



## Department of Commerce

Division of Industrial Compliance

John R. Kasich, Governor  
Andre T. Porter, Director

April 2014

At its meeting on April 4, 2014, the Ohio Board of Building Standards adopted the rule changes identified as Amendments Group 88. These rule amendments were adopted for an effective date as shown below.

Amendments Group 88 included the following amended Certification rules. For your use, a summary of the changes is provided below and the text of the rules can be found immediately following this coversheet:

Rule Number	Rule Title	Effective date
4101:7-1-01	General.	July 1, 2014
4101:7-3-01	Building department personnel certification.	January 1, 2014
4101:7-6-01	Criteria for board recognition of accreditation bodies, conformity assessment bodies, and industry trade association certification programs.	July 1, 2014

**Reason for Amendments:** **4101:7-1-01** to add a reference to new certification rule 4101:7-6-01; **4101:7-3-01 (rescind and adopt new)** to revise building department personnel certification requirements and remove the certification requirements for residential building department personnel from the Residential Code of Ohio Section 103 and incorporate them into one administrative certification rule; and **4101:7-6-01** to clarify and codify the process for obtaining board recognition as an accreditation body, conformity assessment body, and industry trade association certification program.

If you should have any questions regarding these rule changes, please call BBS staff at (614)644-2613.

4101:7-1-01

**General.**

As authorized by the Revised Code, the board of building standards has adopted rules for the certification of building departments, building department personnel, local boards of building appeals, and fire protection system designers as specified in paragraphs (A) to (D) of this rule. Additionally, the board has adopted rules for the recognition of accreditation bodies, conformity assessment bodies, and industry trade association certification programs as specified in paragraph (E) of this rule. Applications for certification or recognition shall be submitted to the board of building standards and shall be made on forms prescribed by the board and found on the board's website at <http://www.com.ohio.gov/dico/BBS.aspx> <http://www.com.ohio.gov/dico/bbs/>.

- (A) Building department certification. Before exercising authority in the enforcement of the rules of the board in accordance with rule 4101:1-1-01 of the Administrative Code, including the acceptance and approval of plans and the performance of inspections, municipal, township, and county building departments shall be certified by the board of building standards as required in division (E) of section 3781.10 of the Revised Code and rule 4101:7-2-01 of the Administrative Code.
- (B) Building department personnel certification. Before exercising authority in the enforcement of the rules of the board in accordance with rule 4101:1-1-01 of the Administrative Code, including the acceptance and approval of plans and the performance of inspections, municipal, township and county building departments' required personnel shall be certified by the board of building standards as required in division (E) of section 3781.10 of the Revised Code and rule 4101:7-3-01 of the Administrative Code.
- (C) Boards of building appeals certification. Before hearing and deciding adjudication hearings, local boards of building appeals shall be certified by the board of building standards as required in section 3781.20 of the Revised Code and rule 4101:7-4-01 of the Administrative Code.
- (D) Fire protection system designer certification. Before designing an automatic sprinkler system or other water-based fire protection system, a fire alarm system, or a special hazards suppression system for submission to a certified building department for approval, an individual must be certified by the board of building standards as required in section 3781.105 of the Revised Code and rules 4101:7-5-01 of the Administrative Code.
- (E) Criteria for board recognition of accreditation bodies, conformity assessment bodies and industry trade association certification programs. Before providing services, any accreditation body, conformity assessment body, or industry trade association certification program shall be recognized by the board as authorized by division (C) of section 3781.10 of the Revised Code and as prescribed in section 114 of rules 4101:1-1-01 and 4101:8-1-01 of the Administrative Code and as specified in rule

4101:7-6-01 of the Administrative Code.

Effective: 07/01/2014

R.C. 119.032 review dates: 02/08/2018

CERTIFIED ELECTRONICALLY

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Certification

04/14/2014

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Date

Promulgated Under: 119.03  
Statutory Authority: 3781.10(E), 3781.105, 3781.20, 3783.05  
Rule Amplifies: 3781.10, 3781.105, 3781.19, 3781.20, 3783.  
Prior Effective Dates: 7/7/69, 3/26/71, 4/15/74, 2/15/75, 7/1/77, 12/30/77,  
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12/1/85, 3/1/86, 9/1/86, 2/1/87, 7/1/87, 1/1/88,  
10/1/88, 1/1/89, 6/1/89, 1/1/90, 8/1/90, 10/1/90,  
7/1/91, 7/15/92, 9/1/92, 1/1/93, 7/5/93, 1/1/94, 9/1/94,  
5/15/95, 7/1/95, 2/1/96, 2/2/96, 1/1/97, 7/1/97, 1/1/98,  
3/1/98, 4/1/99, 10/1/99, 7/15/00, 12/1/00, 4/1/01,  
1/1/02, 7/1/02, 1/1/03, 4/1/03, 7/1/03, 8/15/03, 1/1/04,  
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7/1/09, 11/1/11, 3/11/12, 3/12/12(Emer.), 6/8/12,  
3/1/13

4101:7-3-01**Residential and non-residential building department personnel certification.**

Residential and non-residential building departments shall have personnel qualified to execute the duties required to enforce the rules of the board. Only those certified individuals employed by or under contract with a particular political subdivision are authorized to exercise enforcement authority within that same jurisdiction.

Exception: Inspectors performing industrialized unit inspections on behalf of the board of building standards.

