions contained in this section are relocated from section -40 in order to restructure and better organize the regulation and requirements associated with the various tradesmen licenses. This section also includes the qualifications associated with the newly established residential class of HVAC and plumber tradesmen licenses.
3. Section -39 also includes the following changes:
  - An allowance for those seeking a journeyman license in the gas fitting trades to substitute practical experience for some required vocational training;
  - Reduction of the minimum vocational training hours required to qualify for examination as a journeyman gas fitter;
  - The ability of a residential HVAC or residential plumber tradesmen to qualify for examination as a master tradesman after holding a residential license for three (3) years;
  - Reduction of years of practical experience required to qualify for the journeyman or master tradesman examination without having required vocational training; and
  - Removal of “grandfathering” provisions applicable to individuals (i) who successfully passed the Class A contractor trade examination prior to January 1, 1991; or (ii) who meet the criteria provided for in § 54.1-1145(C) of the Code of Virginia to become licensed as residential building energy analysts as these provisions are no longer necessary.
4. Section -40 is repealed. Provisions from this section have been relocated to various, newly created sections within Part II. This is done to restructure and better organize the requirements associated with various types of trades licenses.
5. A new section (-42) is added and contains qualifications for examination approval for a backflow prevention device worker certification. These provisions are relocated from section -40.
6. A new section (-43) is added and contains qualifications for an elevator mechanic certification. These provisions are relocated from section -40.
7. A new section (-44) is added and contains qualifications for examination approval for a water well systems provider certification. These provisions are relocated from section -40.
8. A new section (-45) is added and contains qualifications for an accessibility mechanic certification and limited use/limited application (LULA) endorsement. These provisions are relocated from section -40. The section is also revised to allow for expanded use of experience as a substitute to meet training requirements.
9. A new section (-46) is added and contains qualifications for a residential building energy analyst license. These provisions are relocated from section -40.
10. A new section (-47) is added and clarifies that experience in the trade for which licensure is sought must be verified by reference letters from certain, identified individuals. Education is verified by providing a copy of a transcript or diploma from an accredited institution. These provisions are relocated from section -40.
11. A new section (-48) is added and provides that an applicant may receive a maximum credit of 40 hours for Board-approved continuing education training toward formal vocational training required, as applicable to the license or certification sought.
12. Section -50 is revised to clarify that individuals who successfully complete an apprenticeship program approved by the Commissioner of the Department of Labor and Industry as outlined in § 54.1-1131 A 3 of the Code of Virginia are exempt from the journeyman examination. This change is made to comport the regulation with the current provisions in the Code of Virginia.

## Issues

*Identify the issues associated with the regulatory change, including: 1) the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions; 2) the primary advantages and disadvantages to the agency or the Commonwealth; and 3) other pertinent matters of interest to the regulated community, government officials, and the public. If there are no disadvantages to the public or the Commonwealth, include a specific statement to that effect.*

The primary advantages to the public and the regulated community are that the amendments to the regulation will:

1. Reduce the required years of experience or minimum education while ensuring minimum competency and protection of the health, safety, and welfare of the public;
2. Allow for more individuals to enter the profession;
3. Provide needed updating and clarification to the regulation; and
4. Ensure the regulation complements current Virginia law and is clearly written and understandable.

During the NOIRA stage, concerns were raised by some in the regulated community regarding the lowering of experience requirements for examination eligibility. One concern is that reducing the current requirement of four years for a journeyman would not allow individuals to be proficient in their trade and work alone without requiring assistance. Another concern was raised that reducing the experience requirement would negatively affect apprenticeships and decrease the safety and quality of work. Another concern is that reducing experience requirements would increase costs for businesses that work on government projects and must pay Davis-Bacon wages. However, no such concerns were raised following publication of the proposed regulation.

There are no identifiable disadvantages to the Commonwealth.

**Requirements More Restrictive than Federal**

*List all changes to the information reported on the Agency Background Document submitted for the previous stage regarding any requirement of the regulatory change which is more restrictive than applicable federal requirements. If there are no changes to previously reported information, include a specific statement to that effect.*

There are no changes to previously reported information.

**Agencies, Localities, and Other Entities Particularly Affected**

*List all changes to the information reported on the Agency Background Document submitted for the previous stage regarding any other state agencies, localities, or other entities that are particularly affected by the regulatory change. If there are no changes to previously reported information, include a specific statement to that effect.*

There are no changes to previously reported information.

**Public Comment**

*Summarize all comments received during the public comment period following the publication of the previous stage, and provide the agency's response. Include all comments submitted: including those*

received on Town Hall, in a public hearing, or submitted directly to the agency. If no comment was received, enter a specific statement to that effect.

No public comments were received following publication of the proposed stage.

