

CRLB Reg 1 2019 Repeal and Replace Explanation Chart

New CRLB Reg 1 Section	Original Source Material	Changes from Original
1.1 Authority	CRLB current reg 1.1	<ul style="list-style-type: none"> Removed APA reference which is not necessary.
1.2 Purpose	CRLB current reg 1.2	<ul style="list-style-type: none"> Added to purpose the licensing/registration of home inspectors, well drillers, pump installers, water filtration, and commercial roofers.
1.3 Incorporated Materials	New Section reserved for future use.	<ul style="list-style-type: none"> Added this section for future use
1.4 General Definitions	CRLB current reg 1.3, RI Gen. Laws 5-65-2	<ul style="list-style-type: none"> Amended definitions for consistency across DBR definitions Deleted definitions that are repetitive of the statute or are defined but not actually used in the regulation. Added cross references to statutes for terms defined in other RIGL Titles. New definitions for the following terms: Architect, Contested Case, Department, Director, Engineer, Independent Contractor, License, Party, Reasonable Cause, Registration, Responsible Person,
1.5 General Administration and Procedures	CRLB current reg 1.4	<ul style="list-style-type: none"> Deleted old sections 1.4.1 and 1.4.2 because they restated procedures from the APA that do not need to be included in this regulation. Deleted heading for general procedures, reorganized content under new headings for clarity. Removed repetitive language. Cleaned up section on information requests without making substantive changes. Changes to Fees – Removed unduly burdensome fees that are not statutorily required, including fee to provide certified copies of documents, fee for audio recording of administrative hearings and appeals, fee for list of registered/licensed contractors, fee for replacement or duplicative registration/license card, and the fee to change information on a registration/license.
1.6 General Registration and	CRLB current reg 2.4, 2.6	<ul style="list-style-type: none"> Headings have been amended to increase clarity.

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License Requirements	and 3.4	<ul style="list-style-type: none"> • Added to this Part by removing and consolidating language from old Parts 2 and 3 to make the regulation consistent and easier to understand. • Substantive changes include: <ul style="list-style-type: none"> ○ Non-applicant may file application on behalf of contractor. ○ Officer/Partner Cards/Certificates shall no longer be issued. Current cards expire on 12/31/19. ○ Change in language from principal responsible to responsible person. ○ Removed Record of Partnership because it was inconsistent with requirements for other business entities. Now all have same requirements. ○ Broadened the section so now it applies to all persons required to be registered/licensed by the Board.
1.7 Applications for Registration/Licensure	CRLB current reg 2.5, 2.7, 2.8, 2.9, 3.5, 3.6, 3.7, 3.8, 3.9, 3.10, and 3.13	<ul style="list-style-type: none"> • Headings have been amended to increase clarity. • Consolidated language from old Parts 2 and 3 to make consistent and easier to locate without any substantive changes. • Applies to all persons required to be registered/licensed by the Board. • Removes affirmation and replaces with statement acknowledging requirement to cooperate with the Board during an investigation.
1.8 Education Requirements – Pre-Registration/License and Continuing	CRLB current reg 1.7 and 2.5	<ul style="list-style-type: none"> • Headings have been amended to increase clarity. • Modeled after a similar program in DBR’s division of commercial licensing for real estate salespersons and brokers. • Consolidated the general educational requirements from e from old Parts 1 and 2 and 3 to make consistent and easier to locate without any substantive changes. • Deleted specific educational requirements that were previously in Part 1 and moved to Parts 2, 3, 4, 5, and 6.

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		<ul style="list-style-type: none"> • Updated and clarified the requirements and process for educational course providers. • Removed requirement for signed affidavit of compliance and replaced with signed certification of compliance. • Updated and clarified the educational course requirements and process for the approval of course curriculums. • Changed course, instructor and provider review process to Board staff instead of subcommittee, final approval still by Full Board. • Reduced the approval fee from \$100 per credit hour to \$100 per course. This fee will be waived for approved governmental and non profit entities. • Updated and clarified instructor qualifications and broadened ability to use non registered/licensed instructors. • Added the option for instructors to use their teaching hours for up to two credit hours toward their renewal.
<p>1.9 Complaints</p>	<p>CRLB current reg 1.5</p>	<ul style="list-style-type: none"> • Headings have been amended to increase clarity. • Makes substantive changes to former claims process <ul style="list-style-type: none"> ○ Cleans up superfluous and outdated language. ○ Changes Claim process to Complaint process which now includes a “claim” and “violation” component ○ Adds a duty to participate by the contractor ○ Extends the ability to file a complaint from a “contractual relationship” to “anyone with standing”. ○ Amends the Board’s ability to hear a complaint based on a contract with a valid arbitration clause. ○ Qualifies and quantifies the limitations on the complaint process. ○ Removes the “waiver of jury trial” requirement for the Hearing Officer to adjudicate a contested case.

