
By: Delegate Exum

Introduced and read first time: February 5, 1996

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 7, 1996

CHAPTER ____

1 AN ACT concerning

2 **Licensing and Regulation - State Board of Heating, Ventilation, Air-Conditioning, and**
3 **Refrigeration Contractors**

4 FOR the purpose of ~~altering certain conditions relating to the authority of the State~~
5 ~~Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors to~~
6 ~~waive certain licensing requirements~~; authorizing the Board of Heating, Ventilation,
7 Air-Conditioning, and Refrigeration to give credit toward licensure for certain
8 experience under certain circumstances; requiring the Board to give credit toward
9 licensure for certain experience; prohibiting the Board from increasing certain fees
10 before a certain date; and generally relating to the licensure of heating, ventilation,
11 air-conditioning, and refrigeration contractors.

12 BY repealing and reenacting, with amendments,
13 Article - Business Regulation
14 Section 9A-302 ~~and 9A-305~~
15 Annotated Code of Maryland
16 (1992 Volume and 1995 Supplement)

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

19 **Article - Business Regulation**

20 9A-302.

21 (a) To qualify for an apprentice, journeyman, master, master restricted, or limited
22 license, an applicant shall meet the requirements of this section.

23 (b) An applicant for a master heating, ventilation, air-conditioning, and
24 refrigeration contractor license shall:

2

1 (1) have been regularly and principally employed in providing heating,
2 ventilation, air-conditioning, or refrigeration services under a journeyman, limited, or
3 master restricted license for not less than 3 years of active experience under the direction
4 and control of a master heating, ventilation, air-conditioning, and refrigeration
5 contractor and have been so employed for not less than 1,875 hours in the year prior to
6 application; and

7 (2) pass an examination administered by the Board.

8 (c) An applicant for a master restricted heating, ventilation, air-conditioning, and
9 refrigeration contractor license shall:

10 (1) have been regularly and principally employed in providing refrigeration,
11 air-conditioning, forced air heating, hydronic heating, or ventilation services under a
12 journeyman, limited, or master restricted license for not less than 3 years of active
13 experience under the direction and control of a master or master restricted heating,
14 ventilation, air-conditioning, and refrigeration contractor and have been so employed for
15 not less than 1,875 hours in the year prior to application; and

16 (2) pass an examination administered by the Board.

17 (d) An applicant for a limited heating, ventilation, air-conditioning, and
18 refrigeration license shall:

19 (1) have been regularly and principally employed in providing forced air
20 heating, hydronic HEATING, ventilation, air-conditioning, or refrigeration services under
21 a journeyman license for not less than 2 years of active experience under the direction
22 and control of the holder of a master, master restricted, or limited license under this title,
23 and have been so employed for not less than 1,000 hours in the year prior to application;
24 and

25 (2) pass an examination administered by the Board.

26 (e) An applicant for a journeyman license shall:

27 (1) have held, for a period of at least 3 years, an apprentice license, and
28 during that period shall have completed at least 1,875 hours of training in providing
29 heating, ventilation, air-conditioning, and refrigeration services under the direction and
30 control of a licensed contractor; and

31 (2) pass an examination administered by the Board.

32 (f) (1) The Board may credit not more than 3 years of formal course of study or
33 professional training in heating, ventilation, air-conditioning, or refrigeration services if,
34 in the opinion of the Board, the study or training provided comparable experience.

35 (2) THE BOARD MAY CREDIT NOT MORE THAN 3 6 YEARS OF WORK
36 EXPERIENCE IN HEATING, VENTILATION, AIR-CONDITIONING, OR REFRIGERATION
37 SERVICES THAT FAILS TO MEET THE REQUIREMENTS OF SUBSECTION (B)(1), (C)(1),
38 (D)(1), OR (E)(1) OF THIS SECTION IF, IN THE OPINION OF THE BOARD;:

39 (1) THE WORK PROVIDED COMPARABLE EXPERIENCE; AND

1 (II) THE FAILURE OF THE APPLICANT TO MEET THE
2 REQUIREMENTS IS NOT ATTRIBUTABLE TO FAULT OR NEGLIGENCE ON THE PART OF
3 THE APPLICANT.

4 (3) THE BOARD SHALL CREDIT NOT MORE THAN 3 YEARS OF WORK
5 EXPERIENCE IN HEATING, VENTILATION, AIR-CONDITIONING, OR REFRIGERATION
6 SERVICES TO ANY APPLICANT UNDER THIS SECTION WHO HAS BEEN TEACHING
7 FORMAL COURSES OF STUDY IN HEATING, VENTILATION, AIR-CONDITIONING, OR
8 REFRIGERATION SERVICES FOR PURPOSES OF SATISFYING THE REQUIREMENTS OF
9 SUBSECTIONS (B)(1), (C)(1), (D)(1), OR (E)(1) OF THIS SECTION.

10 9A-305.

11 ~~(a) Subject to the limitations in [subsections (b) and (c)] SUBSECTION (B) of this~~
12 ~~section, on the affirmative vote of at least a majority of the authorized membership of the~~
13 ~~Board, the Board may waive the examination requirements of this title for an individual~~
14 ~~who is licensed in another state to provide heating, ventilation, air conditioning, or~~
15 ~~refrigeration services as a journeyman, master, master restricted, or limited heating,~~
16 ~~ventilation, air conditioning, and refrigeration contractor.~~

17 ~~(b) The Board may grant a waiver under this section only if the applicant:~~

18 ~~(1) pays the appropriate application fee required by § 9A-303 of this title;~~
19 ~~and~~

20 ~~(2) provides adequate evidence that the applicant:~~

21 ~~(i) meets the qualifications otherwise required by this title;~~

22 ~~(ii) holds an active license in good standing in the other state;~~

23 ~~(iii) holds a license that is equivalent to the State license; and~~

24 ~~(iv) became licensed in the other state after meeting, in that state,~~
25 ~~requirements that are at least equivalent to the licensing requirements of this State,~~
26 ~~including the number of years of work experience equivalent to the experience required~~
27 ~~under § 9A-302(b), (c), and (d) of this title.~~

28 ~~[(c) The Board may grant a waiver only if the state in which the applicant is~~
29 ~~licensed waives the examination of licensees of this State to a similar extent as this State~~
30 ~~waives the examination requirements for individuals licensed in that state.]~~

31 SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding the
32 provisions of § 9A-207(a) or (b) of the Business Regulation Article, before January 1,
33 1997 the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration
34 Contractors may not increase any application fees or other fees under Title 9A of the
35 Business Regulation Article for the issuance and renewal of licenses or for its other
36 services.

37 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
38 October 1, 1996.