**Detail of Changes Made Since the Previous Stage**

List all changes made to the text since the previous stage was published in the Virginia Register of Regulations and the rationale for the changes. For example, describe the intent of the language and the expected impact. Describe the difference between existing requirement(s) and/or agency practice(s) and what is being proposed in this regulatory change. Explain the new requirements and what they mean rather than merely quoting the text of the regulation. *\* Put an asterisk next to any substantive changes.*

Current chapter-section number	New chapter-section number, if applicable	New requirement from previous stage	Updated new requirement since previous stage	Change, intent, rationale, and likely impact of updated requirements
30-10	N/A	Adds definition for “residential journeyman” which means a person who possesses the necessary ability, proficiency, and qualifications to install, repair, and maintain specific types of materials and equipment utilizing a working knowledge sufficient to comply with the pertinent provisions of the USBC applicable to dwellings and townhouses, as defined in the Virginia Residential Code, or structures annexed to those dwellings and townhouses. It does not include commercial, industrial, institutional, or government use structures outside of dwellings and townhouses. It does	The definition “residential journeyman” is replaced with the terms “residential HVAC tradesman” and “residential plumber tradesman.”	*The new term “residential HVAC tradesman” means a person who possesses the necessary ability, proficiency, and qualifications to perform HVAC work utilizing a working knowledge sufficient to comply with the pertinent provisions of the USBC applicable to townhouses and dwellings as defined in the Virginia Residential Code or structures annexed to those dwellings or townhouses.  *Similarly, the term “residential plumber tradesman” means a person who possesses the necessary ability, proficiency, and qualifications to perform plumbing work utilizing a working knowledge sufficient to comply with the pertinent provisions of the USBC applicable to townhouses and dwellings as defined in the Virginia Residential Code or structures annexed to

		<p>not include commercial, industrial, institutional, or government use structures outside of dwellings and townhouses.</p>		<p>those dwellings or townhouses.</p> <p>*As with the previously proposed definition for “residential journeyman” the scope of the residential HVAC and residential plumber does not include commercial, industrial, institutional, or government use structures outside of dwellings and townhouses.</p> <p>The term “residential journeyman” was unclear in that it did not specifically identify the limited trades and duties the new class license permits an individual to perform. The term created the potential for confusion in relation to the existing journeyman credential.</p> <p>This change is made to reflect the revised titles of the new licenses the Board is establishing. With this revision, the Board clearly establishes the limited duties allowed to be performed by either a residential HVAC tradesman or a residential plumber tradesman.</p> <p>Throughout the regulation, the term “residential journeyman” is replaced with “residential HVAC tradesman” or “residential plumber tradesman” where applicable.</p>
30-30	N/A	N/A	<p>The section is revised to reflect a technical change resulting from the repeal of section - 40.</p>	<p>The section is revised to provide that an applicant must meet the requirements of the section in addition to the applicable provisions of sections -39 through -46.</p>



N/A	30-39	N/A	<p>This is a new section that provides for the qualifications for the examination for (i) tradesman; (ii) gas fitters; (iii) liquefied petroleum gas fitters; and (iv) natural gas fitter providers. Currently, these provisions are in section -40 which is being repealed.</p> <p>The new section includes the qualifications for the new residential HVAC tradesman and residential plumber tradesman licenses.</p>	<p>*Provisions in section -40 related to examination approval for a tradesman, gas fitter, liquefied petroleum gas fitter, or natural gas fitter provider license are relocated here.</p> <p>Additionally, provisions related to examination approval for a residential HVAC or plumber license, a journeyman license, and a master license are relocated here.</p> <p>This change is made to restructure the tradesman qualifications currently in section -40 for organizational and clarification purposes.</p>
30-40	N/A	<p>The caption of the section is revised to "Qualifications for examination approval."</p> <p>The section is revised to create a new residential journeyman tradesman class of license.</p> <p>A new subsection A is added to provide for the requirements for this class of license. An applicant for examination as a residential journeyman plumber or HVAC tradesman must furnish evidence to the Board the applicant meets one of the following experience and education standards:</p> <ul style="list-style-type: none"> <li>• Two (2) years of practical</li> </ul>	<p>This section is repealed.</p>	<p>*Section -40 is repealed. The qualifications for each of the license and certification types are moved to new sections, as are provisions related to the verification of education and experience.</p> <p>Section -40 contains numerous subsections and subdivisions that attempt to establish entry requirements for various individual licenses, but the lack of organizational structure makes comprehension difficult and has historically created confusion.</p> <p>During Executive Branch review of the proposed stage, concerns were raised regarding the structure of section -40. Rather than add provisions that likely would have further cluttered the section, provisions from section -40 were relocated to several new sections</p>



