



Certification Changes

Opportunity for public input:

Those who would like to provide testimony should attend a public hearing on February 23, 2016, at 10:00 a.m. The hearing will be located at the Building Codes Division, Conference Room A. Written comments may also be submitted to Holly Tucker, Rules Coordinator, at holly.a.tucker@oregon.gov, or to the address below. The last day to submit written comments is 5:00 p.m. February 26, 2016.

Live broadcast via the internet:

To view the public hearing live, click on "[View live meeting](#)"

Purpose of the rule:

These proposed rules make changes to the certification process that support the division's focus on providing Oregon based training. Other changes include clarifying the potential conflicts of interest, scope of work, and duties of building officials, inspectors, and plans examiners, as well as clarifying the existing division cite-it write-it rule. These proposed rules also modify the requirements for obtaining a medical gas inspector certification.

Citation:

Adopt, Amend, and Repeal: OAR 918-098, 918-281, 918-695.

These rules become effective April 1, 2016.

History:

The division held a public hearing for a previous version of these proposed rules on December 16, 2015. The public comment period for that hearing closed on December 18, 2015. The division has made changes to these proposed rules based on the feedback received during the December public hearing, and is holding a new public hearing to receive additional feedback for these updated rules. On January 26, 2016, The division adopted temporary rules that require training for building officials, updated the duties and responsibilities of building officials, plans examiners, and inspectors, and clarified the cite-it write-it rule. Additional related elements are also contained in these updated rules. The original rules for the [December hearing](#), the new [temporary rules](#), and this proposed set of rules on the division's website at <http://www.bcd.oregon.gov/rules.html>. Updates include, but are not limited to:

- Amends the division's certification rules for building officials, inspectors, and plans examiners and establishes new minimum qualifications. Building officials will need to take a training course administered by the division.
- Eliminates the five year reinstatement eligibility period for Oregon Inspector Certifications. Oregon Inspector Certifications must be renewed by December 31 of the year the certification expires.
- Creates a transition period to allow holders of Oregon Inspector Certifications and International Code Council Certifications to be issued equivalent Oregon Code Certifications. Equivalent Oregon Code Certifications must be obtained by January 1, 2017.
- Eliminates the application provisions for Manufactured Structure Installation Inspector and Park and Camp Inspector as these duties may now be performed by other classes of inspectors. No new Manufactured Structure Installation Inspector and Park and Camp Inspector certifications will be issued.
- Updates and clarifies potential conflicts of interest, responsibilities, and duties for building officials, inspectors, and plans examiners.
- Clarifies the cite-it write-it rule to explain when and to whom the rule applies and what is required to be in writing.
- Modifies the division's qualification requirements for persons seeking to perform medical gas plumbing inspections. Persons may still qualify to perform medical gas plumbing inspections using a nationally recognized certification or they may take a training course administered by the division.

Contact:

If you have questions or need further information, contact Rich Baumann, Policy Analyst, at 503.373.7559 or Richard.J.Baumann@oregon.gov.



Secretary of State
NOTICE OF PROPOSED RULEMAKING HEARING*
A Statement of Need and Fiscal Impact accompanies this form

FILED
1-15-16 4:41 PM
ARCHIVES DIVISION
SECRETARY OF STATE

Department of Consumer and Business Services, Building Codes Division
Agency and Division

918
Administrative Rules Chapter Number

Holly A. Tucker

(503) 378-5331

Rules Coordinator

Telephone

Department of Consumer and Business Services, Building Codes Division, PO Box 14470, Salem, OR 97309-0404

Address

RULE CAPTION

Amending certification requirements for building officials, inspectors and plans examiners.

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

Hearing Date	Time	Location	Hearings Officer
2-23-16	10:00 a.m.	1535 Edgewater Street NW, Salem, OR 97304	Staff

RULEMAKING ACTION

Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

ADOPT:

OAR 918-098, 918-281, 918-695

AMEND:

OAR 918-098, 918-281, 918-695

REPEAL:

OAR 918-098, 918-281, 918-695

RENUMBER: Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

AMEND AND RENUMBER: Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

Statutory Authority:

ORS 446.250, 446.255, 447.010, 455.030, 455.055, 445.062, 455.110, 455.622, 455.720, 455.730, 455.735, 455.740

Other Authority:

Statutes Implemented:

ORS 446.250, 446.255, 447.010, 455.030, 455.055, 445.062, 455.110, 455.622, 455.720, 455.730, 455.735, 455.740

RULE SUMMARY

These proposed rules amend the division's certification requirements for persons performing work in Oregon as a building official, inspector, or plans examiner. These proposed rules contain a variety of changes including, but not limited to: persons qualify for certain certifications using a nationally recognized certification; amending the renewal requirements for the Oregon Inspector Certification, eliminating new application provisions for a manufactured structure installation inspector and park and camp inspector certifications, and modifying qualification requirements for persons who want to perform medical gas plumbing inspections. Additionally, these rules clarify the potential conflict of interests, scope of work, and duties and responsibilities of building officials, inspectors, and plans examiners.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

02-26-2016 5:00 p.m. Holly A. Tucker holly.a.tucker@state.or.us
Last Day (m/d/yyyy) and Time Rules Coordinator Name Email Address

for public comment

*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation.

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT
A Notice of Proposed Rulemaking Hearing accompanies this form.

FILED
1-15-16 4:41 PM
ARCHIVES DIVISION
SECRETARY OF STATE

Department of Consumer and Business Services, Building Codes Division
Agency and Division

918
Administrative Rules Chapter Number

Amending certification requirements for building officials, inspectors and plans examiners.

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of:

Adopting, Amending, Repealing OAR 918-098, 918-281, 918-695

Statutory Authority:

ORS 446.250, 446.255, 447.010, 455.030, 455.055, 445.062, 455.110, 455.622, 455.720, 455.730, 455.735, 455.740

Other Authority:

Statutes Implemented:

ORS 446.250, 446.255, 447.010, 455.030, 455.055, 445.062, 455.110, 455.622, 455.720, 455.730, 455.735, 455.740

Need for the Rule(s):

In 2005 the division adopted substantive changes to certification requirements to align with certifications offered by a nationally recognized organization for persons performing work in Oregon as a building official, inspector, or plans examiner. The division also established the Oregon Inspector Certification, which required applicants to demonstrate knowledge of the division's statutes and administrative rules.

These rules are needed to clarify the potential conflict of interests, scope of work, and duties and responsibilities of building officials, inspectors, and plans examiners.

These proposed rules provide choices for applicants to qualify for an Oregon certifications. Applicants may continue to qualify for certain Oregon certifications using a nationally recognized certification with the appropriate experience, but they will no longer be required to maintain their national certification.

These proposed rules continue the expiration and renewal requirement for the Oregon Inspector Certification. These rules remove the grace period to renew the Oregon Inspector Certification. Persons that fail to renew an Oregon Inspector Certification by the end of the renewal period must reapply for an Oregon Inspector Certification.

Additionally, these proposed rules expand the scope of work for persons who hold residential certifications to include the scope of work for plan review and inspection of manufactured dwelling parks, recreational parks, organizational camps, and picnic parks.

