

MARK-UP

~~Rules and Regulations
Pertaining to the Certification Of
Heating, Ventilation, Air Conditioning
And Refrigeration
Mechanical Inspectors~~

~~SECTION I. Authority~~

~~The following regulations are duly adopted and promulgated by the Arkansas Heating, Ventilation, Air Conditioning, and Refrigeration Licensing Board pursuant to the authority expressly conferred by the laws of the state of Arkansas in Act 277, of 1991, as amended, and Act 96, of 1913, as amended.~~

~~SECTION II. Purpose~~

~~To insure that the construction, installation and maintenance of heating, ventilating, air conditioning and refrigeration within all buildings be safe and conform to the Arkansas Mechanical Code.~~

~~SECTION III. Definitions~~

~~The following words and terms, when used in this regulation, shall have the following meanings, unless the context clearly indicates otherwise. Words not defined in this regulation shall have the meaning stated in the Webster's Ninth New Collegiate Dictionary, as revised.~~

- ~~(1) Board means the Arkansas Heating, Ventilation, Air Conditioning and Refrigeration Licensing Board.~~
- ~~(2) HVACR means heating, ventilation, air conditioning, and refrigeration as defined in Act 277, as amended.~~
- ~~(3) Incompetency means the performance of any act or procedure by the licensee which could cause or has caused harm to the public's health or safety.~~
- ~~(4) Inspection certification examination means the examination given and administered by the HVACR Board for the purpose of being certified as a Mechanical Inspector.~~
- ~~(5) Mechanical Inspector means any person (1) regularly employed as a Mechanical Inspector by any city, county or the HVACR Board, (2) any other person certified by the Board.~~
- ~~(6) SBCCI means the Southern Building Code Congress International.~~
- ~~(7) SBCCI Certified Mechanical Inspector means any person who successfully passes the Mechanical Inspector certification examination given by the Southern Building Code Congress International.~~

~~SECTION IV. Eligibility For Certification~~

~~To be eligible for certification as an HVACR Inspector, applicants must meet at least one of the following requirements:~~

- ~~(1) Currently employed as a Mechanical Inspector by the HVACR Section of the Arkansas State Health Department.~~
- ~~(2) Currently employed as a Mechanical Inspector by a city, town, county; or other municipality within the State of Arkansas that has adopted or is adopting the State Mechanical Code or a more stringent Code by regulation or ordinance.~~
- ~~(3) Any other persons determined to be eligible for certification by the HVACR Board for the State of Arkansas.~~

~~SECTION V. Qualifications~~

- ~~1) To qualify as a Mechanical Inspector the applicant must show eligibility for certification and successfully pass an SBCCI Mechanical Inspector examination or successfully pass the inspection certification examination administered by the HVACR Board.~~

~~SECTION VI. Terms of Certification, Renewal and Fees~~

~~License fees for the HVACR Inspector's license will be as follows: Municipal or county or employees of other governmental entities (except employees of the State Health Department) will be assessed a \$25.00 annual certification fee; any other person obtaining a Mechanical Inspector's license will be assessed a \$25.00 annual certification fee. Applicants for certification will be issued their license upon the completion of 12 hours instruction plus passing the required exam. Licenses will be renewed annually upon completion of 8 hours of annual training.~~

~~SECTION VII. Examinations~~

~~Examinations will be given on an as needed basis by the HVACR Board at various times and places. The examination will cover the Arkansas Mechanical Code, as amended, and inspection procedures and materials taught during training sessions administered by the HVACR Board. A score of 70% or better is considered a passing score.~~

~~SECTION VIII. Revocation of License or Certification~~

~~The Board may, on its own motion, make investigations and conduct hearings. Upon its own motion or upon complaint in writing duly signed and verified by the complainant, the Board may suspend or revoke any license issued under these regulations if it has reason to believe that the holder of such license has violated any provision of these regulations, any rule or order prescribed by the Board or has demonstrated incompetency to act as an HVACR Mechanical Inspector.~~

~~SECTION IX. Procedures for Suspension or Revocation~~

- ~~(1) A copy of the complaint shall be served on the licensee complained against. The licensee's answer thereto shall be filed with the ACR Board within twenty (20) days of the licensee's receipt of the complaint.~~

- ~~(2) No order suspending or revoking a license or certification shall be made until after a public hearing set by the Board not less than sixty (60) days after the irerving of a complaint on the licensee. The hearing shall be held at the place designated by the Board. The individual complained against shall have the right to be represented by counsel and to introduce any evidence in his defense. The conduct of the hearing shall be in accordance with the recognized rules of legal procedure.~~
- ~~(3) The decision rendered as a result of the hearing may be appealed pursuant to the Administrative Procedure Act 25-15-201et seq.~~
- ~~(4) Any member of the Board or a representative designated by the Board shall have the authority to administer oaths for the taking of testimony.~~
- ~~(5) One (1) year after the date of the revocation, an application may be made for anew license or certification.~~

~~SECTION X.—Severability~~

~~If any provision of these regulations, or the application thereof to any person is held invalid, such invalidity shall not affect other provisions or application of these regulations which can give effect without the invalid provisions of applications, and to this end the provisions he leto are declared to be severable.~~

~~SECTION XI.—Repeal~~

~~All regulations and parts of regulations in conflict here with are hereby repealed.~~