		<p>experience in the trade; and 160 hours of formal vocational training.</p> <ul style="list-style-type: none"> <li>• Three (3) years of practical experience in the trade; and 120 hours of formal vocational training.</li> <li>• Four (4) years of practical experience in the trade; and 80 hours of formal vocational training.</li> <li>• Five (5) years of practical experience in the trade; and 40 hours of formal vocational training.</li> <li>• Six (6) years of practical experience in the trade. No education is required.</li> </ul> <p>This change is made to provide a level of licensure that will allow individuals to qualify for licensure and enter the profession sooner than would be required for a standard journeyman level license. Individuals who only perform residential work will not be required to complete additional years of experience prior to obtaining licensure.</p> <p>The scope of practice for a residential</p>		<p>each providing for a type of license or certification. By relocating the provisions contained in section -40, requirements are clearly identified and understandable.</p>
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		<p>journeyman license is limited to plumbing or HVAC work in dwellings and townhouses. It would not include work in the electrical trade. It would not include commercial, industrial, institutional, or government use structures outside of dwellings and townhouses.</p> <p>Current subsection A which provides for standard journeyman qualifications is revised to provide more clearly detailed qualifications for examination. Individuals seeking to qualify for the journeyman examination (with exception to gas fitting trades) must still have at least four (4) years of practical experience in the trade; and 240 hours of formal vocational training. However, individuals may substitute experience of one year for 80 hours of formal training, to exceed 200 hours as follows:</p> <ul style="list-style-type: none"> <li>• Five (5) years of practical experience in the trade; and 160 hours of formal vocational training;</li> <li>• Six (6) years of practical experience in the trade; and 80</li> </ul>		
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		<p>hours of formal vocational training.</p> <ul style="list-style-type: none"> <li>• Seven (7) years of practical experience in the trade; and 40 hours of formal vocational training.</li> </ul> <p>The provisions pertaining to those seeking a journeyman license in the gas fitting trades are revised to allow for experience substitutions.</p> <p>Those seeking licensure as journeyman liquefied petroleum gas fitters and natural gas fitter providers must still have a minimum of four (4) years of practical experience; and 80 hours of formal vocational training. However, an individual with five (5) years of experience may qualify with only 40 hours of vocational training.</p> <p>Those seeking licensure as a journeyman gas fitter must have a minimum of four (4) years of practical experience; and 120 hours of formal vocational training. The requirement for formal vocational training is reduced from the current requirement of 240 hours.</p>		
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		<p>Gas fitting provisions are being revised because the requirements are overly burdensome. There are not many gas fitting courses available, therefore individuals have not been able to complete the required hours for gas fitting and either must obtain 10 years of experience or have their application reviewed by the board for a potential waiver/substantial equivalency.</p> <p>Applicants seeking licensure as a journeyman gas fitter may substitute experience of one year for 40 hours of formal training as follows:</p> <ul style="list-style-type: none"><li>• Five (5) years of practical experience in the trade; and 80 hours of formal vocational training;</li><li>• Six (6) years of practical experience in the trade; and 40 hours of formal vocational training.</li></ul> <p>Current subsection A is revised to reduce the number of years an individual seeking to qualify as a journeyman based on experience alone. An individual may qualify for the</p>		
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		<p>journeyman examination based on eight (8) years of practical experience in the trade. This change was made to allow for more individuals to qualify for licensure.</p> <p>Current subsection B which provides for master qualifications is revised to provide a pathway to licensure for individuals who are licensed as a residential journeyman. Such individuals may qualify for the master license examination after having held a valid residential journeyman license for three (3) years. This allows individuals to qualify for a master license without the need to upgrade to a standard journeyman license.</p> <p>The current provision allowing for a standard journeyman license is revised to provide that such individual must have held a valid journeyman license for a minimum of one year. This change will reduce the requirement for an individual to provide proof of experience as a standard journeyman.</p> <p>Current subsection B is revised to reduce the number of years</p>		
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		<p>an individual seeking to qualify as a master based on experience alone. An individual may qualify for the master examination based on nine (9) years of practical experience in the trade. This change was made to allow for more individuals to qualify for licensure.</p> <p>Subsection G which provides for qualifications for accessibility mechanics is revised to clarify that an individual with more than three years of experience may substitute such experience at a ratio of one year for 20 hours of formal vocational training, not to exceed 60 hours.</p> <p>The “grandfathering” provision for individuals who successfully passed the Class A contractor trade examination prior to January 1, 1991, is removed. This provision is no longer necessary.</p> <p>The “grandfathering” provision for those who meet the criteria provided for in § 54.1-1145(C) of the Code of Virginia to become licensed as residential building energy analysts is removed. This</p>		
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		<p>provision is no longer necessary.</p> <p>Minor stylistic changes are made to replace the word “shall” with “must” or “will” where appropriate. Other changes are made for the purposes of clarity or style.</p>		
N/A	30-42	N/A	<p>This is a new section that provides for the qualifications for examination for a backflow prevention device worker certification. These provisions are currently located in subsection D of section -40 which is being repealed.</p>	<p>*Provisions in section -40 related to qualifications for examination approval for a backflow prevention device worker certification have been relocated here.</p> <p>No substantive changes to existing provisions are made.</p> <p>This change is made to restructure section -40 for organizational and clarification purposes.</p>
N/A	30-43	N/A	<p>This is a new section that provides for the qualifications for examination for an elevator mechanic certification. These provisions are currently located in subsection E of section -40 which is being repealed.</p>	<p>*Provisions in section -40 related to qualifications for an elevator mechanic certification have been relocated here.</p> <p>No substantive changes to existing provisions are made.</p> <p>This change is made to restructure section -40 for organizational and clarification purposes.</p>
N/A	30-44	N/A	<p>This is a new section that provides for the qualifications for examination for a water well systems provider certification. These provisions are currently located in subsection F of section -40 which is being repealed.</p>	<p>*Provisions from section -40 related to qualifications for examination approval for a water well systems provider certification have been relocated here.</p> <p>No substantive changes to existing provisions are made.</p>



				This change is made to restructure section -40 for organizational and clarification purposes.
N/A	30-45	Section -45 was added to provide that an applicant may receive credit for a maximum of 40 hours for Board-approved continuing education toward formal vocational training required under section -40 as applicable to the license or certification sought.	<p>*Provisions currently in subsections G and H of section -40 related to qualifications for an accessibility mechanic certification and limited use/limited application (LULA) endorsement have been relocated here. Section -40 is repealed.</p> <p>The new section also includes the clarifying change regarding substitution of experience that was previously proposed in subsection G of section -40.</p> <p>Provisions related to the use of continuing education as credit for formal vocational training have been relocated to a new section -48.</p>	<p>In restructuring section -40, it was necessary to revise this new section in order to ensure the order in which provisions were relocated were organized and provided a comprehensive flow.</p> <p>There are no substantive changes to the provisions regarding qualification for an accessibility mechanic certification and LULA endorsement from the proposed stage.</p>
N/A	30-46	N/A	This is a new section that provides for the qualifications for a residential building energy analyst license. These provisions are currently located in subsection I of section -40 which is being repealed.	<p>*Provisions from section -40 related to qualifications for a residential building energy analyst license have been relocated here.</p> <p>This change is made to restructure section -40 for organizational and clarification purposes.</p>
N/A	30-47	N/A	This is a new section that provides requirements for verification of experience and education. These	*Provisions in section -40 related to verification of experience and education are relocated here.