Documents Relied Upon, and where they are available:

Draft rules are available from the division's rules coordinator located at 1535 Edgewater Street NW, Salem, OR 97304 and are posted on the division's Web site at: <http://www.bcd.oregon.gov/rules.html>.

Fiscal and Economic Impact:

The division has determined that these proposed rules have no fiscal impact on persons that hold valid Oregon certifications. These proposed rules may have a minimal fiscal impact on persons seeking certification in Oregon because there are existing fees associated with applying for and maintaining Oregon certifications. These fees in comparison to fees associated with obtaining and maintaining nationally recognized certification may result in a positive impact on applicants for certification in Oregon. Once a person obtains an Oregon certification, they will not be required to maintain their national certification. However, no financial gain will be seen if a person decides to maintain their national certification. There is no fiscal impact regarding the renewal or reapplication of an Oregon Inspector Certification because the fee requirements already exist in rule. There is no fiscal impact regarding medical gas plumbing inspector requirements. This change continues to allow a person to qualify to perform medical gas plumbing inspections using a division-approved medical gas inspector certification, but allows the division to begin offering training for medical gas plumbing inspectors.

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

The division is unable to determine if there will be a positive or negative impact on state agencies, units of local government, or the public

because the applicant has the option to maintain certain certifications that they are no longer required to. This proposal could benefit the state by increasing accountability of persons performing work for which a certification is required.

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small business and types of businesses and industries with small businesses subject to the rule:

Building officials, inspectors, and plans examiners are primarily employed by the division, a municipality, or are employees of a third party inspection businesses. There are approximately 14 third party providers administering various levels of building inspection programs that are small businesses and may be impacted based on the choices they make.

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:

These proposed rules do not create any new reporting or recordkeeping requirements. In addition to existing recordkeeping performed by municipalities administering building inspection programs, the division will be tracking certification elements.

c. Equipment, supplies, labor and increased administration required for compliance:

Regardless of the path a person chooses either under current requirements or in the future, there are existing costs associated with obtaining appropriate materials for training and education related to obtaining and maintaining a certification to perform certain work in Oregon.

How were small businesses involved in the development of this rule?

The division has been offering training and education related to existing certifications for over two years. Persons and businesses attending these trainings have provided positive input regarding division training courses, which are typically less expensive than other options. These persons and businesses include members of small businesses in Oregon.

Administrative Rule Advisory Committee consulted?: No

If not, why?:

The division has received input from persons and businesses that attended existing division training courses.

<u>02-26-2016 5:00 p.m.</u>	<u>Holly A. Tucker</u>	<u>holly.a.tucker@state.or.us</u>
Last Day (m/d/yyyy) and Time for public comment	Printed Name	Email Address

**Certification Changes
Extended Comment Period
DRAFT
February 23, 2016**

918-098-1010

Exemption from Certification Requirements

~~(1) Unless otherwise stated in this rule, every person who performs building official duties, building code inspections, or plan reviews must possess a valid Oregon Inspector Certification and either:~~

~~(a) a valid appropriate Oregon Code Certification for the work being performed, or
(b) A valid appropriate International Code Council certification for the work being performed and the minimum level of experience as follows:~~

~~(A) Two years of construction or inspection related experience or its equivalent;
(B) An approved one year inspection related education program and one year of construction or inspection related experience;~~

~~(C) A degree from an approved two year inspection related education program or its equivalent; or~~

~~(D) Be a registered Oregon architect, a certified Oregon professional engineer, or have a Bachelor's or Master's degree in architecture or civil or structural engineering.~~

~~(2) Notwithstanding section (1)(b) of this rule, A person may perform the duties of a building official provided the person:~~

~~(a) Has a valid Oregon Inspector Certification;
(b) Passes the International Code Council Certified Building Official Legal Management examination within six months of hire; and~~

~~(c) Completes a division approved training course for building officials within six months of hire.~~

~~(3) If a certified building official is appointed by the municipality to perform duties as a building official on or after April 1, 2014, the person must complete a division approved training course for building officials within six months of appointment.~~

~~(4)~~ **(1)** Plan review certification is not required for individuals reviewing one- and two-family dwelling permit applications for the following:

(a) First floor decks attached to a dwelling that:
(A) Extend not more than 12 feet from the dwelling but not closer than three feet to a property line;
(B) Are not more than 8 feet above grade;
(C) Will not exceed a 70 PSF live load and not a combined live and dead load of 80 PSF; and
(D) Are not in excess of a 2 horizontal 1 vertical ground slope.

(b) Car ports with a single slope that:
(A) Have a rafter span extending not more than 12 feet from a dwelling;
(B) Are attached to the dwelling for the full length not to exceed 30 feet;
(C) Have a maximum overhang of two feet that is not closer than three feet to a property line;

and
(D) Will not exceed a combined 80 PSF live and dead load.

(c) Patio covers that:
(A) Have a single slope roof;
(B) Have a rafter span extending not more than 12 feet from the dwelling;
(C) Are attached to the dwelling the full length not to exceed 30 feet;

(D) Have a maximum overhang of two feet that is not closer than three feet to a property line; and

(E) Will not exceed a combined 80 PSF live and dead load.

(d) Fences not greater than 8 feet in height.

(e) Garage conversions as an accessory to a one- or two-family dwelling with no new cut openings in the existing wall.

(f) Window, door, or bathroom remodels where there are no load-bearing or lateral-bracing wall penetrations.

(g) Pole or manufactured steel structures with a maximum of 3,000 square feet that:

(A) Have a maximum 14-foot eave height;

(B) Are not closer than three feet to the property line and at least 6 feet from all other buildings on the same lot; and

(C) Fully engineered, including foundation where applicable.

(h) Mechanical equipment for the purposes of determining setback requirements have been met.

~~(5)~~**(2)** Plan review certification is not required for individuals reviewing permit applications for buildings or structures that have plans and specifications provided by the department or a municipality **under** ORS 455.062.

~~(6)~~**(3)** The building official is responsible for ensuring that persons performing permit reviews under this section utilize a division-approved checklist to perform reviews.

~~(7)~~**(4)** The building official may determine based on unusual features, characteristics or other complicating circumstances that a certified individual must review a permit application.

~~(8)~~**(5)** Where a jurisdiction routinely performs permit reviews for a type of project determined by the building official to be similar in complexity to the types of projects listed in sections ~~(4)~~**(1)** and ~~(5)~~**(2)** of this rule, the building official may submit a checklist to the division for approval. If approved, the jurisdiction may utilize the checklist in the same manner as section ~~(6)~~**(3)**.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.030, 455.055, 455.062, 455.110, 455.720, & 455.730

Stat. Implemented: ORS 455.030, 455.055, 455.062, 455.110, 455.720, & 455.**730**

Hist.: BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05; BCD 4-2006, f. 3-31-06, cert. ef. 4-1-06; BCD 18-2006, f. 12-29-06, cert. ef. 1-1-07; BCD 6-2010, f. 5-14-10, cert. ef. 7-1-10; BCD 7-2011, f. & cert. ef. 3-11-11; BCD 24-2011, f. 7-26-11, cert. ef. 10-1-11; BCD 7-2013(Temp), f. 7-26-13, cert. ef. 8-1-13 thru 12-31-13; BCD 9-2013, f. 12-16-13, cert. ef. 1-1-14; BCD 5-2014, f. & cert. ef. 4-1-14

918-098-1012

Scope Of Work Allowed For Persons With An Oregon Inspector Certification and an International Code Council Certification

This rule expires January 1, 2017.

