

APA-1
07/04

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control No. _____ Department or Agency: Board of Heating, Air Conditioning & Refrigeration Contractors
Rule No. 440-X-3-.10
Rule Title: Fees and Charges
 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? Yes

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 rule have an economic impact? Yes

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
Reference Service.

Signature of certifying officer Harley S. LeGier

Date: 7/21/15

(DATE FILED)
(STAMP)

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07/04

Alabama State 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-.10 Fees and Charges

INTENDED ACTION: New

SUBSTANCE OF PROPOSED ACTION:

The Board proposes a rule to require duct air tightness testing contractors to pay a registration fee as well as charge a fee for the replacement of lost or stolen certification cards or registrations

TIME, PLACE, MANNER OF PRESENTING VIEW:

Comments may be submitted in writing or orally at a public hearing to be held at 9:00am, September 10, 2015, in the Board's office located at 121 Coosa Street, Suite 250, Montgomery, Alabama 36104.

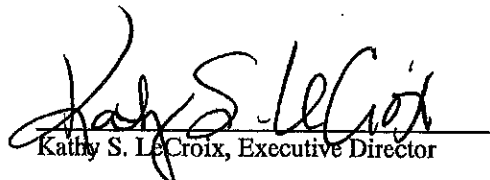
FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

September 9, 2015

CONTACT PERSON AT AGENCY:

Kathy LeCroix

(334) 241-0840


Kathy S. LeCroix, Executive Director

440-X-3-10. Fees and Charges.

(1) The following fees and charges have been established by the Board.

(a) Written examination fee to defray costs of testing	\$150.00
(b) Practical examination fee to defray costs of testing	\$350.00
(c) Initial Fee for Certification of a Heating & Air Conditioning License	\$165.00
(d) Annual Renewal Fee for Active Heating & Air Conditioning Certification	\$165.00
(e) Initial Fee for Certification of a Refrigeration License	\$ 165.00
(f) Annual Renewal Fee for Active Refrigeration Certification	\$165.00
(i) Late fee for active certification renewal received after December 31 and prior to March 1)	\$100.00
(ii) Penalty fee for renewal received on or after March 1 and prior to March 31 (in addition to late fee)	\$250.00
(iii) Delinquent penalty for renewal received on or after April 1 (in addition to late and penalty fee)	\$500.00
(g) Annual renewal fee for Inactive Heating and Air Conditioning Contractors	\$ 82.50
(h) Annual Renewal Fee for Inactive Refrigeration Contractors	\$ 82.50

(Inactive contractors are not eligible to purchase local licenses or permits until the inactive contractor returns to an active certified contractor status and meets all requirements for licensing as an active certified contractor, including payment of the proper fee(s))

(i) Late fee for the renewal of inactive status received after December 31 and prior to March 1	\$ 50.00
(ii) Penalty fee for renewal received or after March 1 and prior to March 31 (in addition to late fee)	\$250.00
(iii) Delinquent penalty for renewal received on or after April 1 (in addition to late and penalty fees)	\$500.00
(j) Administrative fee for continuing education deficiency plan	\$ 25.00
(k) Dishonored check fee	\$ 30.00

(l) Continuing Provider Application Fee	\$ 75.00
(m) Continuing Education Course Fee	\$ 25.00
(n) Continuing Education Instructor Fee	\$ 25.00
(o) Non-Traditional Continuing Education Application	\$ 25.00
(p) Apprentice Registration for Heating & Air Conditioning or Refrigeration	\$ 25.00
(q) Apprentice Registration Late Fee (If received by the Board later than December 31)	\$ 50.00
<u>(r) Duct Air Tightness Testing Contractor Registration Fee</u>	<u>\$50.00</u>
<u>(s) Duct Air Tightness Testing Contractor Registration Late Fee</u>	<u>\$50.00</u>
<u>(t) Re-issuance of lost or stolen certification cards or registrations</u>	<u>\$25.00</u>

Author: Jeffrey Becraft, Kathy S. LeCroix

Statutory Authority: *Code of Alabama 1975*, Section 34-31-24(4)(1) and 34-31-25(1); Act No. 2015-169

History: Filed June 29, 2015

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ECONOMIC IMPACT STATEMENT
FOR APA RULE
(Section 41-22-23(f))

Control No. _____ Department or Agency: Board of Heating, Air Conditioning & Refrigeration Contractors

Rule No. 440-X-3-.10

Rule Title: Fees and Charges

New Amend Repeal Adopt by Reference

This rule has no economic impact

This rule has an economic impact, as explained below:

1. NEED/EXPECTED BENEFIT OF RULE:

This rule allows the Board to charge to obtain a duct air tightness contractor registration fee. This rule also allows the Board to charge contractor for the replacement of lost or stolen certification cards and registrations.

2. COST/BENEFITS OF RULE AND WHY RULE IS THE MOST EFFECTIVE, EFFICIENT, AND FEASIBLE MEANS FOR ALLOCATING RESOURCES AND ACHIEVING THE STATE PURPOSE:

This requires applicants to provide the board a fee to obtain a duct air tightness contractor registration in order to defray the cost of registering such individuals.

3. EFFECT OF THIS RULE ON COMPETITION:

None

4. EFFECT OF THIS RULE ON COST OF LIVING AND DOING BUSINESS IN THE GEOGRAPHICAL AREA WHERE THE RULE IS TO BE IMPLEMENTED:

There may be an additional cost to those persons wishing to become a duct air tightness testing contractor.

5. EFFECT OF THIS RULE ON EMPLOYMENT IN THE GEOGRAPHICAL AREA WHERE THE RULE IS TO BE IMPLEMENTED:

None

6. SOURCE OF REVENUE TO USED FOR IMPLEMENTING AND ENFORCING THIS RULE:

None

7. THE SHORT-TERM/LONG-TERM ECONOMIC IMPACT OF THIS RULE ON AFFECTED PERSONS, INCLUDING ANALYSIS OF PERSONS WHO WILL BEAR THE COSTS AND THOSE WHO WILL BENEFIT FROM THE RULE:

Cost only applies to applicants and is not oppressive

8. UNCERTANTIES ASSOCIATED WITH THE ESTIMATED BENEFITS AND BURDENS OF THE RULE, INCLUDING QUALITATIVE/QUANTITATIVE BENEFITS AND BURDEN COMPARISON:

None

9. THE EFFECT OF THIS RULE ON THE ENVIRONMENT AND PUBLIC HEALTH:

None

10. DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE RULE IS NOT IMPLEMENTED:

None