			provisions are currently in section - 40 which is being repealed.	This change is made to restructure section -40 for organizational and clarification purposes.
N/A	30-48	N/A	This is a new section that establishes that continuing education is allowable as formal vocational training.	*New provisions related to continuing education allowable as formal vocational training are relocated here.  These provisions were introduced in section -45 of the proposed stage. This change is made to restructure section -40 for organizational and clarification purposes.
30-150	N/A	N/A	The section is revised to reflect a technical change resulting from the repeal of section - 40.	The section is revised to provide that when adding a trade designation a regulant must meet the qualifications in section -39 applicable to the trade designation being sought.
30-190	N/A	N/A	The section is revised to reflect a technical change resulting from the repeal of section - 40.	The prohibited act in subdivision #18 is revised to cite the insurance qualification provision of section -46, which contains the qualifications for a residential building energy analyst.
30-9998	N/A	N/A	The forms section is revised to: <ul style="list-style-type: none"> <li>• Add a new application for residential tradesman licenses; and</li> <li>• Update other applications to reflect changes to eligibility requirements.</li> </ul> <p>The forms do not impose any new requirements.</p>	The forms section is revised to reflect the changes in the eligibility provisions in the regulation.

**Detail of All Changes Proposed in this Regulatory Action**

List all changes proposed in this action and the rationale for the changes. For example, describe the intent of the language and the expected impact. Describe the difference between existing requirement(s) and/or agency practice(s) and what is being proposed in this regulatory change. Explain the new requirements and what they mean rather than merely quoting the text of the regulation. \* Put an asterisk next to any substantive changes.

Current chapter-section number	New chapter-section number, if applicable	Current requirements in VAC	Change, intent, rationale, and likely impact of updated requirements
30-10	N/A	Provides definitions that are necessary to make the regulation clear and understandable and provides definitions for other specific terms used throughout the regulation.	<p>*A definition is added for “residential HVAC tradesman” which means a person who possesses the necessary ability, proficiency, and qualifications to perform HVAC work utilizing a working knowledge sufficient to comply with the pertinent provisions of the Virginia Uniform Statewide Building Code applicable to dwellings and townhouses as defined in the Virginia Residential Building Code or structures annexed to those dwellings or townhouses as defined in the Virginia Residential Building Code. It does not include commercial, industrial, institutional, or government-use structures outside of dwellings and townhouses as defined in the Virginia Uniform Statewide Building Code.</p> <p>*A definition is added for “residential plumber tradesman” which means a person who possesses the necessary ability, proficiency, and qualifications to perform plumbing work utilizing a working knowledge sufficient to comply with the pertinent provisions of the Virginia Uniform Statewide Building Code applicable to dwelling and townhouses as defined in the Virginia Residential Building Code or structures annexed to those dwellings or townhouses as defined in the Virginia Residential Building Code. It does not include commercial, industrial, institutional, or government-use structures outside of dwellings and townhouses as defined in the Virginia Uniform Statewide Building Code.</p>

			<p>This definition is added in conjunction with amendments to create a new class of residential license for the HVAC and plumbing trades.</p> <p>*The term "helper or laborer" is removed as this term is not used in the regulation.</p>
30-30	N/A	<p>The section provides for the general requirements for licensure and certification. The section provides that these general requirements are in addition to the evidence of ability and proficiency sections (-40 and -41) in the chapter.</p>	<p>The section is revised to reflect a technical change resulting from the repeal of section -40.</p>
30-40	30-39	<p>Section -40 provides for the qualifications for individuals to be approved for examination for:</p> <ul style="list-style-type: none"> <li>• Journeyman tradesman (electrician, plumber, and HVAC tradesman), gas fitter, liquefied petroleum gas fitter, or natural gas fitter provider licenses.</li> <li>• Master tradesman (electrician, plumber, and HVAC tradesman), gas fitter, liquefied petroleum gas fitter, or natural gas fitter provider licenses.</li> </ul> <p>Section -40 establishes that an applicant seeking to qualify for examination to become licensed as a journeyman must furnish evidence to the Board the applicant meets one of the following experience and education standards:</p> <ul style="list-style-type: none"> <li>• Four (4) years of practical experience in the trade and 240 hours of formal vocational training in the trade.</li> <li>• For liquefied petroleum gas fitters and natural gas fitter providers, four (4) years of practical experience and 80 hours of formal vocational training.</li> </ul>	<p>*Provisions in section -40 related to examination approval for a tradesman, gas fitter, liquefied petroleum gas fitter, or natural gas fitter provider license are relocated to a new section -39.</p> <p>*The new section provides for qualifications for approval for the new residential HVAC tradesman and residential plumber tradesman licenses.</p> <p>*This new section is titled "Qualifications for examination approval for a tradesman, gas fitter, liquefied petroleum gas fitter, or natural gas fitter provider license."</p> <p>*Subsection A provides that an applicant for examination as a residential HVAC or residential plumber tradesman must furnish evidence to the Board the applicant meets one of the following experience and education standards:</p> <ul style="list-style-type: none"> <li>• Two (2) years of practical experience in the trade; and 160 hours of formal vocational training.</li> <li>• Three (3) years of practical experience in the trade; and 120 hours of formal vocational training.</li> <li>• Four (4) years of practical experience in the trade; and 80 hours of formal vocational training.</li> </ul>

