

BOARD PROPOSES RULE CHANGES

The State Board of Refrigeration Examiners has filed proposed new rules, rule amendments and rule repeals for implementation on January 1, 2017 with the Rules Review Commission as follows:

21 NCAC 60 .0102 OFFICE OF BOARD

(a) The Board's office and mailing address is located at 889 1027 US 70 Highway West, Suite 221, Garner, North Carolina 27529.

(b) The Board's website is <http://www.refrigerationboard.org>

21 NCAC 60 .0103 RULEMAKING AND ADMINISTRATIVE HEARING PROCEDURES (For Repeal)

21 NCAC 60 .0106 CLASSIFICATIONS

Refrigeration contracting licenses shall be issued in one or more of the following classifications:

(a) Class I. A Class I Commercial Refrigeration License shall include the installation, servicing and repairing of commercial refrigeration machinery, equipment, devices, components and transport equipment.

(b) Class II. A Class II Industrial Refrigeration License shall only include the use of ammonia as a refrigerant in refrigeration contracting services.

(3) Class III. A Class III Service Refrigeration License shall only include the maintenance, service and repairs of commercial refrigeration machinery, equipment, devices and components.

(4) Class IV. A Class IV Transport Refrigeration License shall only include the installation, maintenance, repairing and servicing of transport refrigeration equipment.

21 NCAC 60 .0206 EXAMINATION APPLICATION DULY FILED (For Repeal)

21 NCAC 60 .0207 REQUIREMENTS FOR EXAMINATION APPLICANTS

~~(a) An applicant for the commercial refrigeration examination shall be eligible to take that examination upon:~~

~~(1) Filing with the Board an application, on a form provided by the Board, together with the non-refundable combined examination license fee.~~

~~(2) Furnishing with his application information verifying that he has acquired at least 4000 hours of commercial refrigeration experience gained while engaged actively and directly in the installation, maintenance, servicing or repairing of commercial, industrial or institutional refrigeration equipment classification of licensure desired.~~

~~(b) An applicant for the transport refrigeration examination shall be eligible to take that examination upon:~~

~~(1) Filing with the Board an application, on a form provided by the Board, together with the non-refundable combined examination license fee.~~

~~(2) Furnishing with his application information verifying that he has acquired at least 4000 hours of transport or commercial refrigeration experience or a combination of both gained while engaged actively and directly in the installation, maintenance, servicing or repairing of transport or commercial refrigeration equipment or a combination of both.~~

(a) To be licensed as a refrigeration contractor, an applicant shall:

(1) Obtain 4,000 hours of refrigeration experience as set forth in G.S. 87-58(d) relevant to the classification of licensure desired as set forth in Rule .0106 of this Chapter.

(2) File with the Board an application on a form provided by the Board together with the non-refundable examination fee as set forth in Rule .0209 of this chapter. The form may be obtained on the Board's website (www.refrigerationboard.org) or by requesting a copy from the Board office. The application shall require the following:

(A) The Social Security Number of the applicant;

(B) The applicant's contact information;

- (C) The name of the business under which licensee will be operating, if any;
- (D) The license classification desired;
- (E) Information indication whether the applicant has any disciplinary history with any other occupational licensing board or agency;
- (F) Record of refrigeration experience and education ;
- (G) Supervisor(s) statement verifying experience;
- (H) The application fee as set forth in Rule .0209 of this chapter.

~~(e) (b)~~ Prior to filing the application, ~~qualifying~~ experience shall be acquired while working under the supervision of a person who holds a valid refrigeration contractor's license, who is a ~~registered~~ professional engineer as defined in G.S. 89C-3(8). or who has equivalent industry experience. Up to one-half of the experience may be in academic or technical training ~~directly~~ related to the field of refrigeration contracting endeavor for which the examination is requested. Applicants ~~who obtain a license shall receive a certificate issued by the Board, bearing that license number. The license shall not be assigned or transferred to another individual.~~

(c) Applicants who obtain a license shall receive a certificate issued by the Board bearing that license number. The license shall not be assigned or transferred to another individual.

(d) An individual holding a valid transport or service contractor refrigeration license shall be eligible to sit for the commercial refrigeration examination upon filing with the Board an application, on a form provided by the Board, together with the examination ~~license~~ fee as set forth in Rule .0209 of this Chapter.

(e) An applicant may be licensed in more than one classification of refrigerating contracting provided the applicant meets the qualifications for the classifications, including passing the examinations for the classifications desired.

NCAC 60 .0209 FEES

Fees shall be set ~~at the statutory maximum for the following~~ as follows:

- (1) Examination application ~~initial licensure~~ -- \$100.00;
- (2) License renewal; ~~-- \$80.00; and~~
- (3) License reinstatement; ~~-- \$120.00.~~

21 NCAC 60 .0212 QUALIFYING EXAMINATIONS

(a) Commercial and Industrial Refrigeration contractor examinations are divided into four parts, "A," "B," "C" and "D". Service and Transport refrigeration contractor examinations are divided into three parts, "A," "B" and "C".

(b) Each applicant must successfully complete 70 percent of each part to pass an examination. Each candidate who passes an examination shall be issued a refrigeration contractor's license for the appropriate classification.

(c) All qualifying examinations administered by the Board for each license classification shall be written or computer-based ~~examinations~~ examinations. ~~and must be taken by the approved applicant.~~

(d) The Board office shall schedule the examination and shall notify the approved applicant of the date, time and place.

~~(e) The executive director shall arrange for examinations to be administered by the Board.~~

21 NCAC 60 .0213 EXAMINATIONS

~~(a) In order to pass the examination, an~~ An applicant is required to shall pass all parts of the examination within the same one year period and within no more than three consecutive attempts. Each time an applicant takes the examination, the applicant shall take all parts for which he or she does not have ~~currently valid~~ passing grades. If the applicant fails to pass all parts within one year or within three consecutive attempts (whichever period is shorter), any passing grades for individual parts shall no longer be valid and the applicant ~~shall must start over by re-taking~~ retake all parts of the examination.

~~(b) A person~~ An applicant who fails an examination must wait a period of five business days from the date he or she last failed an examination before he or she will be eligible to take another examination.

~~(c) Each person~~ applicant who fails an examination shall be notified of his or her scores and the parts of the examination he or she failed.

(d) A applicant who fails to show for a scheduled examination shall have the no show count toward the three consequent attempts described in Paragraph (a) of this rule unless proper notice is given. Proper notice shall consist of five business days prior to the scheduled examination.

~~(d)(e)~~ If a person an applicant files an application for examination ~~which~~ that is accepted, and takes and fails the examination, his or her verification of refrigeration experience shall be kept and shall be sufficient for taking any future examination, provided he or she files another application accompanied by the required fee as set forth in Rule .0209 of this Chapter.

A public hearing will be held on September 13, 2017 in the Board Office (1027 US Hwy 70 W., Suite 221, Garner, NC 27529). Public comments will be accepted until October 16, 2017 and may be mailed to Barbara Hines, SBRE, 1027 US Hwy. 70 W., Suite 221, Garner, NC 27529.