(1) Individuals meeting the experience requirement in OAR 918-098-~~1010~~ **1025** who possess a valid Oregon Inspector Certification and a current International Code Council certification may perform work based on the type of International Code Council Certification they possess.

(2) A Certified Building Official Legal/ Management may oversee a jurisdiction's administration and enforcement of the state building code for those specialty codes assumed by the jurisdictions pursuant to ORS 455.148 or 455.150. Building officials may not perform plan

reviews or inspections unless they possess the appropriate certification for the type of plan review or inspection being performed.

(a) Commercial Building Inspector certificate holders may conduct construction inspections for:

(A) All work regulated by the **Oregon Structural Specialty Code**; and

(B) Structural work on townhouse structures, rowhouse structures, and apartment buildings regulated by the **Oregon Residential Specialty Code**.

(b) Commercial Building Plans Examiner certificate holders may review construction plans for:

(A) Compliance with the provisions of the **Oregon Structural Specialty Code** and **Oregon Fire Code**, except the fire and life safety plan review provisions for structures required to receive a state fire and life safety plan review; and

(B) Fire and life safety construction on townhouse structures, rowhouse structures, and apartment buildings regulated by the **Oregon Residential Specialty Code**.

(c) Commercial Fire Plans Examiner certificate holders who also have the Commercial Building Plans Examiner Certificate may review construction plans for compliance with the fire and life safety plan review provisions of the **Oregon Structural Specialty Code** and the **Oregon Fire Code**.

(d) A Commercial Mechanical Inspector certificate holder may conduct construction inspections and may review construction plans for:

(A) All work regulated by the **Oregon Mechanical Specialty Code**; and

(B) Mechanical work on townhouse structures, rowhouse structures and apartment buildings regulated by the **Oregon Residential Specialty Code**.

(e) A Residential Building Inspector certificate holder may conduct construction inspections and plan reviews for:

~~(A) structural work regulated by the **Oregon Residential Specialty Code**, except apartment buildings; and~~

~~(B)(A) Construction work on manufactured structures and accessory buildings and structures regulated under the **Oregon Manufactured Dwelling Installation Specialty Code**;~~

~~(B) The provisions of OAR chapter 918, division 500, or;~~

~~(C) The **Manufactured Home Construction and Safety Standards in 24 CFR 3280 and 24 CFR 3282**. Construction work does not include the scope of work described in OAR 918-098-1305.; and~~

~~**(D) Plan review and inspection of manufactured dwelling parks, recreational parks, organizational camps, and picnic parks**~~

(f) A Residential Mechanical Inspector certificate holder may conduct inspections and plan reviews for:

~~(A) mechanical work regulated by the **Oregon Residential Specialty Code**, except for apartment buildings; and~~

~~(B)(A) Mechanical work on manufactured dwelling alterations under the **Oregon Manufactured Dwelling Installation Specialty Code** and;~~

(B) The provisions of OAR chapter 918, division 500.;

(C) The Manufactured Home Construction and Safety Standards located in 24 CFR 3280 and 3282; and

(D) Plan review and inspection of manufactured dwelling parks, recreational parks, organizational camps, and picnic parks.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.720 & 455.730

Stat. Implemented: ORS 455.720 & 455.730

Hist.: BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05; BCD 4-2006, f. 3-31-06, cert. ef. 4-1-06; BCD 13-2007, f. 12-28-07 cert. ef. 1-1-08; BCD 1-2010, f. 3-1-10, cert. ef. 4-1-10

918-098-1015

Scope of Work Allowed for Persons with an Oregon Inspector Certification and Oregon Code Certifications

Persons who possess a valid Oregon Inspector Certification and a valid Oregon Code Certification may perform inspections and plan reviews based on the class designated on their certificate. The classes, other than electrical and plumbing inspector classifications found in OAR 918-281-0020 and 918-695-0400, are:

(1) **Building Official.** Persons certified as an Oregon Building Official may oversee jurisdictions' administration and enforcement of the state building code for those specialty codes assumed by the jurisdiction pursuant to ORS 455.148 or 455.150. Building officials may not perform plan reviews or inspections unless they possess the appropriate certification for the plan review or inspection being performed.

(2) **Fire and Life Safety.** Persons certified as fire and life safety plans examiners may review construction plans for compliance with the fire and life safety plan review provisions of the **Oregon Structural Specialty Code** and the **Oregon Fire Code** for any structure regulated by the **Oregon Structural Specialty Code**.

(3) **A-Level.**

(a) Persons certified as A-level structural plans examiners may:

(A) Review construction plans for compliance with the provisions of the **Oregon Structural Specialty Code** and **Oregon Fire Code** for all work regulated by the **Oregon Structural Specialty Code**, except the fire and life safety plan review provisions for structures required to receive a state fire and life safety plan review; and

(B) Review construction plans for work that falls within the B-level structural plans examiner classification.

(b) Persons certified as A-level structural inspectors:

(A) Conduct construction inspections of all work regulated by the **Oregon Structural Specialty Code**; and

(B) Conduct inspections of work that falls within the B-level structural inspector classification.

(c) Persons certified as A-level mechanical inspectors may:

(A) Conduct construction inspections and may review construction plans for all work regulated by the **Oregon Mechanical Specialty Code**; and

(B) Conduct inspections and review construction plans for work that falls within the B-level mechanical inspector classification.

(4) B-Level.

(a) Persons certified as B-level structural plans examiners may review construction plans for compliance with the provisions of the **Oregon Structural Specialty Code** and **Oregon Fire Code** for work regulated by the **Oregon Structural Specialty Code**, except:

(A) Work in structures required to receive a state fire and life safety plan review; and

(B) Work in structures required to be designed by an Oregon registered architect or certified professional engineer pursuant to ORS chapter 671.

(b) Persons certified as B-level structural inspectors may conduct construction inspections of work regulated by the **Oregon Structural Specialty Code**, except:

(A) Work in structures required to receive a state fire and life safety plan review; and

(B) Work in structures required to be designed by an Oregon registered architect or certified professional engineer pursuant to ORS chapter 671.

(c) Persons certified as B-level mechanical inspectors may conduct construction inspections of work regulated by the **Oregon Mechanical Specialty Code**, except:

(A) Work in structures required to receive a state fire and life safety plan review; and

(B) Work in structures required to be designed by an Oregon registered architect or certified professional engineer pursuant to ORS chapter 671.

(d) Persons certified as B-level structural plans examiners, B-level structural inspectors, or B-level mechanical inspectors:

(A) May qualify to be certified to review construction plans or conduct inspections of structures regulated by the **Oregon Residential Specialty Code**; and

(B) May not be authorized to review construction plans or conduct inspections of structures that are outside the B-level classification without first obtaining the appropriate certification.

(5) One and two family dwelling or residential.

(a) Persons certified as one and two family dwelling or residential:

(A) Structural inspectors may conduct construction inspections of structural work regulated by the **Oregon Residential Specialty Code**; and

(i) Manufactured structures and manufactured structure accessory buildings and structures under the **Oregon Manufactured Dwelling Installation Specialty Code**;

(ii) The provisions of OAR chapter 918, division 500, ~~or~~;

(iii) The **Manufactured Home Construction and Safety Standards located in 24 CFR 3280 and 3282**; and

(iv) Plan review and inspection of manufactured dwelling parks, recreational parks, organizational camps, and picnic parks.