		<ul style="list-style-type: none"> <li>• An associate’s degree or certificate of completion from a two-year program (minimum length) in a tradesman-related field from an accredited community college or technical school, and two (2) years of practical experience in the trade.</li> <li>• Ten (10) years of practical experience in the trade with no education required.</li> </ul> <p>For a journeyman, experience in excess of four years may be substituted for formal vocational training at a ratio of 80 hours for each year of experience, not to exceed 200 hours. This substitution provision does not apply to liquefied petroleum gas fitters or natural gas fitter providers.</p> <p>Section -40 establishes that an applicant seeking to qualify for examination to be licensed as a master must furnish evidence to the Board the applicant meets one of the following experience standards:</p> <ul style="list-style-type: none"> <li>• One (1) year of experience as a licensed journeyman.</li> <li>• Ten (10) years of practical experience in the trade with no education required.</li> </ul>	<ul style="list-style-type: none"> <li>• Five (5) years of practical experience in the trade; and 40 hours of formal vocational training.</li> <li>• Six (6) years of practical experience in the trade. No education is required.</li> </ul> <p>This change is made to provide a level of licensure that will allow individuals to qualify for licensure and enter the profession sooner than would be required for a journeyman level license. Individuals who only perform residential work will not be required to complete additional years of experience prior to obtaining licensure.</p> <p>The scope of practice for a residential tradesman license is limited to HVAC or plumbing work in dwellings and townhouses. It does not include work in the electrical trade. It does not include commercial, industrial, institutional, or government use structures outside of dwellings and townhouses.</p> <p>*Subsection B provides that that an applicant for examination as a journeyman electrician, plumber, or HVAC tradesman must furnish evidence to the Board that the applicant meets one of the following experience and education standards:</p> <ul style="list-style-type: none"> <li>• One (1) year of practical experience in the trade plus a bachelor’s degree in an engineering curriculum related to the trade;</li> <li>• Two (2) years of practical experience in the trade plus an associate’s degree or a certificate of completion from at least a two-year program in a tradesman-related field;</li> <li>• Four (4) years of practical experience in the trade plus 240 hours of formal vocational training in the trade;</li> <li>• Five (5) years of practical experience in the trade plus 160 hours of formal vocational training;</li> </ul>
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			<ul style="list-style-type: none"> <li>• Six (6) years of practical experience in the trade plus 80 hours of formal vocational training;</li> <li>• Seven (7) years of practical experience in the trade plus 40 hours of formal vocational training;</li> <li>or</li> <li>• Eight (8) years of practical experience in the trade.</li> </ul> <p>*The requirements listed above were revised for organizational purposes and to clearly identify the experience substitution allowance where experience in excess of four (4) years may be substituted for formal vocational training where one (1) year of experience may count as 80 hours of formal vocational training, not to exceed 200 hours.</p> <p>*Subsection C contains the education and experience requirements for examination applicants seeking licensure as a journeyman liquefied petroleum gas fitter, a natural gas fitter provider, or a gas fitter tradesman. The requirements have been revised to allow for experience substitutions and have been reorganized for clarity.</p> <p>*Individuals seeking licensure as a journeyman liquefied petroleum gas fitter or natural gas fitter provider must furnish evidence to the Board that the applicant meets one of the following experience and education standards:</p> <ul style="list-style-type: none"> <li>• Four (4) years of practical experience in the trade plus 80 hours of formal vocational training;</li> <li>or</li> <li>• Five (5) years of practical experience in the trade plus 40 hours of vocational training.</li> </ul> <p>*Individuals seeing licensure as a journeyman gas fitter must furnish evidence to the Board that the applicant meets one of the following experience and education standards:</p> <ul style="list-style-type: none"> <li>• One (1) year of practical experience in the trade plus a bachelor's degree in an</li> </ul>
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			<p>engineering curriculum related to the trade;</p> <ul style="list-style-type: none"> <li>• Two (2) years of practical experience in the trade plus an associate’s degree or a certificate of completion from at least a two-year program in a tradesman-related field;</li> <li>• Four (4) years of practical experience in the trade plus 120 hours of formal vocational training;</li> <li>• Five (5) years of practical experience in the trade plus 80 hours of formal vocational training;</li> <li>• Six (6) years of practical experience in the trade plus 40 hours of formal vocational training;</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>• Eight (8) years of practical experience in the trade.</li> </ul> <p>*The requirements listed above were revised for organizational purposes and include a reduced amount of formal vocational hours, from 240 to 120, required. Also incorporated above is the allowance for experience substitution where one (1) year of experience may be used as a substitution for 40 hours of formal vocational training.</p> <p>Gas fitting provisions are being revised because the requirements are overly burdensome. There are not many gas fitting courses available, therefore individuals have not been able to complete the required hours for gas fitting and either must obtain 10 years of experience or have their application reviewed by the Board for a potential waiver/substantial equivalency.</p> <p>*Additionally, the requirement for an individual seeking to qualify as a journeyman based solely on experience has been reduced from 10 to eight (8) years, as reflected above. This change was made to allow for more individuals to qualify for licensure.</p> <p>*Subsection D addresses applicants for examination to be licensed as a master in a trade and provides that an</p>
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			<p>applicant must furnish evidence that one of the following experience standards has been met:</p> <ul style="list-style-type: none"> <li>• Holding a valid residential HVAC or residential plumber tradesman license in the trade for three (3) years;</li> <li>• Holding a valid journeyman license in the trade for a minimum of one (1) year; or</li> <li>• Nine (9) years of practical experience in the trade.</li> </ul> <p>*These requirements establish a pathway to obtain a master trades license for individuals who obtain licensure as a residential tradesman without first having to obtain a journeyman license. Additionally, the experience requirement is reduced, from 10 years to nine (9) years, for examination applicants seeking a master trades license based solely on experience.</p> <p>Minor stylistic changes are made to replace the word “shall” with “must” or “will” where appropriate. Other changes are made for the purposes of clarity or style.</p>
30-40	N/A	<p>This section provides for the qualifications for individuals to be approved for examination for the following:</p> <ul style="list-style-type: none"> <li>• Journeyman tradesman (electrician, plumber, and HVAC technician), gas fitter, liquefied petroleum gas fitter, or natural gas fitter provider licenses.</li> <li>• Master tradesman (electrician, plumber, and HVAC technician), gas fitter, liquefied petroleum gas fitter, or natural gas fitter provider licenses.</li> <li>• Certification as a backflow prevention device worker.</li> <li>• Certification as an elevator mechanic.</li> <li>• Certification as a water well systems provider.</li> </ul>	<p>*This section is repealed.</p> <p>*Provisions related to qualifications for examination approval have been relocated to new sections as identified below:</p> <ul style="list-style-type: none"> <li>• Section -39: tradesmen, gas fitter, liquefied petroleum gas fitter, or natural gas fitter provider;</li> <li>• Section -42: certified backflow prevention device worker;</li> <li>• Section -43: certified elevator mechanic;</li> <li>• Section -44: certified water well systems provider;</li> <li>• Section -45: certified accessibility mechanic &amp; limited use/limited application endorsement;</li> <li>• Section -46: residential building energy analyst.</li> </ul>

