



COLORADO

Department of
Regulatory Agencies

Division of Professions and Occupations

NOTICE OF RULEMAKING HEARING

Pursuant to §12-23-104(2)(a) of the Colorado Revised Statutes, you are hereby advised that the Colorado State Electrical Board will be holding a public rulemaking hearing on Monday January 22, 2018, commencing at 9:00 a.m. at 1560 Broadway #110-D, Denver, Colorado for the purpose of considering the following.

The Board will consider the revision and repeal of the following rules and regulations:

Rule 7.2.5.9 Reinspection Fees (Revisions)

Rule 8.3.3 Fines (Revisions)

Rule 11.2 Reinstatement (Revisions)

Rule 11.3.7 Exemptions (Repeal)

The proposed rules under consideration are attached. Please be advised that these proposed rules may be changed after public comment and formal hearing.

At the time and place stated in this notice, the Colorado State Electrical Board will afford interested parties an opportunity to submit written data, views, or arguments, and to submit briefly (3 minutes per item) the same orally if they so desire. It is requested that written testimony be submitted to the Colorado State Electrical Board at least ten (10) days prior to the rulemaking hearing. All submissions should be addressed to the attention of Mark Browne, Program Director, Colorado Electrical Board, 1560 Broadway, Suite 1350, Denver, Colorado 80202, or email to mark.browne@state.co.us. All submissions will be considered.

Dated this 28th day of November 2017

BY ORDER OF THE COLORADO STATE ELECTRICAL BOARD

Mark Browne, Program Director



STATEMENT OF BASIS AND PURPOSE

Statement of Basis: The Colorado State Electrical Board is authorized under § 12-23-104(2)(a), and § 24-4-103, of the Colorado Revised Statutes to adopt, revise, and repeal rules and regulations as may be necessary for the orderly conduct of its affairs and for the administration of Article 23 of Title 12, C.R.S.

Statement of Purpose: The purpose of the revision of Rule 7.2.5.9, Rule 8.3.3 and Rule 11.2 and repeal of the Rule 11.3.7 stemming from the Office of Legislative Legal Services for the general clarification, cleanup, and efficient management of the State Electrical Board, and for the safeguard of the general public.

The revision and repeal of these rules shall become effective March 17th 2018

Proposed Electrical Board Rule Changes

Redline copy of changes

- 7.2.5.9 As used in § 12-23-118(1)(c), C.R.S., the term "reasonable time" shall mean thirty (30) calendar days, unless the licensee or registrant appeals to the Board for a hearing on the matter, in which case the thirty (30) calendar day time period shall be extended by the Board until the Board rules on the appeal. The thirty (30) calendar day time period shall restart after the Board issues a ruling on the appeal.

8.3.3 Fines

8.3.3.1 If one of the following actions has not been taken by the citation recipient within ten (10) working days following the service of the citation, the citation shall become a final

Board action: A. Full payment of the fine;

~~B.~~ Written request for negotiation of a stipulated settlement agreement; ~~or,~~

C. Written request for a formal administrative hearing; ~~or~~

D. Written request, demonstrating good cause, for a to the Board for a hearing for good cause shown on the citation.

11.2 **Reinstatement.** An expired license may be reinstated by submitting a reinstatement application, paying the current reinstatement fee, and meeting the appropriate requirements below.

11.2.1 Expired for More than Sixty (60) Days But Less Than Less Than Three (3) Two (2) or More Years. To reinstate a license that has been expired for less than three (3) more than sixty (60) days but less than two (2) [] years, the applicant must provide evidence of completion, since applicant's most recent licensing event (original license, renewal or reinstatement) preceding the application for reinstatement, of twenty-four (24) hours of continuing education, as defined in Board Rule 11.3.

11.2.2 Expired for More Than Three (3) Two (2) Years. If the license has been expired for more than three (3) two (2) years, pursuant to § 24-34-102(8)(d)(II), C.R.S. the applicant must demonstrate competency to practice by any of the following:

~~11.3.7 Exemptions. The Board may grant an exemption from continuing education requirements set out in Board Rule 11.3. It is within the sole discretion of the Board to decide whether good cause has been shown in order to grant an exemption.~~

~~11.3.7.1 Pursuant to section § 12-70-102, C.R.S., licensees who have been called to federally funded active duty for more than 120 days for the purpose of serving in a war, emergency or contingency may request an exemption from continuing education requirements for the renewal, reinstatement, or activation of his/her license for the 3-year renewal period that falls within the period of service or within six months following the completion of service.~~

~~11.3.7.2 Licensees seeking exemption from continuing education requirements shall provide evidence and written explanation citing in as much detail as possible the inability of the licensee to comply with continuing education requirements for the renewal period and why the license should remain in active status.~~