(B) Mechanical inspectors may conduct inspections for mechanical work regulated by the **Oregon Residential Specialty Code**; and

(i) Manufactured dwellings under the **Oregon Manufactured Dwelling Installation Specialty Code**, and;

(ii) The provisions of OAR chapter 918, division 500, ~~or~~;

(iii) The **Manufactured Home Construction and Safety Standards** located in **24 CFR 3280 and 3282; and**

(iv) **Plan review and inspection of manufactured dwelling parks, recreational parks, organizational camps, and picnic parks.**

(C) Plumbing inspectors may conduct inspections for:

(i) plumbing work regulated by the **Oregon Residential Specialty Code;** and

(i) **Manufactured dwellings under** the **Oregon Manufactured Dwelling Installation Specialty Code;**

(ii) The provisions of OAR chapter 918, division 500;

(iii) The **Manufactured Home Construction and Safety Standards** located in **24 CFR 3280 and 3282; and**

(iv) **Plan review and inspection of manufactured dwelling parks, recreational parks, organizational camps, and picnic parks; and**

(v) Any portion of a solar water heating system installation up to 180 gallons of storage tank capacity.

(D) Electrical inspectors may conduct inspections for:

(i) electrical work regulated by the **Oregon Residential Specialty Code;** and

(i) The **Oregon Manufactured Dwelling Installation Specialty Code;**

(ii) The provisions of OAR chapter 918, division 500;

(iii) The **Manufactured Home Construction and Safety Standards** located in **24 CFR 3280 and 3282; and**

(iv) **Plan review and inspection of manufactured dwelling parks, recreational parks, organizational camps, and picnic parks; and**

(v) Any portion of a solar PV installation up to 25 Kw.

(b) Persons certified as a one-and-two family dwelling plans examiners may review construction plans for compliance with provisions of the **Oregon Residential Specialty Code;** and

(i) Structures under the **Oregon Manufactured Dwelling Installation Specialty Code;**

(ii) The provisions of OAR chapter 918, division 500;

(iii) The **Manufactured Home Construction and Safety Standards** located in **24 CFR 3280 and 3282; and**

(iv) **Plan review and inspection of manufactured dwelling parks, recreational parks, organizational camps, and picnic parks.**

(c) Persons certified as a one and two family dwelling or residential inspectors and plans examiners may not be authorized to review construction plans or conduct inspections of either A-level or B-level structures without the required commercial A-level or B-level certification.

(d) See OAR 918-098-1325 for additional requirements of one and two family dwelling residential inspectors and plans examiners performing manufactured dwelling alteration inspections or plan reviews.

(e) See OAR 918-098-1330 for additional requirements of one and two family dwelling residential inspectors performing manufactured structure accessory structure or accessory building inspections.

(6) Specialized Solar Photo-Voltaic. Persons certified as a Specialized Solar PV inspector may conduct inspections of the structural and electrical systems for solar PV installations up to 25 Kw that follow the “prescriptive installation” provisions in section 305.4 of the **Oregon Solar Installation Specialty Code**.

(7) Plumbing inspectors certified under OAR 918-695-0400 may, in addition to any other authority, inspect any portion of a solar water heating system installation up to 180 gallons of storage tank capacity. This rule does not apply to limited or special plumbing inspectors.

(8) Electrical inspectors certified under OAR 918-281-0020 may, in addition to any other authority, inspect any portion of a solar PV installation up to 25 Kw.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.720

Stat. Implemented: ORS 455.720

Hist.: DC 24-1978, f. & ef. 9-1-78; DC 10-1980, f. & ef. 9-10-80; DC 4-1983, f. & ef. 1-12-83; Renumbered from 814-003-0065; BCA 16-1992, f. & cert. ef. 8-11-92; BCD 8-1997, f. & cert. ef. 4-1-97; Renumbered from 918-099-0065; BCD 15-1997, f. 9-30-97, cert. ef. 10-1-97; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05, Renumbered from 918-098-0060; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05, Renumbered from 918-098-0060; BCD 4-2006, f. 3-31-06, cert. ef. 4-1-06; BCD 13-2007, f. 12-28-07 cert. ef. 1-1-08; BCD 1-2010, f. 3-1-10, cert. ef. 4-1-10; BCD 6-2010, f. 5-14-10, cert. ef. 7-1-10; BCD 7-2011, f. & cert. ef. 3-11-11; BCD 24-2011, f. 7-26-11, cert. ef. 10-1-11; BCD 5-2014, f. & cert. ef. 4-1-14

918-098-1025

~~Oregon Inspector Certification and Oregon Code Certification Application Process; Testing Procedures Certification Requirements~~

Unless stated otherwise within this rule, this rule is applied retroactively from July 1, 2010.

(1) Unless otherwise stated in this rule, every person who performs building official duties, building code inspections, or plan reviews must possess a valid Oregon Inspector Certification and a valid appropriate Oregon Code Certification or authorization from the division for the work being performed and the minimum level of experience as follows:

(A) Completion of a certification training course administered by the division; or

(B) Two years experience performing installations in a licensed trade for work

regulated by a building construction code or its equivalent, and completion of a certification training course administered by the division; or

(C) Two years experience performing inspections in a licensed trade on buildings or structures or its equivalent; or

(D) Be a registered architect, a certified professional engineer, or have a Bachelor's or Master's degree in architecture or civil or structural engineering.

~~(1)~~**(2)**(a) All persons who seek certification to perform the duties of a building official, inspector, or plans examiner must apply **Persons applying** for the Oregon Inspector Certification as follows **must**:

(A) Submit a division-approved application with the \$125 fee; and

(B) Successfully pass the Oregon Inspector Certification examination.

(b) Applicants for an Oregon Inspector Certification who fail the examination may reapply under this section to retest for a fee of \$80.

~~(2)~~**(3)** Persons applying for an Oregon Code Certification under these rules, or under OAR 918-281-0020 and 918-695-0400 must:

(a) Submit a division-approved application demonstrating appropriate experience, as defined in OAR chapter 918, division 281, 695, or these rules;

(b) Pay the \$80.00 fee; and

(c) Successfully pass the appropriate Oregon Code Certification exam- **, or submit proof of a valid International Code Council certification or other nationally recognized certification or license for:**

(A) Commercial Building Inspector.

(B) Commercial Building Plans Examiner.

(C) Commercial Fire Plans Examiner.

(D) Commercial Mechanical Inspector.

(E) Residential Building Inspector.

(F) Residential Mechanical Inspector.

(G) Residential Plans Examiner.

(4) Applicants for certification as a building official must possess a valid Oregon Inspector Certification and successfully pass a training course for building officials administered by the division.

(5) Notwithstanding subsections (1) and (4) of this rule, a person employed by a municipality to perform duties as a building official must enroll in or complete a training course for building officials administered by the division within six months of hire. A person enrolled in a training course for building officials administered by the division must successfully complete this course to continue performing building official duties.