		<ul style="list-style-type: none"> <li>• Certification as an accessibility mechanic.</li> <li>• Endorsement as a limited use/limited application accessibility mechanic.</li> <li>• Residential building energy analyst license.</li> </ul> <p>The section provides a “grandfathering” provision for individuals who successfully passed the Class A contractor trade examination prior to January 1, 1991. Such individuals are deemed qualified as a master in the trade for which the individual had passed the examination.</p> <p>The section provides a “grandfathering” provision for those who meet the criteria provided for in § 54.1-1145(C) of the Code of Virginia to become licensed as residential building energy analysts.</p>	<p>*Provisions related to verification of experience and education have been relocated to a new section -47.</p> <p>*The “grandfathering” provision for individuals who successfully passed the Class A contractor trade examination prior to January 1, 1991, is removed. This provision is no longer necessary.</p> <p>*The “grandfathering” provision for those who meet the criteria provided for in § 54.1-1145(C) of the Code of Virginia to become licensed as residential building energy analysts is removed. This provision is no longer necessary.</p>
30-40	30-42	<p>Section -40 provides for the qualifications for individuals to be approved for examination for certification as a backflow prevention device worker.</p> <p>Section -40 provides that applicants for examination to be certified as a backflow prevention device worker must furnish evidence that one of the following experience and education standards has been attained:</p> <ul style="list-style-type: none"> <li>• Four (4) years of practical experience in water distribution and a minimum of 32 hours of formal vocational training in a Board-approved school; or</li> <li>• Seven (7) or more years of experience and 16 hours of formal vocational training in a Board-approved school.</li> </ul> <p>The testing procedure standards of the American Society of Sanitary Engineers (ASSE) are</p>	<p>*This is a new section titled “Qualifications for examination approval for a backflow prevention device worker certification.”</p> <p>This section contains provisions relocated from section -40 related to certification as a backflow prevention device worker.</p> <p>There are no substantive changes to the provisions in this section. This new section was created to allow for restructuring, better organization, and enhanced clarity.</p> <p>Minor stylistic changes are made to replace the word “shall” with “must” where appropriate.</p>

		<p>accepted by the Board. The Board, after review, has the authority to approve other programs. All backflow training must include instruction in wet lab.</p>	
<p>30-40</p>	<p>30-43</p>	<p>Section -40 provides for the qualifications for individuals to be approved for certification as an elevator mechanic.</p> <p>Section -40 provides that an applicant for certification as an elevator mechanic must:</p> <ul style="list-style-type: none"> <li>• Have three (3) years of practical experience in the construction, maintenance, and service/repair of elevators, escalators, or related conveyances, 144 hours of formal vocational training, and complete a written examination administered by the Board;</li> <li>• Have three (3) years of practical experience in the construction, maintenance, and service/repair of elevators, escalators, or related conveyances and completed an elevator mechanic examination through a training program equivalent to the requirements established by the Board; or</li> <li>• Have successfully completed an elevator mechanic apprenticeship program that is approved by the Virginia Apprenticeship Council or registered with the Bureau of Apprenticeship and Training, U.S. Department of Labor.</li> </ul> <p>For an elevator mechanic, experience in excess of four years may be substituted for formal vocational training at a ratio of one (1) year of experience for 40 hours of formal training, not to exceed 120 hours.</p>	<p>*This is a new section titled "Qualifications for an elevator mechanic certification."</p> <p>This section contains provisions relocated from section -40 related to certification of elevator mechanics.</p> <p>There are no substantive changes to the provisions in this section. This new section was created to allow for restructuring, better organization, and enhanced clarity.</p> <p>Minor stylistic changes are made to replace the word "shall" with "must" or "will" where appropriate. Other changes are made for the purposes of clarity or style.</p>

