

CHAPTER 87, ARTICLE 5, "LAWS APPLICABLE TO REFRIGERATION CONTRACTING" AMENDED



N. C. STATE BOARD OF REFRIGERATION EXAMINERS

Refrigeration Up-Date

House Bill 1105 was recently passed by the General Assembly and signed into law by Governor Perdue. Changes to the law are summarized as follows:

Section 1 provides that "refrigeration trade or business" does not apply to the following: (1) The installation of self-contained commercial refrigeration units equipped with an original equipment manufacturer (OEM) molded plug that does not require the opening of service valves; (2) the replacement of lamps, fuses and door gaskets; and (3) the installation and servicing of domestic household self-contained refrigeration appliances equipped with an OEM molded plug connected to suitable receptacles which have been permanently installed and do not require the opening of service

valves.

Section 2 provides that regular examinations for licensing in refrigeration will be given in the Board office by appointment.

Section 3 authorizes the Board to adopt and publish rules and regulations consistent with the provision of GS Chapter 87, Article 5 and GS Chapter 150B. This section will be effective October 1, 2009.

Section 4 provides that when the Board accepts an offer to compromise the charge where the accused pays a penalty (not to exceed \$1,000), the penalty is to be remitted to the Civil Penalty and Forfeiture Fund.

Section 5 changes the penalty for violations
(Continued on page 2)

REFRIGERATION UP-DATE SCHEDULED FOR FEBRUARY 10, 2010

"The only person who is educated is the one who has learned how to learn and change." – Carl Rogers

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Refrigeration Up-Date 2010 is scheduled for Wednesday, February 10, 2010 at the Benton Convention Center in Winston-Salem, NC. Seminars are scheduled from 8:00 a.m. to 12:00 noon and 1:00 until 3:30

p.m. The Up-Date schedule is found on Page 3.

The exhibits will be open between 7:30 a.m. and 12:00 noon and again from 1:00 to 3:00 p.m. A list of the current exhibitors is on Page 3.

Registration for the Up-Date seminars and exhibits is free. You are encouraged to pre-register for the meeting. A registration form is on Page 4. Pre-registrants will receive their name tag and up-date info in the mail prior to the meeting.

A block of rooms has been reserved at the Marriott, Winston-Salem, for the evening of February 9th at a rate of \$109. Individuals are responsible for making their own reservation (1-800-320-0934). Room cut off date is January 10, 2010.



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STATE BOARD OF REFRIGERATION EXAMINERS

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Suggestions for articles of interest for publication in this newsletter are welcome.

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Disciplinary Action

Penalties for violation of the licensing law and Board rules vary depending on the facts and circumstances of each case.

Conway, Scott, Commercial Gaskets of the Carolinas, Huntersville, NC.

Allegations of refrigeration contracting without a license. Letter of warning signed on April 15, 2009.

Graves, Taylor and Lisa, Commercial Gaskets of North Carolina, Raleigh, NC.

Allegations of refrigeration contracting without a license. Letter of warning signed on June 3, 2009.

Hann, Gordon, The Gasket Guy of Charlotte LLC, Charlotte, NC.

Allegations of refrigeration contracting without a license. Letter of warning signed on April 29, 2009.

John, Greg, Johns Plumbing, Heating and Air Conditioning, Greensboro, NC.

Allegations of refrigeration contracting without a license. Board approved a

cease and desist demanding the respondent to immediately cease and desist from offering or rendering refrigeration services without a license.

Kharbat, Ghassan, A/C Cycle Heating & Cooling, Wilmington, NC.

Allegations of refrigeration contracting without a license. Board approved a cease and desist demanding the respondent to immediately cease and desist from offering or rendering refrigeration contracting without a license.

Spicer, Marvin, RM Services, Wilmington, NC.

Allegations of refrigeration contracting without a license. Letter of warning signed on September 18, 2009.

Wynn, Gene, Wynn Electric Heating and A/C Co., Fayetteville, NC.