(6) If a certified building official is appointed by the municipality to perform duties as a building official, the person must complete a training course for building officials administered by the division within six months of appointment unless the person has previously completed a building official training course administered by the division or obtained their building official certification through subsection (4) or (5) of this rule.

~~(3)~~**(7)** Applicants for an Oregon Code Certification who fail the examination may reapply under section ~~(2)~~**(3)** of this rule to retest. Applicants may not retake the test for 30 days after each failed attempt.

~~(4)~~**(8)** If an applicant fails to take the Oregon Inspector Certification exam or the Oregon Code Certification exam within 60 days of being approved to do so, the applicant must re-apply under section ~~(1)~~**(2)** or ~~(2)~~**(3)** of this rule.

Stat. Auth.: ORS 455.720, 455.730 & 455.735

Stat. Implemented: ORS 455.720, 455.730 & 455.735

Hist.: BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05; BCD 4-2006, f. 3-31-06, cert. ef. 4-1-06; BCD 19-2006, f. 12-29-06, cert. ef. 1-1-07; BCD 6-2010, f. 5-14-10, cert. ef. 7-1-10; BCD 7-2011, f. & cert. ef. 3-11-11; BCD 24-2011, f. 7-26-11, cert. ef. 10-1-11

918-098-1028

Oregon Inspector Certification Renewal Process

Effective July 1, 2010:

(1) All Oregon Inspector Certifications expire on November 1, 2010 and every three years thereafter.

(2)(a) Oregon Inspector Certification renewals must be completed on or prior to the certification expiration date by:

(A) Completing the renewal form;

(B) Completing all continuing education requirements; and

(C) Paying the certification renewal fee of \$125 for a three year term.

(b) A certification not renewed on or prior to the certification expiration date is expired.

(c) If an expired Oregon Inspector Certification is not renewed by December 31 of the year the certification expires, the person must reapply for that certification as specified in OAR 918-098-1025. Applicants re-applying for an expired Oregon Inspector Certification

must demonstrate completion of all required Oregon certification continuing education or take appropriate training administered by the division.

(3) The division mails one renewal notification to the last known address of the licensee at least 45 days prior to certification expiration. It is the responsibility of the certification holder to notify the division of a change of address.

~~(4)(a) An expired certification may be reinstated up to 5 years from the certification expiration date by:~~

~~(A) Completing the reinstatement form;~~

~~(B) Completing all continuing education requirements; and~~

~~(C) Paying the certification renewal fee of \$125.~~

~~(b) A certification expired for more than 5 years from the certification expiration may not be reinstated and requires application as provided in OAR 918-098-1025(1).~~

~~(5) Anyone with an Oregon Code Certification issued prior to October 1, 2005, who does not already possess an Oregon Inspector Certification, will be issued an Oregon Inspector Certification without fee or testing requirements. This certification will expire on November 1, 2010 and must be renewed according to section (2) of this rule.~~

Stat. Auth.: ORS 455.720, 455.730 & 455.735

Stat. Implemented: ORS 455.720, 455.730 & 455.735

Hist.: BCD 6-2010, f. 5-14-10, cert. ef. 7-1-10; BCD 7-2011, f. & cert. ef. 3-11-11; BCD 24-2011, f. 7-26-11, cert. ef. 10-1-11

918-098-1100

Certification Transition

This rule expires January 1, 2017.

(1) Notwithstanding OAR 918-098-1025, the division may issue an equivalent Oregon Code Certification to a person who submits a division-approved application with proof of a valid Oregon Inspector Certification, a valid International Code Council Certification or a nationally recognized certification or license, issued prior to January 1, 2016, for:

(a) Commercial Building Inspector;

(b) Commercial Building Plans Examiner;

(c) Commercial Fire Plans Examiner;

(d) Commercial Mechanical Inspector;

(e) Residential Building Inspector;

(f) Residential Mechanical Inspector;

(g) Residential Plans Examiner; and

(2) Notwithstanding OAR 918-098-1025, the division may issue an Oregon Building Official certification to a person who submits a division-approved application along with:

(a) Proof of a valid Oregon Inspector Certification issued prior to January 1, 2016; and

(b) Successful passage of an International Code Council Building Official Legal/Management examination or a valid International Code Council Certified Building Official certification issued prior to January 1, 2016.

(3) Notwithstanding OAR 918-098-1025, the division may issue a Medical Gas Plumbing Inspector certification to a person who submits a division-approved form along with proof of:

(a) A valid Oregon Inspector Certification;

(b) A valid Oregon Plumbing Specialty Code Inspector certification; and

(c) A valid ASSE 6020 medical gas certification.

(4) Persons who have not obtained the appropriate Oregon certification through this rule by January 1, 2017 may not perform duties as a building official or perform inspections or plan reviews for which an Oregon Code Certification is required.

Stat. Auth.: ORS 455.622, 455.720 & 455.730

Stat. Implemented: ORS 455.622, 455.720 & 455.730

Hist.: New

918-098-1210

Residential Plumbing Inspectors

(1) A person possessing an Oregon "One and Two Family Dwelling Plumbing Inspector" certification is considered a "Residential Plumbing Inspector" for the purpose of these rules.

(2) A person issued a residential plumbing inspector certification must also possess a valid Oregon Inspector Certification issued under OAR 918-098-1025 prior to performing residential plumbing inspections.

(3) A residential plumbing inspector may conduct inspections for:

(a) plumbing work regulated by the **Oregon Residential Specialty Code**, and where connection to the building is not a separate plumbing system; **and**

(b) ~~(b)~~**(a)** Plumbing work on manufactured dwellings, manufactured structure accessory buildings and structures under the **Oregon Manufactured Dwelling Installation Specialty Code** ~~and~~;

(b) The provisions of OAR chapter 918, division 500 ~~or~~;

(c) The **Manufactured Home Construction and Safety Standards** located in 24 CFR 3280 and 3282; ~~and~~

(d) Plan review and inspection of manufactured dwelling parks, recreational parks, organizational camps, and picnic parks; and

~~(e)~~(e) Any portion of a solar water heating system installation up to 180 gallons of storage tank capacity.

(4) To qualify to perform work as a residential plumbing inspector, individuals must demonstrate compliance with at least one of the following minimum experience, education, or training requirements:

(a) A valid division certification as an **Oregon Plumbing Specialty Code** inspector; or

(b) Two years of experience designing or installing plumbing systems as a journeyman plumber or its equivalent; or

(c) 2 years of experience as a plumbing inspector in another jurisdiction inspecting plumbing systems in commercial or residential structures for compliance with a recognized code for plumbing installations; or

(d) 90 quarter hours or 60 semester hours education and training in mechanical engineering, which includes designing and installing plumbing systems, through a college or community college; or

(e) Valid division certification as a one and two family dwelling or residential inspector under one or more provisions of the **Oregon Residential Specialty Code**, and:

(A) 1 year of experience administering and enforcing another provision of the **Oregon Residential Specialty Code**; and

(B) Confirmation by the building official of the jurisdiction that employs the applicant that the applicant has completed a one and two family dwelling or residential plumbing inspector cross-training program that meets the minimum requirements established by the division.

(f) Any combination of experience designing, installing, or inspecting plumbing systems totaling 3 years.