		<p>Applicants for an elevator mechanic certification seeking to qualify on the basis of completing an apprenticeship program must provide a certificate of completion or other official document and complete a written examination administered by the Board.</p>	
30-40	30-44	<p>Section -40 provides for the qualifications for individuals to be approved for examination for certification as a water well systems provider.</p> <p>Section -40 provides that an applicant seeking certification as a water well systems provider must provide the following to the Board:</p> <ul style="list-style-type: none"> <li>• Examination approval for trainee certification: one (1) year of full-time practical experience in the drilling, installation, maintenance, or repair of water wells or water well systems under the supervision of a certified master water well systems provider or other equivalent experience as approved by the Board;</li> <li>• Examination approval for journeyman certification: three (3) years of practical experience in the drilling, installation, maintenance, or repair of water wells or water well systems under the supervision of a certified master water well systems provider or other equivalent experience as approved by the Board, and 24 hours of formal vocational training;</li> <li>• Examination approval for master certification: six (6) years of practical experience in the drilling, installation, maintenance, or repair of water wells or water well systems under the supervision of a certified master water well systems provider, or other</li> </ul>	<p>*This is a new section titled "Qualifications for examination approval for a water well systems provider certification."</p> <p>This section contains provisions relocated from section -40 related to certification for a water well systems provider.</p> <p>There are no substantive changes to the provisions in this section. The requirements for certification as a water well systems provider are established in Virginia Code § 54.1-1129.1 A and cannot be amended by the Board without legislative action.</p> <p>This new section was created to allow for restructuring, better organization, and enhanced clarity.</p> <p>Minor stylistic changes are made to replace the word "shall" with "must" where appropriate.</p>

		<p>equivalent experience as approved by the Board, and 48 hours of formal vocational training.</p>	
<p>30-40</p>	<p>30-45</p>	<p>Section -40 provides for the qualifications for individuals to be approved for certification as an accessibility mechanic and for a LULA endorsement.</p> <p>Section -40 provides that an applicant seeking certification as an accessibility mechanic must:</p> <ul style="list-style-type: none"> <li>• Have three (3) years of practical experience in the construction, installation, maintenance, service, repair, and testing of wheelchair lifts, incline chairlifts, dumbwaiters, residential elevators, or related conveyances, 80 hours of formal vocational training, and complete a written examination administered by the Board;</li> <li>• Have three (3) years of practical experience in the construction, installation, maintenance, service, repair, and testing of wheelchair lifts, incline chairlifts, dumbwaiters, residential elevators, or related conveyances and a certificate of completion of an accessibility mechanic examination through a training program determined to be equivalent to the requirements established by the Board; or</li> <li>• Successful completion of an accessibility mechanic apprenticeship program that is approved by the Virginia Apprenticeship Council or registered with the Bureau of Apprenticeship and Training, U.S. Department of Labor, and completion o a written examination administered by the Board.</li> </ul> <p>For an accessibility mechanic, experience in excess of four</p>	<p>*This is a new section titled "Qualifications for an accessibility mechanic certification and limited use/limited application (LULA) endorsement."</p> <p>This section contains provisions relocated from section -40 related to both accessibility mechanics and the LULA endorsement.</p> <p>*A change is made to allow accessibility mechanics with experience in excess of three (3) years to substitute such experience at a ratio of one year of experience for 20 hours of formal vocational training, not to exceed 60 hours. This is a reduction from the current requirement of four (4) years, making it less restrictive for individuals to meet certification requirements.</p> <p>Minor stylistic changes are made to replace the word "shall" with "must" or "will" where appropriate. Other changes are made for the purposes of clarity or style.</p>

		<p>years may be substituted for formal vocational training at a ratio of one (1) year of experience for 20 hours of formal training, not to exceed 60 hours.</p> <p>Applicants for an accessibility mechanic certification seeking to qualify on the basis of completing an apprenticeship must provide a certificate of completion or other official document.</p> <p>The section provides that an applicant for a limited use/limited application (LULA) endorsement must:</p> <ul style="list-style-type: none"> <li>• Hold a current certification as an accessibility mechanic issued by the Board; and</li> <li>• Have one (1) year of practical experience in the construction, installation, maintenance, service, repair, and testing of limited use/limited application elevators; and complete vocational educational program approved by the Board; (i) complete a written examination administered by the Board, (ii) completion of a limited use/limited application elevator training program equivalent to the requirements established by the Board.</li> </ul>	
30-40	30-46	<p>Section -40 provides for the qualifications for individuals to be approved for licensure as a residential building energy analyst.</p> <p>Section -40 establishes that individuals seeking to qualify for licensure as a residential building energy analyst must provide satisfactory proof to the board of:</p> <ul style="list-style-type: none"> <li>• Completion of a Board-approved residential building energy analyst training program;</li> </ul>	<p>*This is a new section titled "Qualifications for a residential building energy analyst."</p> <p>This section contains provisions relocated from section -40 related to residential building energy analysts.</p> <p>There are no substantive changes to the provisions in this section. The requirements for licensure as a residential building energy analyst are established in Virginia Code § 54.1-1145(B) and cannot be amended by the Board without legislative action.</p>

