

Secretary of State
Certificate and Order for Filing
TEMPORARY ADMINISTRATIVE RULES
A Statement of Need and Justification accompanies this form.

I certify that the attached copies* are true, full and correct copies of the TEMPORARY Rule(s) adopted on July 1, 2011 by the
(Date prior to or same as filing date.)

Construction Contractors Board OAR 812
(Agency and Division) (Administrative Rules Chapter Number)
Catherine Dixon 700 Summer St NE Suite 300, Salem OR 97301 (503) 934-2185
(Rules Coordinator) (Address) (Telephone)
to become effective July 1, 2011 through December 28, 2011
(Date upon filing or later) (A maximum of 180 days including the effective date.)

RULE CAPTION

Residential Continuing Education (RCE) Exemptions

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.

Secure approval of new rule numbers (Adopted rules) with the Administrative Rules Unit prior to filing

ADOPT:
812-021-0021

AMEND:

SUSPEND:

Stat. Auth.: ORS 670.310, 701.126 & 701.235

Other Auth.:

Stats. Implemented: ORS 701.126

RULE SUMMARY

OAR 812-021-0021 adoption will exempt from the residential continuing education requirement those contractors that are licensed as plumbing or electrical contractors. The rule will also exempt contractors that have an owner or officer licensed as an architect or a professional engineer, regardless of whether the architect or engineer is acting within the scope of their license. (Those individuals are already exempt from ORS chapter 701 if acting within the scope of their license. See ORS 701.010(8)(a), (b)).

The exempt persons must take an equivalent number of elective courses to satisfy the 16-hour requirement for CCB's residential contractor continuing education.

Signature Catherine Dixon July 1, 2011
Printed name Date

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

ARC 940-2005

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) 934-2185 for assistance in receiving a copy.

Secretary of State
STATEMENT OF NEED AND JUSTIFICATION
A Certificate and Order for Filing Temporary Administrative Rules accompanies this form.

Construction Contractors Board

OAR 812

Agency and Division

Administrative Rules Chapter Number

In the Matter of: Amendments to OAR 812

Rule Caption: (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)
Residential Continuing Education (RCE) Exemptions

Statutory Authority: ORS 670.310, 701.126 & 701.235

Other Authority:

Stats. Implemented: ORS 701.126

Need for the Temporary Rule(s):

OAR 812-021-0021 adoption will exempt from the residential continuing education requirement those contractors that are licensed as plumbing or electrical contractors. The rule will also exempt contractors that have an owner or officer licensed as an architect or a professional engineer, regardless of whether the architect or engineer is acting within the scope of their license. (Those individuals are already exempt from ORS chapter 701 if acting within the scope of their license. See ORS 701.010(8)(a), (b)). The exempt persons must take an equivalent number of elective courses to satisfy the 16-hour requirement for CCB's residential contractor continuing education.

Documents Relied Upon, and where they are available: ORS 701 and OAR 812. Documents are on the agency website at www.oregon.gov/ccb or a paper copy is available upon request.

Justification of Temporary Rule(s):

The CCB finds that following the permanent rulemaking process, instead of taking this temporary rulemaking action, would result in serious prejudice to the public interest. OAR 812-021-0021 adoption will exempt from the residential continuing education requirement those contractors that are licensed as plumbing or electrical contractors. The rule will also exempt contractors that have an owner or officer licensed as an architect or a professional engineer, regardless of whether the architect or engineer is acting within the scope of their license. (Those individuals are already exempt from ORS chapter 701 if acting within the scope of their license. See ORS 701.010(8)(a), (b)). The exempt persons must take an equivalent number of elective courses to satisfy the 16-hour requirement for CCB's residential contractor continuing education. The exemptions are needed as soon as possible so renewing licensees will not have to take courses that are unnecessary since they have already taken continuing education for their specific licenses. The continuing education requirements for contractor renewal are eminent - starting October 1, 2011. For those contractors, they must have their courses completed within the period before renewal.

	Catherine Dixon	July 1, 2011
Signature	Printed name	Date

Administrative Rules Unit, Archives Division, Secretary of State, 800 Summer Street NE, Salem, Oregon 97310.

