

**PUBLIC HEARING NOTICE**  
**for all Heating, Air Conditioning and**  
**Refrigeration Contractors**

A Public Hearing will be held on Thursday September 10, 2015, at 9:00 a.m. in the Board of Heating, Air Conditioning & Refrigeration Offices located at 121 Coosa Street, Suite 250, Montgomery, Alabama 36104. The hearing will welcome comments, as well as, answer any questions pertaining to the adoption of the new rules and regulations.

The proposed regulations include information concerning Act 2015-169, which requires all Duct Air Tightness Testing Contractors to register with the Board annually.

You can preview these proposed Rules and Regulations at  
[www.hacr.alabama.gov](http://www.hacr.alabama.gov)

Written comments will be accepted by the Board until 4:30pm , September 9, 2015. Comments should be directed to the Alabama Board of Heating, Air Conditioning & Refrigeration Contractors, P.O. Box 305025, Montgomery, AL 36130-5025.

APA-2  
07/04

**Alabama State Board of Heating, Air Conditioning & Refrigeration Contractors**

NOTICE OF INTENDED ACTION

AGENCY NAME: Board of Heating, Air Conditioning & Refrigeration Contractors

RULE NO. & TITLE: 440-X-3-.16 Duct Air Tightness Testing Contractor

INTENDED ACTION: New

SUBSTANCE OF PROPOSED ACTION:

The Board proposes a rule to require all duct air tightness testing contractors to register with the Board.

TIME, PLACE, MANNER OF PRESENTING VIEW:

Comments may be submitted in writing or orally at a public hearing to be held at 9:00am, September 10, 2015, at the Board's office located at 121 Coosa Street, Suite 250, Montgomery, Alabama 36104.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

September 10, 2015

CONTACT PERSON AT AGENCY:

Kathy LeCroix

(334) 241-0840

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Kathy S. LeCroix, Executive Director

440-x-3.16 Duct Air Tightness Testing Contractor Registration

- (1) The Duct Air Tightness Testing (DATT) Contractor Registration is for individuals who perform duct leakage and duct tightness testing on heating and air conditioning systems in conjunction with energy code compliance as required by the International Energy Conservation Code or the Alabama Residential Energy Code Board. Each Duct Air Tightness Testing Contractor is an independent Registration. Renewal of the DATT Registration is required annually.
  
- (2) Any individual applying for a Duct Air Tightness Contractor Registration must complete their registration on a form prescribed by the Board and will be issued a separate registration. Prior to being issued a registration, he or she must first provide proof that they have successfully completed one of the following approved programs:
  - (a) Home Builders Association of Alabama Qualified Credentialed Air Tightness Verifier (QCATV).
  
  - (b) Building Performance Institute Building Analyst Training (BPI Energy Auditor).
  
  - (c) Residential Energy Services Network Home Energy Rating System (RESNET HERS Rater).

Author: Jeffrey Becraft, Kathy S. LeCroix

Statutory Authority: *Code of Alabama 1975*, Section 34-31-24(4)(1); Act No. 2015-169

History: Filed June 29, 2015

APA-2  
07/04

**Alabama State Board of Heating, Air Conditioning & Refrigeration Contractors**

NOTICE OF INTENDED ACTION

AGENCY NAME: Board of Heating, Air Conditioning & Refrigeration Contractors

RULE NO. & TITLE: 440-X-3-.10 Fees and Charges

INTENDED ACTION: New

SUBSTANCE OF PROPOSED ACTION:

The Board proposes a rule to require duct air tightness testing contractors to pay a registration fee as well as charge a fee for the replacement of lost or stolen certification cards or registrations

TIME, PLACE, MANNER OF PRESENTING VIEW:

Comments may be submitted in writing or orally at a public hearing to be held at 9:00am, September 10, 2015, in the Board's office located at 121 Coosa Street, Suite 250, Montgomery, Alabama 36104.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

September 9, 2015

CONTACT PERSON AT AGENCY:

Kathy LeCroix

(334) 241-0840

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Kathy S. LeCroix, Executive Director

