

**TITLE 158. CONSTRUCTION INDUSTRIES BOARD
CHAPTER 60. INSPECTORS REGULATIONS**

SUBCHAPTER 1. GENERAL PROVISIONS

158:60-1-1. Purpose

The rules of this Chapter set forth definitions, provide for categories of licenses, establish examination guidelines, determine continuing education requirements, and determine violations, which are grounds for suspension or revocation of any license issued pursuant to the Oklahoma Inspectors Act.

[Source: Added at 19 Ok Reg 738, eff 1-22-02 (emergency); Added at 19 Ok Reg 1283, eff 5-28-02]

158:60-1-2. Definitions

The following words or terms, when used in this Chapter, shall have the following meaning, unless the context clearly indicates otherwise:

"**Act**" means the Oklahoma Inspectors Act as found at 59 O.S. § 1031, *et seq.*

"**Administrator**" means the Administrator of the Board as described in the Construction Industries Board Act found at 59 O.S. § 1000.1, *et seq.*

"**Board**" means the Construction Industries Board.

"**Certification**" means approval by a certifying organization demonstrating that an applicant has passed an appropriate certification examination.

"**C.E.U.**" or "**CEU**" means a continuing education unit that is either one (1) credit hour of Committee approved instruction or its equivalent as determined by the Committee.

"**Committee**" means the Oklahoma Inspector Examiners Committee.

"**Credit Hour**" means fifty (50) minutes, or more, of instruction with a ten (10) minute break.

"**OUBCC**" means the Oklahoma Uniform Building Code Commission.

"**Political Subdivision**" means a municipality, city, town, village, county, or public trust where a city or town is a beneficiary.

"**Provisional license**" means a license issued for not more than two (2) years to a person who has made proper application but does not meet all licensing requirements.

"**Regular work place**" means the immediate individual office including desk, chair, computer and office telephone wherein the inspector is expected to be reached and to conduct day-to-day office business.

"**Residential**" means the classification of inspector license which authorizes an individual to conduct electrical, mechanical, plumbing or building inspections of only those structures designated as use group R3 or R4 in the most current Residential code adopted by the "OUBCC".

"**Unlimited**" means the classification of inspector license which authorizes an individual to conduct electrical, mechanical, plumbing or building inspections of all structures or installations.

[Source: Added at 19 Ok Reg 738, eff 1-22-02 (emergency); Added at 19 Ok Reg 1283, eff 5-28-02; Amended at 23 Ok Reg 1219, eff 5-25-06; Amended at 30 Ok Reg 1552, eff 7-11-13; Amended at 31 Ok Reg 930, eff 9-12-14]

SUBCHAPTER 5. CATEGORIES AND CLASSIFICATIONS OF INSPECTOR LICENSES, QUALIFICATIONS FOR INSPECTOR LICENSURE, LICENSE REQUIREMENTS FOR INSPECTORS, FEES, CERTIFICATION AND CONTINUING EDUCATION FOR INSPECTORS, AND CONTINUING EDUCATION COURSES

158:60-5-1. Categories and classifications of inspector licenses

- (a) Licenses shall be issued for the following categories and classifications:
 - (1) Electrical inspector:
 - (A) Unlimited.
 - (B) Residential.
 - (2) Mechanical inspector:
 - (A) Unlimited.
 - (B) Residential.
 - (3) Plumbing inspector:
 - (A) Unlimited.
 - (B) Residential.
 - (4) Building inspector:
 - (A) Unlimited.
 - (B) Residential.
 - (5) Energy Code Inspector:
 - (A) Unlimited.
 - (B) Residential.
- (b) In addition to the above categories, a person may also be classified as:
 - (1) a circuit rider inspector if the person is employed by more than one political subdivision,
 - (2) a provisional inspector if the Committee, or its designee, determines that a license should be issued even though the examination requirement has not yet been met,
 - (3) an inactive inspector if the licensed person is not currently employed by a political subdivision or authority having jurisdiction ("AHJ") as a building and construction inspector.