		<ul style="list-style-type: none"> <li>• Completion of at least five (5) residential building energy analyses under the supervision of a licensed residential building energy analyst;</li> <li>• Current membership in good standing with a certifying organization approved by the Board; and</li> <li>• A minimum \$100,000 general liability insurance policy from a company authorized to provide such insurance in Virginia. This requirement is not applicable to individuals who are employed by a company that holds a valid license as a residential building energy analyst firm issued by the Board.</li> </ul> <p>An applicant for a residential building energy analyst license must also provide information on any outstanding past-due debts, outstanding judgments, outstanding tax obligations, defaults on bonds, or pending or past bankruptcies for the five years prior to application.</p>	<p>This new section was created to allow for restructuring, better organization, and enhanced clarity.</p>
30-40	30-47	<p>Section -40 provides that applicants for a journeyman or master license seeking to qualify by experience alone must provide verification of experience by reference letters from any of the following:</p> <ul style="list-style-type: none"> <li>• Building officials;</li> <li>• Building inspectors;</li> <li>• Current or former employers;</li> <li>• Contractors;</li> <li>• Engineers;</li> <li>• Architects;</li> <li>• Current or past clients attesting to the applicant's work in the trade.</li> </ul> <p>Applicants for a journeyman license seeking to qualify on the basis of a bachelor's or associate's degree, or a certificate of completion in a</p>	<p>*This is a new section titled "Verification of experience and education."</p> <p>This section contains provisions relocated from section -40 related to verification of experience and education. The individuals identified as able to verify experience have not changed.</p> <p>Although the text of section -40 indicates that only applicants seeking to qualify for licensure as a journeyman or master tradesman by experience alone must provide verification of experience, agency practice has been to require all applicants for licensure or certification to provide verification of experience. This change will ensure the regulation clearly reflects current agency practice.</p>



		<p>tradesman-related program, must provide a transcript from the educational institution.</p>	<p>Education may be verified by providing a copy of the diploma or transcript from the accredited institution where education was attained.</p> <p>Although the text of section -40 indicates that only applicants seeking to qualify for licensure as a journeyman tradesman based on completion of a degree must provide documentation the educational institution, agency practice has been to require all applicants for licensure or certification to provide documentation of education. This change will ensure the regulation clearly reflects current agency practice.</p> <p>There are no substantive changes to the provisions in this section. This new section was created to allow for restructuring, better organization, and enhanced clarity.</p>
<p>N/A</p>	<p>30-48</p>	<p>N/A - No current requirements.</p>	<p>*This is a new section titled "Continuing education allowable as formal vocational training."</p> <p>*The rule provides that an applicant may receive credit for a maximum of 40 hours for Board-approved continuing education training toward formal vocational training required as applicable to the license or certification sought.</p> <p>This change is made to provide for flexibility for individuals to meet formal vocational training requirements. Frequently, continuing education courses contain the same content as vocational training courses. In addition, many individuals complete the continuing education courses and then are also required to complete the vocational training.</p>
<p>30-50</p>	<p>N/A</p>	<p>This section provides for exemptions from the examination requirement.</p> <p>Individuals certified or licensed by one of the following are exempt from examination:</p>	<p>*Subsection B is revised to clarify that individuals who successfully complete an apprenticeship program approved by the Commissioner of the Department of Labor and Industry, as outlined in § 54.1-1131 A 3 of the Code of Virginia, are exempt from the journeyman examination.</p>

		<ul style="list-style-type: none"> <li>• Department of Housing and Community Development prior to July 1, 1995.</li> <li>• Any local governing body prior to July 1, 1978.</li> <li>• Any Virginia locality backflow prevention device worker certification issued prior to July 1, 1998.</li> </ul> <p>The section also provides the following exemptions from the journeyman examination:</p> <ul style="list-style-type: none"> <li>• Successful completion of an apprenticeship program approved by the Virginia Apprenticeship Council.</li> <li>• Tradesmen who had a Class B registration prior to January 1, 1991, and have been continuously licensed as a Class B contractor.</li> </ul>	<p>This change is made to comport the regulation with the current provisions in the Code of Virginia.</p> <p>Minor stylistic changes are made within the section.</p>
30-150	N/A	<p>This section provides for the addition and deletion of trade designations.</p> <p>The section provides that regulants seeking to add a trade designation must meet the qualifications in section -40 applicable to the trade designation being sought.</p>	<p>The section is revised to reflect a technical change resulting from the repeal of section -40.</p> <p>The section is revised to provide that when adding a trade designation a regulant must meet the qualifications in section -39 applicable to the trade designation being sought.</p>
30-190	N/A	<p>This section provides for prohibited acts for which a regulant may be disciplined by the Board.</p> <p>Subdivision #18 provides that the Board may discipline for failure of a residential building energy analyst to maintain the general liability insurance required in subdivision 4 of section -40.</p>	<p>The section is revised to reflect a technical change resulting from the repeal of section -40.</p> <p>The prohibited act in subdivision #18 is revised to cite the insurance qualification provision of section -46, which contains the qualifications for a residential building energy analyst.</p>
30-9998	N/A	<p>This section contains forms used to administer the regulation.</p>	<p>The forms section is revised to:</p> <ul style="list-style-type: none"> <li>• Add a new application for residential tradesman licenses; and</li> <li>• Update other applications to reflect changes to eligibility requirements.</li> </ul>

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