(5) Persons certified by a nationally recognized certification body to inspect plumbing systems in commercial or residential structures according to a recognized code in plumbing installations may be granted 1 year of credit toward the experience requirements listed in subsections (4)(b) and (c) of this rule.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.720

Stat. Implemented: ORS 455.622

Hist.: BCD 8-1997, f. & cert. ef. 4-1-97; BCD 38-2000, f. 12-29-00, cert. ef. 1-1-01; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05, Renumbered from 918-098-0220; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05, Renumbered from 918-098-0220; BCD 4-2006, f. 3-31-06, cert. ef. 4-1-06; BCD 1-2010, f. 3-1-10, cert. ef. 4-1-10; BCD 6-2010, f. 5-14-10, cert. ef. 7-1-10; BCD 7-2011, f. & cert. ef. 3-11-11; BCD 24-2011, f. 7-26-11, cert. ef. 10-1-11; BCD 5-2014, f. & cert. ef. 4-1-14

918-098-1215

Residential Electrical Inspectors

(1) A person possessing an Oregon "One and Two Family Dwelling Electrical Inspector" certification is considered a "Residential Electrical Inspector" for the purpose of these rules.

(2) A person issued a residential electrical inspector certification must also possess a valid Oregon Inspector Certification issued under OAR 918-098-1025 prior to performing residential electrical inspections.

(3) Residential electrical inspectors may conduct inspections for:

- (a) electrical work regulated by the **Oregon Residential Specialty Code**; and
- (b)(a) Electrical work on manufactured dwellings, manufactured structure accessory buildings and structures under the **Oregon Manufactured Dwelling Installation Specialty Code** and;
- (b) The provisions of OAR chapter 918, division 500 or;
- (c) The **Manufactured Home Construction and Safety Standards** located in **24 CFR 3280 and 3282**; and

(d) Plan review and inspection of manufactured dwelling parks, recreational parks, organizational camps, and picnic parks; and

- (e)(e) Any portion of a solar PV installation up to 25 Kw.
- (4) To qualify to perform work as a residential electrical inspector, individuals must demonstrate compliance with at least one of the following minimum experience, education, or training requirements:
- (a) A valid division certification as an **Oregon Electrical Specialty Code** inspector; or
 - (b) 2 years of experience installing electrical systems as a limited residential journeyman electrician or a general journeyman electricians license or their respective equivalents; or
 - (c) 2 years of experience as an electrical inspector in another jurisdiction inspecting electrical installations in commercial or residential structures for compliance with a recognized code for electrical installations; or
 - (d) 90 quarter hours or 60 semester hours education and training in electrical engineering, which includes designing and installing electrical systems, through a college or community college; or
 - (e) Valid division certification as a one and two family dwelling or residential inspector under one or more provisions of the **Oregon Residential Specialty Code**, and:
 - (A) 1 year of experience administering and enforcing another provision of the **Oregon Residential Specialty Code**; and
 - (B) Confirmation by the division that an applicant has completed a one and two family dwelling or residential electrical inspector cross-training program that meets the minimum requirements established by the division.
 - (f) Any combination of experience or education listed in subsections (a) through (d) of this section designing, installing, or inspecting electrical systems totaling 3 years.
- (5) Persons certified by a nationally recognized certification body to inspect electrical installations in commercial or residential structures according to a recognized code in electrical installations may be granted 1 year of credit toward the experience requirements and may be considered as meeting some requirements of a division approved cross-training program, except the experience listed in subsections (4)(b) and (c) of this rule.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.720

Stat. Implemented: ORS 455.622

Hist.: BCD 8-1997, f. & cert. ef. 4-1-97; BCD 38-2000, f. 12-29-00, cert. ef. 1-1-01; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05, Renumbered from 918-098-0230; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05, Renumbered from 918-098-0230; BCD 4-2006, f. 3-31-06, cert. ef. 4-1-06; BCD 1-2010, f. 3-1-10, cert. ef. 4-1-10; BCD 6-2010, f. 5-14-10, cert. ef. 7-1-10;

918-098-1305

Manufactured Structure Installation Inspector Certification

~~Unless stated otherwise within this rule, this rule is applied retroactively from July 1, 2010.~~

(1) Scope of Activities and Authority.

(a) A manufactured structure installation inspector conducts onsite field inspections of manufactured dwelling or park ~~trailer~~ **model** installations including site preparation, setbacks, drainage, stand, foundation support, earthquake bracing systems, tie-downs, under-floor enclosures, access, egress, plumbing utility connections (within 30 lineal feet of the manufactured dwelling), mechanical connections and electrical feeder assembly connections (as defined by **Article 550 of the National Electrical Code**), electrical fixture connections, and plumbing, mechanical, and electrical crossover connections for manufactured structures under ORS 446.230 and 446.240;

(b) This certification does not include inspections or plan reviews of manufactured dwelling alterations or manufactured structure accessory structures and accessory buildings. See OAR 918-098-1325 and 918-098-1330 for certification requirements.

(c) This certification can be used only in a jurisdiction that:

(A) Meets all of the requirements of this rule and OAR 918-500-0055;

(B) Complies with ORS 446.250 and 446.253(2) relating to the delegation of full responsibility for permit issuance and inspections;

(C) Issues permits according to ORS 446.253; and

(D) Enforces the current edition of the **Oregon Manufactured Dwelling Installation Specialty Code**, the provisions of OAR chapter 918, division 500, and all referenced standards contained therein.

~~(2) Procedure for Qualification. An applicant for certification under this rule must meet the general qualifications in section (3) of this rule, make application, pay the required fees, attend a division approved training program, and pass a division approved examination.~~

~~(3) Experience, Education, and Training Requirements. An applicant must have at least one of the following:~~

~~(a) 2 years of supervisory experience in the building construction industry; or~~

~~(b) 2 years of experience in design work related to building construction; or~~

~~(c) Hold a valid division certification as a building inspector or plans examiner; or~~

~~(d) 2 years of experience as a quality assurance inspector in a manufactured structure manufacturing plant; or~~

~~(e) 2 years of experience as an Oregon licensed manufactured dwelling installer; or~~

~~(f) An associate degree or equal from a division approved education program in a construction related field; or~~

~~(g) Any combination of the experience and education listed in subsections (a) through (f) of this section equaling at least 2 years; or~~

~~(h) A one year certificate of completion in building inspection technology from a division approved education program and completion of 180 hours working under the supervision of a person with a minimum of three years experience as a certified manufactured structure installation inspector or a person approved by the board.~~

~~(4) Inspector Training and Examination. An applicant must successfully complete a division approved manufactured structure installation inspector training program and pass a division approved examination covering:~~

~~(a) The Oregon Manufactured Dwelling Installation Specialty Code, the provisions of OAR chapter 918, division 500, and those standards referenced therein;~~

~~(b) ORS 446.003, 446.155 to 446.253, and 446.395 to 446.420; and~~

~~(c) OAR chapter 918, divisions 500, 515, and 530.~~

~~(5)(2) A Manufactured Structure Installation Inspector must also possess an Oregon Inspector Certification issued under OAR 918-098-1025 prior to performing inspections.~~

~~(6)(3) Revocation. The division is authorized to revoke this certification under ORS 446.255. Persons certified under this rule who fail to meet the minimum continuing education requirements are subject to revocation. If the minimum continuing education is met within 60 days from the date it was originally due, the division may discontinue any pending revocation action based on a failure to meet minimum continuing education requirements.~~