[Source: Added at 19 Ok Reg 738, eff 1-22-02 (emergency); Added at 19 Ok Reg 1283, eff 5-28-02; Amended at 27 Ok Reg 2092, eff 7-11-10; Amended at 30 Ok Reg 1552, eff 7-11-13]

158:60-5-2. Qualifications for inspector licensure

- (a) Initial application must be made on the form provided by the Administrator and must be approved by the employing political subdivision or authority having jurisdiction ("AHJ").
- (b) The proper fees must accompany any application, including the late fee if application for renewal is made after expiration of the initial license.
- (c) The applicant must submit, as soon as is practicable after application for initial license is made, proof of certification by a national inspector certifying organization recognized by the Committee.
- (d) Before an application for license renewal can be approved, the Board must receive proof of completion of the required C.E.U.'s.

(e) OAC 158:60-5-4 sets forth the licensing qualifications for the license categories and classifications provided in OAC 158:60-5-1. Additional certifications or exams may be recognized by approval of the Committee and the Construction Industries Board on a case by case basis. However, no person shall be required to meet the continuing education requirements for the licensing year the certification requirements of subsection (c) of this Section are met.

(f) A provisional license is issued to allow a person to work as an inspector even though all the license qualifications have not been met. This provisional license will provide the licensee with adequate time and motivation to become educated and meet all licensure requirements within two (2) years after being issued the provisional license. No person shall be issued more than one provisional license in any category. The initial fee for the provisional license shall be \$35.00.

[Source: Added at 19 Ok Reg 738, eff 1-22-02 (emergency); Added at 19 Ok Reg 1283, eff 5-28-02; Amended at 23 Ok Reg 1219, eff 5-25-06; Amended at 27 Ok Reg 2092, eff 7-11-10; Amended at 30 Ok Reg 1552, eff 7-11-13; Amended at 31 Ok Reg 930, eff 9-12-14; Amended at 32 Ok Reg 1646, eff 9-11-15]

158:60-5-2.1. Acceptance of Military education, training and experience toward qualification for licensure examination

(a) **Licensure – post-military service.** See OAC 158:1-3-10 for provisions related to the application of substantially equivalent education, training, and experience completed as a member of the Armed Forces or Reserves of the United States, National Guard of any jurisdiction, the Military Reserves of any jurisdiction, or the Naval Militias of any jurisdiction toward satisfying the qualifications for examination and license issuance.

(b) **Military spouse applicant – equivalency.** See OAC 158:1-3-10 for provisions related to issuance of an equivalent license in an equivalent category for the spouse of an active-duty member of the Armed Forces or Reserves of the United States.

[Source: Added at 32 Ok Reg 1646, eff 9-11-15]

158:60-5-2.2. Expediting issuances of license to military spouse

See OAC 158:1-3-11 for provisions related the Board expediting the issuance of a license for spouses of certain members of the Armed Forces on active duty in this state.

[Source: Added at 32 Ok Reg 1646, eff 9-11-15]

158:60-5-2.3. Renewals for licensee - post-military service

See OAC 158:1-3-12 for provisions related to license renewal while a licensee holder is a member of the Armed Forces of the United States on active duty, and for provisions related to a licensee whose license expires while on active duty as a member of the National Guard or reserve component of the Armed Forces.

[Source: Added at 32 Ok Reg 1646, eff 9-11-15]

158:60-5-3. License requirements for inspectors

(a) The licensee shall notify the Construction Industries Board in writing within fifteen (15) days of any change in address or change in employment status related to the license.

- (b) The licensee shall, in addition to any local procedures or requirements, notify the Administrator as to persons suspected of performing building, electrical, mechanical, or plumbing work within their jurisdiction who are not properly licensed by the State. All licensed building and construction inspectors shall require all persons doing work in his/her jurisdiction to meet all requirements for licensing and code standards.
- (c) Any person who voluntarily surrenders their license during an investigation by the licensing authority shall be treated as if their license had been revoked by the Administrator on the day of surrender.
- (d) The licensee shall not attempt to retain licensure by making false statements concerning C.E.U.'s.
- (e) In political subdivisions where licensing is required by the Act, no person may perform building and construction inspections in a category in which he or she is not licensed.
- (f) To receive an unlimited inspector license, one must take and pass both the residential certification examination and the commercial certification examination.

