
By: Delegate Workman

Introduced and read first time: January 26, 1996

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors -Employment by**
3 **a Governmental Entity**

4 FOR the purpose of requiring that an employee of a governmental entity who performs
5 heating, ventilation, air-conditioning, and refrigeration services be a licensed
6 heating, ventilation, air-conditioning, and refrigeration contractor; requiring
7 governmental entities to hire licensed contractors under certain circumstances; and
8 generally relating to employment by governmental agencies of heating, ventilation,
9 air-conditioning, and refrigeration contractors.

10 BY repealing and reenacting, with amendments,
11 Article - Business Regulation
12 Section 9A-103 and 9A-503
13 Annotated Code of Maryland
14 (1992 Volume and 1995 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Business Regulation**

18 9A-103.

19 This title does not limit the right of:

20 (1) an individual owner of a single-family dwelling while that owner is
21 practicing heating, ventilation, air-conditioning, or refrigeration services on or within a
22 building or structure owned by the individual;

23 (2) an individual who is building a single-family dwelling in which that
24 individual will reside while practicing heating, ventilation, air-conditioning, or
25 refrigeration services on or within that dwelling;

26 (3) an employee of a public utility company regulated by the Public Service
27 Commission, when engaged in:

28 (i) the development, construction, maintenance, or repair of electric
29 or gas facilities located in the State; or

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1 (ii) the construction, maintenance, or repair of electric or gas
2 appliances in the service area of the public utility;

3 [(4) subject to § 9A-403(a) of this title, an employee of the United States
4 government, the State government, a local government, or an independent agency while
5 that employee is practicing heating, ventilation, air-conditioning, or refrigeration services
6 on or within buildings or structures owned or solely occupied by the United States
7 government, the State government, a local government, or an independent agency;]

8 [(5)] (4) an individual employed in the installation, maintenance, alteration,
9 repair, or replacement of self-contained heating, air-conditioning, refrigeration, or
10 ventilation systems, or other appliances requiring not more than 225 volts or 25 amps of
11 electrical current;

12 [(6)] (5) an individual possessing a master electrician's license issued by the
13 State or any county, when engaged in the installation, alteration, service, repair, or
14 replacement of individually controlled electric resistance heat;

15 [(7)] (6) an individual possessing a master plumber's license issued by the
16 State, Baltimore County, or the Washington Suburban Sanitary Commission when
17 providing heating, ventilation, air-conditioning, or refrigeration services on hydronic
18 heating systems;

19 [(8)] (7) an individual possessing a license to practice engineering when
20 providing heating, ventilation, air-conditioning, or refrigeration services in connection
21 with the practice of engineering;

22 [(9)] (8) an individual who installs, alters, remodels, maintains, or repairs
23 oil burners exclusively while employed by a supplier of home heating fuel; or

24 [(10)] (9) an individual regularly employed by the owner of property, or the
25 owner's agent, to engage in maintenance and repair work.

26 9A-503.

27 Except as otherwise provided in this title, regardless of whether a person is engaged
28 in the business of providing heating, ventilation, air-conditioning, or refrigeration
29 services, the person, INCLUDING A GOVERNMENTAL ENTITY, may not knowingly
30 employ an individual to provide or assist in providing heating, ventilation,
31 air-conditioning, or refrigeration services in the State unless the individual is licensed by
32 the Board.

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
34 October 1, 1996.