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.250, 446.255 & 455.720

Stat. Implemented: ORS 446.250, 446.255 & 455.720

Hist.: BCA 25-1990, f. & cert. ef. 10-17-90; BCD 13-1997, f. 9-18-97, cert. ef. 10-1-97;

Renumbered from 918-099-0135; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05,

Renumbered from 918-098-0310; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05, Renumbered from

918-098-0310; BCD 19-2006, f. 12-29-06, cert. ef. 1-1-07; BCD 1-2010, f. 3-1-10, cert. ef. 4-1-

10; BCD 6-2010, f. 5-14-10, cert. ef. 7-1-10; BCD 7-2011, f. & cert. ef. 3-11-11; BCD 24-2011,

f. 7-26-11, cert. ef. 10-1-11

918-098-1320

Park and Camp Inspector Certification

~~Unless stated otherwise within this rule, this rule is applied retroactively from July 1, 2010.~~

~~(1) Scope of Activities and Authority.~~

~~(a)(1) A park and camp inspector conducts field inspections, reviews plans, and provides other technical services for manufactured dwelling parks, recreational parks, organizational camps, and picnic parks under ORS 446.066 and 446.335.~~

~~(b)(2) This certification can only be used in a jurisdiction that:~~

~~(A)(a) Meets all of the requirements of this rule;~~

~~(B)(b) Complies with ORS 446.430, 455.170, and 455.680 relating to the delegation of full responsibility for permit issuance and inspections; and~~

~~(C)(c) Issues permits, enforces the current edition of ORS chapter 446, OAR chapter 918, divisions 600 and 650, and all referenced standards contained therein.~~

~~(2) Procedure for Qualification. An applicant for certification under this rule must meet the general qualifications in section (3) of this rule, make application, pay the required fees, and pass a division approved examination.~~

~~(3) Experience, Education, and Training Requirements. An applicant for certification as a park and camp inspector must have at least one of the following:~~

~~(a) 2 years of experience as a supervisor in the building or road construction industry;~~

~~(b) 2 years of experience in design work related to building or road construction;~~

~~(c) 2 years of experience as a road construction inspector;~~

~~(d) 2 years of experience as a surveyor or landscape architect;~~

~~(e) 2 years of experience as a registered sanitarian;~~

~~(f) 2 years of experience as an Oregon licensed manufactured dwelling installer;~~

~~(g) A division certification as a building inspector or plans examiner;~~

~~(h) An associate degree or equal from a division approved education program in a construction related field; or~~

~~(i) Any combination of the experience and education listed in subsection (a) through (h) of this section equaling 2 years;~~

~~(j) A one year certificate of completion in building inspection technology from a division approved education program and completion of 180 hours working under the supervision of a person with a minimum of three years experience as a certified park and camp inspector or a person approved by the board.~~

~~(4) Inspector Examination. An applicant for certification under this rule must pass a division approved park and camp inspector certification examination covering:~~

~~(a) ORS 446.003 to 446.140, 446.310 to 446.350, 446.430, 455.170, and 455.680;~~

~~(b) OAR chapter 918, divisions 600 and 650; and~~

~~(c) 2002 **Oregon Manufactured Dwelling and Park Specialty Code**, Chapters 1, 2, 9, and 10.~~

~~(5) A Park and Camp Inspector must also possess an Oregon Inspector Certification issued under OAR 918-098-1025 prior to performing inspections.~~

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.720

Stat. Implemented: ORS 455.720

Hist.: BCA 25-1990, f. & cert. ef. 10-17-90; BCD 13-1997, f. 9-18-97, cert. ef. 10-1-97;

Renumbered from 918-099-0150; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05,

Renumbered from 918-098-0340; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05, Renumbered from

918-098-0340; BCD 19-2006, f. 12-29-06, cert. ef. 1-1-07; BCD 1-2010, f. 3-1-10, cert. ef. 4-1-

10; BCD 6-2010, f. 5-14-10, cert. ef. 7-1-10; BCD 7-2011, f. & cert. ef. 3-11-11; BCD 24-2011,

f. 7-26-11, cert. ef. 10-1-11

918-098-1325

Requirements for Alteration Inspection and Plan Review of Manufactured Dwellings

~~Unless stated otherwise within this rule, this rule is applied retroactively from July 1, 2010.~~

(1) Scope of Work. Manufactured dwelling alteration inspections and plan reviews include on-site field inspections of alterations including structural, fire and life safety, electrical, plumbing, and mechanical alterations made to manufactured dwellings after the initial sale of the home to the first consumer after all the terms of the sales contract have been met. Most alteration inspections made prior to this time are the responsibility of the division and must be performed by a certified manufactured structure construction inspector. ~~All alteration inspections made to recreational vehicles and park trailers are the responsibility of the division and must be performed by a certified recreational vehicle inspector.~~

(2) Certifications. Inspectors of manufactured dwelling alterations are required to be certified by ORS 446.250. The division requires that persons performing inspections or plan reviews on manufactured dwelling alterations have:

~~(a) an Oregon Inspector Certification and the appropriate Oregon Code Certification under OAR 918-098-1015 for the **Oregon Residential Specialty Code** for the specific discipline being used; or~~

~~(b) An Oregon Inspector Certification and the appropriate ICC Residential Certification as described in OAR 918-098-1010.~~

(3) The requirement in section (2) is not applicable to alteration inspections performed on manufactured homes still under the jurisdiction of the U.S. Department of Housing and Urban Development (HUD), recreational vehicles, or park ~~trailers~~ **models**.

(4) Authority. Inspectors and plans examiners of manufactured dwelling alterations may only inspect or review plans in a jurisdiction that has been delegated the manufactured dwelling alteration program and that:

(a) Complies with ORS 446.250 and 446.253(2) relating to the delegation of full responsibility for permit issuance and inspections;

(b) Issues permits and enforces the current edition of ORS chapter 446 and OAR chapter 918, divisions 500 and 520;

(c) Meets the requirements of OAR 918-500-0055 for delegation; and

(d) Enforces the current edition of the **Oregon Manufactured Dwelling Installation Specialty Code** and all referenced standards contained therein.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.250 & 455.720

Stat. Implemented: ORS 446.250 & 455.720

Hist.: BCD 13-1997, f. 9-18-97, cert. ef. 10-1-97; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05, Renumbered from 918-098-0350; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05, Renumbered from 918-098-0350; BCD 19-2006, f. 12-29-06, cert. ef. 1-1-07; BCD 1-2010, f. 3-1-10, cert. ef. 4-1-10; BCD 6-2010, f. 5-14-10, cert. ef. 7-1-10; BCD 7-2011, f. & cert. ef. 3-11-11; BCD 24-2011, f. 7-26-11, cert. ef. 10-1-11

918-098-1470

Duties and Responsibilities of Certified Building Officials, Inspectors, and Plans Examiners

(+) Persons who hold an Oregon Inspector Certification or an Oregon Code Certification must act in the public interest in performing their duties as a building official, inspector, or plans examiner, including but not limited to:

~~(a)~~ **(1)** Obtaining and maintaining any appropriate national or Oregon Code **required** certification prior to performing their duties;