Allegations of refrigeration contracting without a license. Board approved a cease and desist demanding the respondent to immediately cease and desist from offering refrigeration contracting without a license.

Refrigeration Contracting Laws Amended

(Continued from page 1)

of Article 5 from a Class 2 misdemeanor to a Class 3 misdemeanor. This section becomes effective December 1, 2009 and applies to offenses occurring on or after that date.

Section 6 authorizes the Board to employ or retain legal counsel for matters and purposes the Board deems fit and proper. The Board is still subject to the statute requiring agencies of the State to obtain written permission from the Attorney General prior to employing private counsel.

Section 7 authorizes the Board to own or

otherwise deal with real property in the same manner as a private person or corporation, subject only to the approval of the Governor and Counsel of State. Collateral pledged by the Board for an encumbrance is limited to the assets, income and revenues of the Board. It provides that the Board may rent or purchase equipment and supplies, and purchase insurance to cover its activities, operations or employees.

Section 8 allows the Board to require, as part of the renewal or reinstatement of a license, that licensees completed continuing education in subjects related to refrigeration contracting. This section will be come effective January 1, 2012.

REFRIGERATION UP-DATE SCHEDULE

7:30 a.m.	Exhibits Open
8:00 a.m.	Seminar, "R-22 phase-out, R-22 alternatives and oil replacements" Seminar, "Solving problems with replacement motors" and "New federal mandates"
9:45 a.m.	Door Prize Drawing
10:15 a.m.	Seminar, "R-22 phase-out, R-22 alternatives and oil replacements"
10:15 a.m.	Seminar, "Solving problems with replacement motors" and "New federal mandates"
12:00 noon	Door Prize Drawing
1:00 p.m.	Seminar, "Introduction to ammonia refrigeration" Seminar, "Compressor starting problems"
2:00 p.m.	Door Prize Drawing
2:30 p.m.	Seminar, "Cascade carbon dioxide refrigeration system in a super-market application"
2:30 p.m.	Seminar, "System acid removal"

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2010 Exhibitors as of October 19,

ACR Supply Co.
Arneg USA
Baker Distributing Co.
BTU Reps LLC
C.C. Dickson Co.
Cannon Marketing, Inc.
Chadwick & Associates, Inc.
DuPont Co.
E. V. Dunbar
Empire Equipment Co.
Engineering Equipment Sales
Fieldpiece Instruments
Flora Group
Heatcraft Refrigeration
Hill Phoenix
Ice-O-Matic
Jackson Industries
Johnston Supply
Kysor/Warren—Kysor Panel System
Mueller
NuCalgon
RectorSeal
Ref Tech
Spectronics Corporation
Testo, Inc.
The Products Group
Tuttle Co.
United Refrigeration

Here and There

Scholarship Applications have been mailed to the community college financial aid offices and HVAC/R instructors. Applications are due back in the Board office no later than February 1, 2010. Please contact the office for more information on the program and/or an application form.

The Board met in September for a general business meeting and election of officers. The following were elected to serve beginning January 1, 2010: C. L. Smith, Jr., Chairman; S.B. Peay, Secretary; T.F. Welch, Treasurer.

All 2009 refrigeration contracting licenses expire on December 31, 2009. Renewal forms were mailed to all contractors in October. If you did not receive your form, please contact the Board office immediately. Renewals received after December 31st are subject to a \$35.00 reinstatement fee.

Please notify the Board office as soon as possible when you change your trade name, address or telephone number. Since much of the information mailed from the Board office is presort standard, it is absolutely necessary that contractors keep the office advised of changes as soon as they become effective.

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Up-Date 2010 Registration Form

Pleaser register the following for Up-Date 2009. Additional forms may be duplicated as needed.

Name _____

Name _____

Name _____

Company Name _____

Address _____

City _____ State _____ Zip _____

Phone _____

RETURN TO: SBRE, 893 Highway 70 W., Suite 208, Garner, NC 27529