**440-X-3-10. Fees and Charges.**

- (1) The following fees and charges have been established by the Board.
- (a) Written examination fee to defray costs of testing \$150.00
  - (b) Practical examination fee to defray costs of testing \$350.00
  - (c) Initial Fee for Certification of a Heating & Air Conditioning License \$165.00
  - (d) Annual Renewal Fee for Active Heating & Air Conditioning Certification \$165.00
  - (e) Initial Fee for Certification of a Refrigeration License \$ 165.00
  - (f) Annual Renewal Fee for Active Refrigeration Certification \$165.00
  - (i) Late fee for active certification renewal received after December 31 and prior to March 1) \$100.00
  - (ii) Penalty fee for renewal received on or after March 1 and prior to March 31 (in addition to late fee) \$250.00
  - (iii) Delinquent penalty for renewal received on or after April 1 (in addition to late and penalty fee) \$500.00
  - (g) Annual renewal fee for Inactive Heating and Air Conditioning Contractors \$ 82.50
  - (h) Annual Renewal Fee for Inactive Refrigeration Contractors \$ 82.50

(Inactive contractors are not eligible to purchase local licenses or permits until the inactive contractor returns to an active certified contractor status and meets all requirements for licensing as an active certified contractor, including payment of the proper fee(s))

- (i) Late fee for the renewal of inactive status received after December 31 and prior to March 1 \$ 50.00
- (ii) Penalty fee for renewal received or after March 1 and prior to March 31 (in addition to late fee) \$250.00
- (iii) Delinquent penalty for renewal received on or after April 1 (in addition to late and penalty fees) \$500.00

(j) Administrative fee for continuing education deficiency plan	\$ 25.00
(k) Dishonored check fee	\$ 30.00
(l) Continuing Provider Application Fee	\$ 75.00
(m) Continuing Education Course Fee	\$ 25.00
(n) Continuing Education Instructor Fee	\$ 25.00
(o) Non-Traditional Continuing Education Application	\$ 25.00
(p) Apprentice Registration for Heating & Air Conditioning or Refrigeration	\$ 25.00
(q) Apprentice Registration Late Fee (If received by the Board later than December 31)	\$ 50.00
<u>(r) Duct Air Tightness Testing Contractor Registration Fee</u>	<u>\$50.00</u>
<u>(s) Duct Air Tightness Testing Contractor Registration Late Fee</u>	<u>\$50.00</u>
<u>(t) Re-issuance of lost or stolen certification cards or registrations</u>	<u>\$25.00</u>

Author: Jeffrey Becraft, Kathy S. LeCroix  
Statutory Authority: *Code of Alabama 1975*, Section 34-31-24(4)(1) and 34-31-25(1); Act No. 2015-169  
History: Filed June 29, 2015

**Alabama State Board of Heating, Air Conditioning & Refrigeration Contractors**

NOTICE OF INTENDED ACTION

AGENCY NAME: Board of Heating, Air Conditioning & Refrigeration Contractors

RULE NO. & TITLE: 440-X-3-.15 Background Checks

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

The Board proposes to amend the rule to remove the word criminal from the section outlining background check.

TIME, PLACE, MANNER OF PRESENTING VIEW:

Comments may be submitted in writing or orally at a public hearing to be held at 9:00am, September 10, 2015, in the Board's office located at 121 Coosa Street, Suite 250, Montgomery, Alabama 36104.

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CONTACT PERSON AT AGENCY:

Kathy LeCroix

(334) 241-0840

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Kathy S. LeCroix, Executive Director

#### 440-X-3-.15 BACKGROUND CHECKS

- 1) The Board may require each applicant to provide a ~~criminal~~ background check prior to submitting an application for examination. Once their background check has been completed and reviewed by the Board, all further documents will be reviewed to determine a candidate's fitness to sit for examination.

Author: Jeffrey Becraft, Kathy S. LeCroix

Statutory Authority: *Code of Alabama 1975*, Section 34-31-21(a); Act No. 2009-486

History: Filed June 29, 2015