ARC 925-2005

HOUSING COST IMPACT STATEMENT

FOR ESTIMATING THE EFFECT OF A PROPOSED RULE OR ORDINANCE ON THE COST OF DEVELOPING
A *TYPICAL 1,200 SQ FT DETACHED SINGLE FAMILY DWELLING ON A 6,000 SQ FT PARCEL OF LAND.
(ORS 183.534)

FOR ADMINISTRATIVE RULES

AGENCY NAME: Construction Contractors Board
ADDRESS: 700 Summer St. NE Ste 300
CITY/STATE: Salem OR 97309
PHONE: (503) 378-4621

PERMANENT:

HEARING DATE:

TEMPORARY:

EFFECTIVE DATE: July 1, 2011

**BELOW PLEASE PROVIDE A DESCRIPTION OF THE ESTIMATED SAVINGS OR ADDITIONAL COSTS THAT WILL
RESULT FROM THIS PROPOSED CHANGE.**

PROVIDE A BRIEF EXPLANATION OF HOW THE COST OR SAVINGS ESTIMATE WAS DETERMINED.
IDENTIFY HOW CHANGE IMPACTS COSTS IN CATEGORIES SPECIFIED

Description of proposed change: (Please attach any draft or permanent rule or ordinance)

OAR 812-021-0021 adoption will exempt from the residential continuing education requirement those contractors that are licensed as plumbing or electrical contractors. The rule will also exempt contractors that have an owner or officer licensed as an architect or a professional engineer, regardless of whether the architect or engineer is acting within the scope of their license. (Those individuals are already exempt from ORS chapter 701 if acting within the scope of their license. See ORS 701.010(8)(a), (b)).

The exempt persons must take an equivalent number of elective courses to satisfy the 16-hour requirement for CCB's residential contractor continuing education.

Description of the need for, and objectives of the rule:

OAR 812-021-0021 adoption will exempt from the residential continuing education requirement those contractors that are licensed as plumbing or electrical contractors. The rule will also exempt contractors that have an owner or officer licensed as an architect or a professional engineer, regardless of whether the architect or engineer is acting within the scope of their license. (Those individuals are already exempt from ORS chapter 701 if acting within the scope of their license. See ORS 701.010(8)(a), (b)). The exempt persons must take an equivalent number of elective courses to satisfy the 16-hour requirement for CCB's residential contractor continuing education.

List of rules adopted or amended:

812-021-0021

Materials and labor costs increase or savings:

The rule amendments have no known impact on materials and labor costs.

Estimated administrative construction or other costs increase or savings:

The rule amendments have no measurable impact on administrative construction or other cost increases or savings.

Land costs increase or savings:

The rule amendments have no measurable impact on the cost of new home or a building lot.

Other costs increase or savings:

The proposed rules have no known fiscal impact on state agencies, units of local government or the public. The rule amendment will save plumbers, electricians, architects and engineers the cost of taking CCB CORE and Building Code courses.

*Typical-Single story 3 bedrooms, 1 ½ bathrooms, attached garage (calculated separately) on land with good soil conditions with no unusual geological hazards.

PREPARERS NAME: Catherine Dixon

EMAIL ADDRESS: catherine.a.dixon@state.or.us

812-021-0021

Exemptions from Continuing Education

(1) The following persons are exempt from obtaining BEST education as required under OAR 812-021-0015(2) or (3)(a)(A):

(a) Contractors who are licensed as:

(A) Plumbing contractors under ORS 447.010 to 447.156; or

(B) Electrical contractors under ORS 479.630.

(b) Contractors who have an owner or officer who is licensed as:

(A) An architect under ORS 671.010 to 671.220, whether or not operating within the scope of that license; or

(B) A professional engineer under ORS 672.002 to 672.325, whether or not operating within the scope of that license.

(2) The following persons are exempt from obtaining education in building codes or on “green” or sustainable practices as required under OAR 812-021-0015(2), (3)(a)(B) or (4)(a)(A):

(a) Contractors who are licensed as:

(A) Plumbing contractors under ORS 447.010 to 447.156; or

(B) Electrical contractors under ORS 479.630.

(b) Contractors who have an owner or officer who is licensed as:

(A) An architect under ORS 671.010 to 671.220, whether or not operating within the scope of that license; or

(B) A professional engineer under ORS 672.002 to 672.325, whether or not operating within the scope of that license.

(3) Persons who are exempt under sections (1) and (2) of this rule from completing mandatory core continuing education must substitute an equivalent amount of elective continuing education.

Total continuing education for the license period is 16 hours.

Stat. Auth.: ORS 670.310, 701.126 & 701.235

Stats. Implemented: ORS 701.126

(temp. 7/11 eff. 7/1/11)