[Source: Added at 19 Ok Reg 738, eff 1-22-02 (emergency); Added at 19 Ok Reg 1283, eff 5-28-02; Amended at 30 Ok Reg 1552, eff 7-11-13; Amended at 31 Ok Reg 930, eff 9-12-14; Amended at 34 Ok Reg 892, eff 10-1-17]

158:60-5-4. Fees, certification and continuing education for inspectors

Fees, certification and continuing education requirements for inspectors are as follows:

- (1) Building inspectors (both unlimited and residential licenses):
 - (A) \$35.00 Fee for initial license and renewal;
 - (B) \$35.00 Late fee, if applicable;
 - (C) Approved Certification; and
 - (D) Completion of six (6) C.E.U.'s for renewal license.
- (2) Electrical inspectors (both unlimited and residential licenses):
 - (A) \$35.00 Fee for initial license and renewal;
 - (B) \$35.00 Late fee, if applicable;
 - (C) Approved Certification; and
 - (D) Completion of six (6) C.E.U.'s for renewal license.
- (3) Mechanical inspectors (both unlimited and residential licenses):
 - (A) \$35.00 Fee for initial license and renewal;
 - (B) \$35.00 Late fee, if applicable;
 - (C) Approved Certification; and
 - (D) Completion of six (6) C.E.U.'s for renewal license.
- (4) Plumbing inspectors (both unlimited and residential licenses):
 - (A) \$35.00 Fee for initial license and renewal;
 - (B) \$35.00 Late fee, if applicable;
 - (C) Approved Certification; and
 - (D) Completion of six (6) C.E.U.'s for renewal license.
- (5) Energy Code inspector (both unlimited and residential licenses):
 - (A) \$35.00 Fee for initial license and renewal;
 - (B) \$35.00 Late fee, if applicable;
 - (C) Approved Certification;
 - (D) Completion of six (6) C.E.U.'s for renewal license.

[Source: Added at 19 Ok Reg 738, eff 1-22-02 (emergency); Added at 19 Ok Reg 1283, eff 5-28-02; Amended at 21 Ok Reg 500, eff 11-14-03 (emergency); Amended at 21 Ok Reg 773, eff 4-26-04; Amended at 23 Ok Reg 1219, eff 5-25-06; Amended at 26 Ok Reg 2462, eff 7-11-09; Amended at 30 Ok Reg 1552, eff 7-11-13; Amended at 31 Ok Reg 930, eff 9-12-14]

158:60-5-5. Continuing education

(a) Continuing education requirements:

- (1) No license shall be renewed unless the licensee has completed at least six (6) hours of continuing education within twelve (12) months preceding the application for renewal.
- (2) Credit will only be given for continuing education programs approved by the Committee.
- (3) A licensee is exempt from the continuing education requirements of this Chapter for one (1) year from the date he or she passed their current licensing exam.

(b) Application procedures for continuing education course approval. Any provider or instructor which desires to sponsor education to licensees in compliance with the continuing education requirements of OAC 158:60-5-4 shall file an application for approval on the form prescribed by the Committee, or its designee at least fifteen (15) days prior to the date of the Regular meeting of the Committee from which the organization wants the course to be considered for approval, and at least thirty (30) days prior to the date for which the course is scheduled. The application shall include a list of the course instructors and their qualifications, an agenda detailing the material to be presented, the location of the training, the program objectives, and the number of credit hours of classroom and supervised instruction. Licensees shall not receive continuing education credit for attending classes that are not approved by the Committee. Within seven (7) days of the completion of the course, the provider or instructor shall submit the original sign-in sheets for all sessions to the Inspector Examiners Unit of the Construction Industries Board. The sign-in sheets shall include the signature and state inspector license number of each person in attendance. The provider or instructor shall verify the total number of continuing education hours completed by each attendee. All programs shall be presented as submitted and approved, including lunch and breaks shown on the approved agenda, unless changes have been approved. Changes to the program shall be submitted to the Committee, or its designee, within ten (10) days of the training session for review by the Committee. Failure to obtain approval of changes may result in loss of CEU approval.

(c) Standards for continuing education. The following standards will govern the approval of continuing education programs by the Inspector Examiners Committee:

- (1) The program provider shall submit evidence that the provider and instructional staff are qualified by reason of education, experience or training.
- (2) All material and information presented shall pertain to the discipline in which the person is licensed.
- (3) All courses must be of at least two (2) credit hours in length.
- (4) The training location must be outside the regular work place or after hours.
- (5) Correspondence or online course approval standards:
 - (A) Providers or instructors seeking to offer correspondence courses for continuing education shall submit a course curriculum and study material for review and approval by the Committee prior to the courses being offered as continuing education. An access code and password shall be provided to the Committee, or its designee, for an online course for the purpose of review and approval. Approved correspondence courses shall be required to comply with all requirements for other continuing

education courses except for sign-in sheets. Providers shall provide a student with a document of completion which certifies completion of approved correspondence courses.

