

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

815 KAR 35:015

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(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes the procedures for achieving and maintaining certification as an electrical inspector.

(b) The necessity of this administrative regulation: This administrative regulation is necessary in order to implement KRS 198B.060 and 227.489.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 227.489 requires all electrical inspectors to be certified by the Department, and KRS 198B.060 requires all certified electrical inspectors to be employed by, or contracted for, or contracted with a local government having responsibility over buildings as set out in that statute as part of its building inspection program. This administrative regulation directly conforms to these provisions by establishing the requirements for certification and well as the requirements for demonstrating continued compliance with applicable statutes in order to maintain certification.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation directly implements the authorizing statutes and establishes the requirements and standards for certification of electrical inspectors.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: This administrative regulation changes incorporated document EL 11, "Application for Electrical Inspector Certification," by adding a request for the applicant's birth date, rather than merely the applicant's birth month and clarifies renewal requirements for electrical inspectors employed by companies that contract with local governments.

(b) The necessity of the amendment to this administrative regulation: This amendment is necessary to ensure that the written form obtains the same information as the electronic form and to provide clarification of renewal requirements.

(c) How the amendment conforms to the content of the authorizing statutes: The amendment directly conforms to the authorizing statutes by establishing the requirements for the certification of electrical inspectors and for the maintenance or renewal of that certification.

(d) How the amendment will assist in the effective administration of the statutes: This amendment is essential to ensuring the Department's ability to effectively administer its electrical certification and renewal program in accordance with applicable law.

(3) Does this administrative regulation or amendment implement legislation from the previous five years? No.

(4) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: All certified electrical inspectors and prospective applicants to become a certified electrical inspector within the Commonwealth.

(5) Provide an analysis of how the entities identified in question (4) will be impacted by either the

implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

- (a) List the actions that each of the regulated entities identified in question (4) will have to take to comply with this administrative regulation or amendment: Applicants for an electrical inspector certification will need to include their birth dates, rather than merely their birth months, when filling out their applications.
- (b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4): This administrative regulation amendment will not lead to a cost increase.
- (c) As a result of compliance, what benefits will accrue to the entities identified in question (4): The department's license records will be more thorough and contain updated information.

(6) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: There are no anticipated initial costs to administer this regulatory amendment.

(b) On a continuing basis: There are no anticipated continuing costs to administer this regulatory amendment.

(7) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: Any department costs of implementation will be met with existing department funds.

(8) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: No.

(9) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: No.

(10) TIERING: Is tiering applied? Tiering is not applied as all electrical inspectors will be subject to the amended requirement.

FISCAL IMPACT STATEMENT

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(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation. This administrative regulation is required by KRS 227.489.

(2) State whether this administrative regulation is expressly authorized by an act of the General Assembly, and if so, identify the act: This administrative regulation is required KRS 227.489.

(3)(a) Identify the promulgating agency and any other affected state units, parts, or divisions: The Department of Housing, Buildings and Construction, Electrical Division and, to an indirect extent, cities and counties implementing an electrical inspection program that employs or contracts with a certified electrical inspector or electrical inspection companies.

(b) Estimate the following for each affected state unit, part, or division identified in (3)(a):

1. Expenditures:
For the first year: None
For subsequent years: None
2. Revenues:
For the first year: None
For subsequent years: None
3. Cost Savings
For the first year: None
For subsequent years: None

(4)(a) Identify affected local entities (for example: cities, counties, fire departments, school districts): There are no anticipated local entities that will be affected by this regulatory amendment.

(b) Estimate the following for each affected state unit, part, or division identified in (4)(a):

1. Expenditures
For the first year: None
For subsequent years: None
2. Revenues
For the first year: None
For subsequent years: None
3. Cost Savings
For the first year: None
For subsequent years: None

(5)(a) Identify any affected regulated entities not listed in (3)(a) or (4)(a): Special boiler inspectors and entities applying for certificate extensions

(b) Estimate the following for each regulated entity identified in (5)(a):

1. Expenditures:
For the first year: None.

For subsequent years: None.

2. Revenues

For the first year: None.

For subsequent years: None.

3. Cost Savings

For the first year: None.

For subsequent years: None.

(6) Provide a narrative to explain the following for each entity identified in (3)(a), (4)(a), and (5)(a):

(a) Fiscal impact of this administrative regulation: This administrative amendment will not have a fiscal impact.

(b) Methodology and resources used to reach this conclusion: This amendment merely requires applicants to provide their birth dates, which does not impact expenditures, revenues, and/or cost savings.

(7) Explain, as it relates to the entities identified in (3)(a), (4)(a), and (5)(a): Please see the answer to (6)(b) above.

(a) Whether this administrative regulation will have a “major economic impact”, as defined by KRS 13A.010(14): This regulation will not have a major economic impact as defined by KRS 13A.010(14).

(b) The methodology and resources used to reach this conclusion: This amendment does not impact fees or add additional regulatory requirements that have associated costs.

SUMMARY OF CHANGES TO MATERIALS INCORPORATED BY REFERENCE

Form EL-11, "Application for Electrical Inspector Certification" is a one-page form that is used to apply for electrical inspector certification. The form was changed to require applicants to provide their birth dates, rather than just their birth months.