

From: Labor Commissioner Rod Roberts

Date: April 12, 2021

Re: Temporary administrative rules 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 expired on June 30, 2020, and as a result all plumbing and mechanical contractor registrations also expired on that date.

On March 22, 2020, due to the COVID-19 global pandemic Governor Reynolds issued an emergency 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. The original proclamation has been renewed numerous times.

On May 26, 2020, September 23, 2020, and March 29, 2021, the Board approved emergency rulemaking to amend Chapter 28, "Plumbing and Mechanical Systems Board—Licensure Fees," 641 Iowa Administrative Code, to make licenses bearing an expiration date of June 30, 2020, valid past that date. The 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.

The amendments to rule **875—150.17(91C)** set forth below are adopted and are effective immediately.

875—150.17(91C) Temporary renewal deadlines for 2020 renewal cycle.

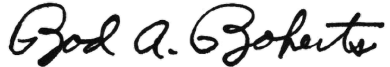
Plumbing and mechanical contractors shall be granted a grace period to renew their contractor registrations. The renewal deadlines for contractors covered by Iowa Code Chapter 105 are as follows:

150.17(1) Although all plumbing and mechanical contractor registrations expired 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

~~May 1, 2021~~ June 30, 2021. Beginning on ~~May 1, 2021~~ July 1, 2021, 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 ~~April 30, 2021~~ June 30, 2021.

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 ROBERTS
LABOR COMMISSIONER

04/12/2021

DATE