(B) Only licensees meeting one or more of the following requirements may receive CEU credit for taking a correspondence or online course;

- (i) Any licensee residing outside of Oklahoma,
- (ii) Any licensee that has an expired license which requires a continuing education course that is no longer available in the classroom,
- (iii) Any licensee who is currently incarcerated, or
- (iv) Any licensee who submits written proof to the Committee from a physician stating the medical reason that the licensee is unable to attend a continuing education class.

(C) Applications for correspondence or online courses shall be resubmitted annually, from date of approval, for review and approval.

(6) Along with a course application, a video presentation may be submitted for course material and instructor approval by the Committee if the video presentation is closely related to the subject matter of the course and meets the following:

(A) All video presentations must be submitted in electronic format at least thirty (30) days in advance of the Committee meeting reviewing the course application, except for manufacturer's videos generally accepted in the industry covering accepted industry practices or standards. If the electronic format does not allow forwarding by email, then seven (7) copies of a portable storage format are required.

(B) Video segments shall be no more than thirty (30) minutes, followed by a discussion and no more than fifty percent (50%) of the total course time.

(C) The required copies of each individual video presentation training segment must be submitted with the CEU class approval request for review and approval by the Committee of the course material and instructor. However, if the video is a manufacturer's video, the Committee is not required to approve of the instructor in the video as long as the video course material and video presentation is approved by the Committee.

(D) An approved instructor will be present during the viewing of any video and will monitor the class for questions. Prior to any video presentation, class participants shall be instructed to raise their hand if they have a question or comment during the video presentation. When a class participant has a question or comment during the video presentation, the instructor must be able to stop or pause the video to accommodate live interactive discussion.

(E) Audio and video equipment shall be arranged in advance or otherwise provided to assure that class participants are able to see and hear all portions of any video presentation. In the case of audio or video failure, the time of the video presentation may be presented by the approved instructor over subject matter previously approved for that instructor.

(d) **Course Advertisement.**

(1) All advertising must include the course ID number.

(2) The provider of an approved continuing education program may announce or indicate as follows: Course #____ has been approved by the Construction Industries Board Inspector Examiners Committee for ____ hours of CE credit.

(e) **Approval Limitations.**

(1) The Committee's designee may approve additional course dates and locations after the course has been approved by Committee vote. Substantive change to course content must be brought before the Committee.

(2) Approval of all courses, including correspondence and online courses, is rescinded upon the adoption of a different statewide code by OUBCC, and a new application showing updates of new code is necessary.

(f) **Complaint procedure:**

(1) A person, government, or private organization may submit a written complaint to the Committee, or its designee, charging a provider of continuing education with a violation of the rules, and specifying the grounds for the complaint.

(2) Complaints must be in writing and include contact information, and shall be filed on the proper complaint form prescribed by the Construction Industries Board, or its designee.

(3) The Committee may consider an unsigned or anonymous complaint for further investigation.

(4) Upon receipt of a signed complaint form, a copy shall be sent to the continuing education provider addressed in the complaint. The continuing education provider shall provide a written response within fifteen (15) days. Upon receipt of the continuing education provider's written response, both complaint and response shall be considered by the Committee, or its designee, for appropriate action including dismissal of the complaint, further investigation, or a finding of violation of a statute or rule. The Committee, or its designee, shall notify both complainant and continuing education provider of the determination made by the Committee. Failure of the continuing education provider to respond will be considered as a violation of this rule.

(5) If a reasonable cause violation determination is made by the Committee, the Oklahoma Administrative Procedure Act shall be followed for all disciplinary proceedings undertaken including but not limited to all parts of this subsection.

[Source: Added at 19 Ok Reg 738, eff 1-22-02 (emergency); Added at 19 Ok Reg 1283, eff 5-28-02; Amended at 23 Ok Reg 1219, eff 5-25-06; Amended at 30 Ok Reg 1552, eff 7-11-13; Amended at 31 Ok Reg 930, eff 9-12-14; Amended at 32 Ok Reg 1646, eff 9-11-15; Amended at 34 Ok Reg 892, eff 10-1-17]