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		<ul style="list-style-type: none"> o Contested cases will only be heard by the Hearing Officer upon consent of both parties. o Removes old section 1.5.3, Types of Claims Accepted by Board because language is superfluous.
1.10 Notice of Accepted Complaints and Initial Board Investigation	CRLB current reg 1.5	<ul style="list-style-type: none"> • Headings have been amended to increase clarity. • Applies to all persons required to be registered/licensed by the Board. • Sets 60-day limit for initial investigation unless extended to 90 for good cause.
1.11 Pre-Hearing Conferences/Alternative Dispute Resolution	DBR Reg 230-RICR-10-00-2.6 for prehearing conference	<ul style="list-style-type: none"> • Headings have been amended to increase clarity. • Pre-hearing conferences section from DBR Rules of Procedures. • Defines and describes procedures for Pre-Hearing Conferences, Alternative Dispute Resolution, mediation, and consented to final orders.
1.12 Violations	CRLB Current Reg 1.6 and 3.11	<ul style="list-style-type: none"> • Headings have been amended to increase clarity. • Consolidated language from old Parts 2 and 3 to make consistent and easier to locate without any substantive changes. • Applies to all persons required to be registered/licensed by the Board. • Streamlines process for issuing violations by replacing proposed orders with notices of violations. • Establishes requirements of notice of violation • Removes schedule of violations
1.13 Appeals	CRLB current Reg 1.5 and 1.6 and DBR Reg 230-RICR-10-00-2, 2.20	<ul style="list-style-type: none"> • Headings have been amended to increase clarity. • Applies to all persons required to be registered/licensed by the Board. • Consolidated language from old Part 1 to make consistent and

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		<p>easier to locate.</p> <ul style="list-style-type: none"> • Makes substantive changes for ease in understanding and compliance by streamlining the terminology and explaining the step-by-step process by which a complaint or notice of violation could proceed through the applicable stages of agency review with the hearing officer, full board, and finally superior court.
1.14 Criminal Prosecution	CRLB Current Reg 1.5.11	<ul style="list-style-type: none"> • No substantive changes.
1.15 Administrative Hearings	CRLB current Reg 1.5 and DBR Reg 230-RICR-10-00-2 2.5, 2.6, 2.7, 2.8, 2.9, 2.10, 2.11, 2.12, 2.13, 2.14, 2.15, 2.17, 2.19	<ul style="list-style-type: none"> • New section added to increase consistency between CRLB Hearing Officer and DBR Hearing Officers. Only minor changes to DBR’s existing text have been made in the addition of these sections.
1.16 Expungements	Current CRLB Reg 2.10	<ul style="list-style-type: none"> • Cleaned up language without making substantive changes.
1.17 Default	CRLB Current Reg 1.5 and DBR Reg 230-RICR-10-00-2, 2.21	<ul style="list-style-type: none"> • Cleaned up language without making substantive changes.
1.18 Disqualification, Incapacity of Hearing Officer	DBR Reg 230-RICR-10-00-2, 2.22	<ul style="list-style-type: none"> • Cleaned up language without making substantive changes.
1.19 Miscellaneous Provisions	DBR Reg 230-RICR-10-00-2, 2.23	<ul style="list-style-type: none"> • New section added without substantive changes from original source material.
1.20 Public Information	DBR Reg 230-RICR-10-00-2, 2.26	<ul style="list-style-type: none"> • New section added without substantive changes from original source material.

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1.21 Equal Access to Justice for Small Businesses	DBR Reg 230-RICR-10-00-2, 2.27	<ul style="list-style-type: none"> • New section added without substantive changes from original source material. • Required to comply with R.I. Gen. Laws Chapter 42-92
1.22 Severability	DBR Reg 230-RICR-10-00-2, 2.28	<ul style="list-style-type: none"> • New section added without substantive changes from original source material.