

## 2023 Department of Labor and Industry policy proposals

### Construction codes and licensing policy and technical

#### License exam opportunity

Minnesota Statutes 326B.093 requires a 30-day waiting period before an applicant who does not receive a passing score on a license examination can submit a new application for the license. Under current law, the 30-day waiting period begins at the notification of denial. With these changes, the 30-day waiting period would begin the date of the failed examination, regardless of when the notification of denial was received by the applicant.

#### Master electrician qualified as technology system contractor

Minnesota Statutes 326B.31 defines a technology system contractor as a “licensed contractor whose responsible licensed individual is a licensed power limited technician.” This proposal adds licensed master electricians as a second type of license holder who may serve as the responsible licensed individual for a technology system contractor. A licensed master electrician can perform all the work a licensed power limited technician can perform and more, so this is a common sense adjustment.

#### Clarifying residential building contractor (RBC) license exemptions

Minnesota Statutes 326B.805, subd. 6, establishes conditions for exemptions from the licensing requirement for residential building contractors. Paragraph 3 details exemptions for homeowners making improvements to their own property. The homeowner exemption has been difficult for DLI to interpret and enforce with respect to house flippers. This proposal simplifies the language to make it clear that anyone who improves residential real estate with the intent of reselling it does not qualify for the exemption and will need to be licensed.

#### Boiler inspection parameters update

Minnesota Statutes 326B.988 (a) (14) lists parameters that allow a hot water supply boiler and/or water heater to be exempt from annual inspection requirements. Historically, boiler inspections interpreted that **all** the parameters must be met to meet the exemption requirement. A new interpretation of the statute finds that if these devices met **any** of the thresholds, the devices are exempted from inspection. This interpretation leads to devices being exempt from inspection that should not be and results in a public safety risk. DLI wishes to update this statute to clearly differentiate the two device types — hot water supply boilers and commercial industrial water heaters — and place the inspection exemption levels for each in line with nationally recognized standards and other states.

## **Board of Electricity membership requirements**

DLI proposes updating language defining the composition of the board of electricity, so the board is balanced between employer and employee representatives.

## **Board of High Pressure Piping Systems membership requirements**

DLI proposes updating language defining the composition of the Board of High Pressure Piping Systems to remove additional requirements for the two members who are journeyworker high-pressure pipefitters, which are unclear and do not conform to the structure seen in similar boards.

## **High-pressure-piping license reciprocity**

DLI proposes updating language providing for reciprocity with other states with respect to the licensing of high-pressure-pipefitting contractors. New language takes into account the Board of High Pressure Piping Systems must approve license reciprocity agreements.