~~(b)~~ **(2)** Not performing any inspections or plan reviews without holding the appropriate valid certification for the inspection or plan review being performed;

~~(c)~~ **(3)** Completing all required continuing education requirements and maintaining records of completion of continuing education courses required for each national and Oregon **required** certification sufficient to demonstrate compliance with OAR 918-098-1450;

~~(d)~~ Enforcing all appropriate building code statutes, and rules adopted thereunder, including but not limited to specialty codes, including statewide code interpretations, directives, orders, or other building program requirements and allowing the use of alternate method rulings;

(4) Administering and enforcing building inspection program requirements established in ORS Chapter 455 and rules adopted thereunder, including but not limited to:

- (a) Enforcing all appropriate building code statutes and rules adopted thereunder;
- (b) Enforcing specialty codes, adopted standards, and statewide code interpretations under ORS 455.110;
- (c) Allowing the use of alternate method rulings under ORS 455.060 and emerging technologies under ORS 455.065, and other requirements under ORS chapter 455;
- (d) Following appeal decisions issued by the department or an appropriate advisory board under ORS 455.475 or 455.690;
- (e) Following fee methodologies and number of inspections established under OAR chapter 918, division 50;
- (f) Allowing the use of plans approved by the division under ORS 455.062 or 455.685;
- (g) Following the department's direction established for an essential project and assist with any action the department determines is necessary to ensure the project proceeds in a timely manner under ORS 455.466 (4) and (5);
- (h) Abiding by all of the terms and conditions of any agreements entered into with the department, including but not limited to, partnership agreements entered into under ORS 455.185 and program approvals under ORS 455.148 and 455.150, and delegations under ORS 479.855;
- (i) Communicating requirements to customers clearly as required under OAR 918-098-1900; and
- (j) Following any directives, orders, or other building program requirements established by the department;
- ~~(e)(5)~~ Cooperating with the division in the course of investigations. Failure to provide information upon request may be considered a violation of an order by the Director or an advisory board and may result in action taken under ORS 455.740 or 455.895 or other appropriate sanction;
- ~~(f)~~ Adhering to all applicable building code statutes and rules adopted thereunder; and
- ~~(g)(6)~~ Notifying the division of any changes of name or address in a manner prescribed by the division within 10 business days; and
- ~~(h)~~ Implementing a division approved cross-training program for residential electrical inspectors, and residential plumbing inspectors under OAR 918-098-1410.
- ~~(2)~~ After a code or code edition is adopted by the division, persons who hold an Oregon Inspector Certificate and hold the national certification for that specialty code must re-certify their national certification to the new code or code edition at the next available renewal cycle of

the national certification. If an inspector re-certifies a national certification to the newest edition of the national code(s) before that code edition is adopted in Oregon, such re-certification shall be considered as a current national certification for the purposes of these rules.

(3) If an inspector fails to maintain or does not possess a current national certification, the inspector shall not perform inspections or plan review for that particular specialty code.

(7) Following all licensing and other requirements under ORS 455.455 and 455.457 and rules adopted thereunder when required.

Stat. Auth.: ORS 455.720

Stat. Implemented: ORS 455.720

Hist.: BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05; BCD 4-2006, f. 3-31-06, cert. ef. 4-1-06; BCD 5-2014, f. & cert. ef. 4-1-14

918-098-1480

Additional Responsibilities for Building Officials

In addition to the above responsibilities, all certified individuals who are performing the duties of the building official ~~shall~~ **must** also:

(1) Ensure a person is properly certified under these rules **or under ORS 455.455 and 455.457** and meets the minimum experience requirements **and possess appropriate knowledge** prior to allowing the individual to perform plan reviews and inspections;

(2) Ensure all inspectors and plans examiners in the municipality take all required continuing education and track the continuing education in a manner ~~prescribed by the division~~ **that may be presented to the division upon request; and**

(3) Ensure **that employees under the direction of the building official administering and enforcing elements of a building inspection program follow** all applicable building code statutes and rules, including statewide code interpretations, directives and other building program requirements and allowing the use of statewide alternate method rulings are enforced and carried out through their certified individuals in their municipality-, **including items specified in OAR 918-098-1470;**

(4) Enforce applicable construction trade licensing requirements issued under ORS Chapters 447, 479, 693 and 701; and

(5)(a) Ensure all building inspection program fees adopted by the municipality under ORS 455.210 and ORS 479.855 are utilized for the administration and enforcement of the building inspection program established under ORS 455.148 or 455.150; and

(b) Ensure all surcharges are properly collected and submitted to the division as required by ORS 455.210 and 455.220.

Stat. Auth.: ORS 455.720

Stat. Implemented: ORS 455.720

Hist.: BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05

918-098-1900

Citation Requirement Effective January 1, 2006 Cite-it Write-it Requirement

In addition to any other requirements set forth in statute and rule, ~~beginning January 1, 2006,~~ all **building officials**, inspectors and plans examiners certified under Division 098, OAR 918-225-0540, 918-281-0020, 918-695-0400, and ORS 460.055 **must include an exact reference to the applicable specialty code section, Oregon administrative rule, or statute, when** issuing corrective notices at construction sites or to buildings or related appurtenances during a plan review **while administering or enforcing a building inspection program. The building official, inspector, or plans examiner must include a plain statement of facts upon which the citation for correction action is based.** ~~must adequately cite the applicable specialty code sections, Oregon administrative rules, or statutes whenever a re-inspection is required as a result of the inspection or plan review.~~

Stat. Auth.: ORS 455.720 & 455.740

Stat. Implemented: ORS 455.720 & 455.740

Hist.: BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05

918-695-0410

Certification for Medical Gas Plumbing Inspectors

(1) ~~Scope.~~ To promote effective and uniform enforcement of the **Oregon Plumbing Specialty Code** by improving the competence of plumbing inspectors, this rule establishes minimum training and certification qualifications to make inspections for compliance with the **Oregon Plumbing Specialty Code**. Persons employed for purposes of enforcing the requirements of other administrative agencies are exempt from this section.

(2) No person ~~shall~~ **may** be appointed or employed as a medical gas plumbing inspector by any municipality without being currently certified under the provisions of this rule.

(3) ~~Qualifications.~~ Persons ~~shall~~ **must** be certified as an Oregon Plumbing **Specialty Code** Inspector for inspections for compliance with the **Oregon Plumbing Specialty Code**.

(4) ~~Examination.~~ Persons ~~shall have a current and valid medical gas certification issued by a division approved organization meeting the provisions of ASSE 6020-1997 Standard for~~

~~Medical Gas Systems Inspectors Professional Qualifications.~~ No person may perform medical gas plumbing inspections or plan reviews without a valid division-approved medical gas plumbing inspector certification.

(5) In order to obtain a medical gas plumbing inspector certification a person must apply for an Oregon Code Certification under OAR 918-098-1025(3)(a) and (b); and

(a) Submit to the division a copy of a valid ASSE 6020 medical gas certification; or

(b) Complete a training course for medical gas plumbing inspectors administered by the division.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 447.010 & **455.720**

Stats. Implemented: ORS 447.010 & **455.720**

Hist.: BCD 27-2000, f. 10-13-00 cert. ef. 10-1-01; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05; Administrative correction 1-20-06

DRAFT