

Board for Contractors

PRE-NOIRA CHECKLIST EXPLANATION SHEET

1. Reasons for the proposed Regulations (satisfies 1.b of the Pre-NOIRA Section of EO25)

Since the last revision of the regulations in 1995, there have been occurrences, comments and case decisions that were brought before the Board by board members, the general public and staff. These circumstances has caused the board to vote to authorize a pre-Noria so that the following issues can be adequately addressed:

- Expand the Board's regulations relating to disciplinary standards
- Clarify the Board's regulations relating to net worth
- Revisit entry requirements
- Revisit the Board's general definitions
- Revisit and clarify contractor specialties
- Revisit renewal and reinstatement requirements
- Other changes which may be necessary pursuant to the Board's periodic review of its regulations.

2. Legal Authority/Mandate (satisfies 1.a of the Pre-NOIRA section of EO25)

§ 54.1-1102 of the Code of Virginia authorizes the Board for Contractors to promulgate regulations for a regulatory system to regulate individuals in Virginia who practice as contractors. While the Board is mandated to establish regulations. Content of the regulations is up to the discretion of the Board.

3. Statement of Essential Nature (satisfies 1.c of the pre-NOIRA section of EO25)

The review is essential to comply with the EO25 directive for periodic review of its regulations, other state mandates and to address those items brought before the board in the past several years. It is also essential that the board adopt the least burdensome alternatives allowed.

In order to protect the public, the board desires to clarify in its regulations those issues noted under Number 1 above to ensure that its regulations are keeping pace with the realities and trends of the profession and yet comply with its mandate to protect the health, safety and welfare of the citizens of the commonwealth.

4. Statement of Alternatives Considered (satisfies 1.d of the Pre-NOIRA section of EO25)

Failure to adopt these changes will permit the Board's regulations to remain potentially vague in this very important area of public protection.

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The Board will certainly consider any and all comments received during the NOIRA comment period and the proposed regulation comment period as to any proposed alternatives. In Addition, anyone may petition the board to consider a proposed regulatory change at any time in accordance with the Board's Public Participation Guidelines.

5. State of Impact on Families

The contemplated changes are expected to have no impact on families.