

**RHODE ISLAND GOVERNMENT REGISTER
PUBLIC NOTICE OF PROPOSED RULEMAKING**

CONTRACTORS' REGISTRATION & LICENSING BOARD

Title of Rule: Rules and Regulations for Underground Utility Contractors

Rule Identifier: 440-RICR-10-00-3

Rulemaking Action: Proposed Amendment

Important Dates:

Date of Public Notice: 09/30/2019

End of Public Comment: 10/31/2019

Authority for this Rulemaking:

R.I.G.L. § 5-65.3-1 et seq

Summary of Rulemaking Action:

The purpose of this proposed regulation is to administer and enforce the provisions of the Underground Utility Contractors Law, R.I. Gen Laws Chapter 5-65.2, and to refer to those sections of the R.I. Contractors Law, R.I. Gen Laws Chapter 5-65, that are applicable to underground utility contractors. The Underground Utility Contractors Law establishes provisions, qualifications, and procedures for the licensing of underground utility contractors who are engaged in the laying or repairing of underground utilities. Any person who fails to become licensed as a home inspector or associate home inspector, as stipulated, is subject to penalties for operating without a license.

The proposed regulation supplements the statutory requirements by:

- Defining terms pertinent to the regulation;
- Detailing and expounding on the
 - o General administrative requirements
 - o Licensing requirements
 - o Application process
 - o Educational Requirements;
- Describing in detail the CRLB Complaint process, including
 - o Notice of accepted complaints and initial CRLB investigation

- o Prehearing conferences and alternative dispute resolution
- o Violations
- o Appeals
- o Criminal Prosecution;
 - Describing the process by which the CRLB shall conduct administrative hearings, including
- o Expungements
- o Default
- o Disqualification/Incapacity of Hearing Officer
- o Miscellaneous provisions
- o Hearings – Public Information
- o Publication of Orders and Notices; and
 - Establishes Standards of Professional Practice.

Additional Information and Comments:

All interested parties are invited to request additional information or submit written or oral comments concerning the proposed amendment until October 31, 2019 by contacting the appropriate party at the address listed below:

John Dean
 Contractors' Registration & Licensing Board
 560 Jefferson Boulevard
 Suite 200
 Warwick, RI RI-02886
 john.dean@dbr.ri.gov

In accordance with R.I. Gen. Laws § 42-35-2.8, an oral hearing will be granted if requested by twenty-five (25) persons, by an agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within thirty (30) days of this notice.

Regulatory Analysis Summary and Supporting Documentation:

In the development of the proposed **amendment** consideration was given to: (1) alternative approaches; (2) overlap or duplication with other statutory and regulatory

provisions; and (3) significant economic impact on small business. No alternative approach, duplication, or overlap was identified based upon available information, nor is there any impact of small business.

For full regulatory analysis or supporting documentation see agency contact person above.