

From: Labor Commissioner Rod Roberts

Date: June 9, 2020

Re: Temporary administrative rules establishing a grace period for construction contractors who are required to obtain licenses under Iowa Code Chapter 105

MEMORANDUM OF RULEMAKING

For several years the Division of Labor and the Plumbing and Mechanical Systems Board (Board) have worked cooperatively to allow plumbing and mechanical contractors to use a unified process to become licensed under Iowa Code Chapter 105 and registered under Iowa Code Chapter 91C. Under Iowa Code section 105.9(7)(a), all plumbing and mechanical systems licenses expire on June 30, 2020, and as a result all plumbing and mechanical contractor registrations also expire on that date.

On March 22, 2020, due to the COVID-19 global pandemic Governor Reynolds issued a proclamation pertaining to licensing programs. The proclamation suspended some continuing education requirements and renewal deadlines, and directed programs to issue rules or guidance as needed. On behalf of the Board, the Licensing and Exam Committee and the CEU Committee issued guidance stating that all licensees have until September 1, 2020 to complete all required continuing education courses. The Board also extended the time for applicants to pass the exam.

On May 26, 2020, the Board voted to amend Chapter 28, "Plumbing and Mechanical Systems Board—Licensure Fees," 641 Iowa Administrative Code, to extend licensing deadlines during the 2020 renewal cycle. The Board's emergency rulemaking was directly tied to the public health emergency and the urgent public interest in ensuring plumbing and mechanical professionals may continue to work.

The Labor Commissioner finds it is necessary to extend the deadline for plumbing and mechanical contractors to become registered in order to maintain the unified application process set forth in Iowa Code Section 91C.1. Iowa Code section 91C.1(3) authorizes the Labor Commissioner "to adopt rules as needed to accomplish a merger of the application systems." Iowa Code section 29C.19 provides that any rule promulgated by a state agency during a declared disaster emergency is exempt from the rulemaking process of Iowa Code chapter 17A. Accordingly, the Labor Commissioner is hereby promulgating these rules in accordance with Iowa Code sections 29C.19 and 91C.1.

Effective Date: New rule **875—150.17(91C)** is effective June 12, 2020.

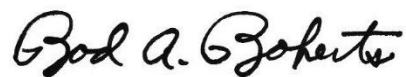
The following new rule is adopted:

875—150.17(91C) Temporary renewal deadlines for 2020 renewal cycle. For the year 2020, plumbing and mechanical contractors shall be granted a three-month grace period to renew their contractor registrations. The renewal deadlines for contractors covered by Iowa Code Chapter 105 are as follows:

150.17(1) Although all plumbing and mechanical contractor registrations expire June 30, 2020, the Labor Commissioner will consider plumbing and mechanical contractor registrations bearing an expiration date of June 30, 2020, to remain valid until November 1, 2020. Beginning on November 1, 2020, a plumbing and mechanical contractor registration that has not been renewed is lapsed and is no longer valid.

150.17(2) A plumbing and mechanical contractor who does not timely renew on or before June 30, 2020, may reinstate and renew the registration by using the application system of the Iowa plumbing and mechanical systems board until and including October 31, 2020.

150.17(3) These renewal deadlines apply only to the 2020 renewal cycle. Beginning on July 1, 2021, this rule shall no longer be effective.



ROD A. ROBERTS
LABOR COMMISSIONER

June 9, 2020

DATE