

Secretary of State
Certificate and Order for Filing
PERMANENT ADMINISTRATIVE RULES

I certify that the attached copies* are true, full and correct copies of the PERMANENT Rule(s) adopted on February 27, 2007 by the
(Date prior to or same as filing date.)

Construction Contractors Board OAR 812
(Agency and Division) (Administrative Rules Chapter Number)

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(Rules Coordinator) (Address) (Telephone)

to become effective March 1, 2007. Rulemaking Notice was published in the February 2007 Oregon Bulletin.**
(Date upon filing or later) (Month and Year)

RULE CAPTION

Division 6 Revisions to Testing Requirements and Training and Testing Period Rules

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

List each rule number separately, 000-000-0000.

ADOPT: Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

AMEND:
812-006-0300 812-006-0400

REPEAL:
Temporary rule 812-006-0400

Renumber: Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

Amend & Renumber: Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

ORS 670.310, 701.072 & 701.235

Stat. Auth.

Other Authority

ORS 701.072

Stats. Implemented

RULE SUMMARY

812-006-0300 is amended to replace the words "any state certified" and replace them with "the authorized". There is no longer any state certification of interpreters. By contract, the CCB has authorized the testing vendor (PSI) to arrange for the interpreter services. By having the testing vendor arrange for the interpreters rather than the student helps preserve the integrity of the test.

812-006-0400 is amended because the rule had unintended consequences by keeping those individuals who demonstrated competency (by recently passing the test) from becoming licensed. Training providers that did their best to notify students had approximately two weeks to notify the students. It would have been difficult for students to successfully schedule the test, pass the test and complete the application process (including getting the bond and insurance) within a 1-2 week time period. This affects applicants who recently passed the test and now find they cannot become licensed.

Authorized Signer

Catherine Dixon
Printed Name

March 1, 2007
Date

*With this original, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules.

**The *Oregon Bulletin* is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00 pm on the preceding workday. ARC 930-2005

NOTE: In order to save postage and printing costs in these difficult times, CCB is only providing a copy of the notice. To view the language of each individual rule change, please go to our web site at http://www.oregon.gov/CCB/Laws_Rules.shtml#Administrative_Rule_Notices. If you don't have web access, contact Cathy Dixon at (503) 378-4621 ext. 4077 for assistance in receiving a copy.

Testing Requirements

- (1) The test required in ORS 701.072 shall cover the subjects listed in OAR 812-006-0250.
 - (2) A person seeking to take the test shall:
 - (a) Pay any fees required by the test administrator;
 - (b) Provide approved government-issued picture identification to the test administrator;
 - (c) Pay for [~~any state-certified~~] **the authorized** interpreter needed to take the test; and
 - (d) Complete the test within a time limit approved by the agency.
 - (3) A person taking the test shall be allowed to use an Oregon Contractor's Reference Manual and one language translation book during the test.
 - (4) A person taking the test shall not:
 - (a) Retake the same version of the test on consecutive attempts.
 - (b) Be accompanied by anyone while taking the test, except a state-certified interpreter.
 - (5) After the test is completed, a person shall not review the test questions or answers.
 - (6) There are no reciprocal agreements with other states or organizations that test contractors.
- Stat. Auth.: ORS 670.310 & 701.235
Stats. Implemented: ORS 701.072
(5/00, 12/01, 3/03, 8/03, 12/05, 9/06, 3/07)
(Amended and renumbered from 812-006-0012, 9/06)

812-006-0400

Training and Testing Period

- (1) **For training and testing completed on or after October 1, 2006,** the training and testing required under ORS 701.072(1) and (3) shall be valid for 24 months from the date the training was completed. Training and testing that is past the 24-month period from the date of the completed training will not be considered for the purposes of fulfilling the requirements set forth in ORS 701.078(1)(b)(A).
 - (2) In lieu of complying with section (1) of this rule, an RMI may satisfy the requirements of ORS 701.078(1)(b)(A) provided that the RMI:
 - (a) Has completed the training and passed the test;
 - (b) Has been the RMI of a licensee within two years of the date of application by the new applicant; and
 - (c) The license of the licensee that was previously owned by or that previously employed the RMI has not lapsed or, if lapsed, has lapsed for not more than 24 months.
 - (3) Sections (1) and (2) of this rule do not apply to an RMI that meets the experience requirements under 812-006-0450.
- Stat. Auth.: ORS 670.310, 701.072 & 701.235
Stats. Implemented: ORS 701.072
(9/06, temp. 11/06, 3/07)