(A) Building department personnel certification classifications. The certifications issued by the board of building standards are as follows:

- (1) Building official.
- (2) Interim building official.
- (3) Residential building official.
- (4) Interim residential building official.
- (5) Master plans examiner.
- (6) Interim master plans examiner.
- (7) Master plans examiner trainee.
- (8) Residential plans examiner.
- (9) Interim residential plans examiner.
- (10) Residential plans examiner trainee.
- (11) Electrical plans examiner.
- (12) Interim electrical plans examiner.
- (13) Plumbing plans examiner.
- (14) Interim plumbing plans examiner.
- (15) Mechanical plans examiner.
- (16) Interim mechanical plans examiner.
- (17) Building inspector.
- (18) Interim building inspector.

- (19) Building inspector trainee.
- (20) Residential building inspector.
- (21) Interim residential building inspector.
- (22) Residential building inspector trainee.
- (23) Fire protection inspector.
- (24) Interim fire protection inspector.
- (25) Mechanical inspector.
- (26) Interim mechanical inspector.
- (27) Mechanical inspector trainee.
- (28) Residential mechanical inspector.
- (29) Interim residential mechanical inspector.
- (30) Residential mechanical inspector trainee.
- (31) Electrical safety inspector.
- (32) Electrical safety inspector trainee.
- (33) Non-residential industrialized unit inspector.
- (34) Interim non-residential industrialized unit inspector.
- (35) Residential industrialized unit inspector.
- (36) Interim residential industrialized unit inspector.
- (37) Plumbing inspector.
- (38) Interim plumbing inspector.
- (39) Plumbing inspector trainee.
- (40) Medical gas piping inspector.

(B) Multiple personnel certifications held. A person may hold more than one certification.

(C) Conflict of interest. No certified employee or person who contracts for services within the jurisdictional area of a residential or non-residential building department shall perform services for any department which would require that person or employee to exercise authority or make an evaluation of any work furnished by him or by a private contractor that employs him on a full-time, part-time, or incidental basis. Further, such employee or person shall not engage in conduct that is prohibited or considered a conflict of interest pursuant to Chapter 102. of the Revised Code.

(D) Seals. No holder of a certification issued by the board of building standards is authorized to secure a seal in any form or of any type for use in the performance of any of their duties.

(E) Experience requirements of the applicant to qualify for examination.

(1) General experience. To qualify for certification examination, applicants must have experience directly related to buildings or structures within the scope of the "Residential Code of Ohio" for residential certifications or experience directly related to buildings or structures within the scope of the "Ohio Building Code" for non-residential certifications.

(a) In evaluating experience of an applicant, the board of building standards may find the following enforcement, inspection, or plans examination experience to be acceptable:

(i) Prior to 1984, for a non-residential building department certified by the board of building standards to exercise enforcement authority for buildings or structures within the scope of groups regulated by the rules of the board; or

(ii) For an agency or jurisdiction outside the state of Ohio enforcing a model residential code, for residential certifications, or a model non-residential building code, for non-residential certifications, of a national model code organization or a code adopted for the respective buildings or structures of the types regulated by the rules of the board; or

(iii) Certification by the department of commerce, division of industrial compliance, as a plumbing inspector when application is made for board certification as a plumbing inspector; or

(iv) Certification by the board as a non-residential building official, master plans examiner, or building inspector for residential certification as a residential building official, residential plans examiner, or residential building inspector.

(b) In evaluating experience of an applicant, the board of building standards may find acceptable experience as an employee of a certified residential or non-residential building department who is a holder of a board certification other than that for which application is being made as prescribed in this rule.

Exceptions:

(i) Certified building department employees who are applicants for plumbing inspector certification shall comply with paragraph (E)(10) of this rule.

(ii) Certified building department employees who are applicants for electrical safety inspector certification shall comply with paragraph (E)(11) of this rule.

(c) In evaluating experience of an applicant, the board of building standards shall not credit experience gained while acting in violation of rules adopted by the board to establish equivalent experience. The board of building standards may credit experience which provides knowledge of different construction methods, processes, or types as it determines applicable, but shall not credit construction experience that does not provide required knowledge including, but not limited to, the installation of floor and wall coverings, the installation of roofing materials or roofing systems, or the finishing of concrete.

(d) In evaluating experience of an applicant, for a residential or non-residential certification, the board of building standards shall credit one year of the required experience obtained through education credit pursuant to paragraph (F)(6) of this rule.

(2) Building official. An applicant for a building official certification shall meet one of the following requirements:

(a) Non-residential building department:

(i) At least five years of experience in non-residential building design and construction for buildings or structures within the scope of groups regulated by the rules of the board while registered in Ohio as an architect or professional engineer;

(ii) At least ten years of experience as a general contractor or superintendent of building construction for buildings or structures dealing with all phases and trades of construction including the responsibility for obtaining approvals and inspections within the scope of groups regulated by the rules of the board;

(iii) At least five years of experience employed full-time as a residential building official in a certified residential building department; or

(iv) In evaluating the experience requirements above, the board may accept applicable experience as specified in paragraph (E)(1) of this rule.

(b) Residential building department:

(i) Ohio registration as an architect or professional engineer;

(ii) At least five years of experience as a residential contractor or non-residential contractor or superintendent with responsibility for obtaining approvals and inspections of structures regulated by the rules of the board; or

(iii) In evaluating the experience requirements above, the board may accept applicable experience as specified in paragraph (E)(1) of this rule.

(3) Master plans examiner. An applicant for a non-residential master plans examiner or residential plans examiner certification shall meet the following respective requirements:

(a) Non-residential building department:

(i) At least five years of experience in building design and construction for buildings or structures within the scope of groups regulated by the rules of the board while registered in Ohio as an architect or professional engineer;

(ii) In evaluating the experience requirements above, the board may accept applicable experience as specified in paragraph (E)(1) of this rule; or

(iii) Successful completion of a trainee program pursuant to paragraph (F)(5) of this rule.

(b) Residential building department:

(i) Ohio registration as an architect or professional engineer;

(ii) At least five years of experience in building design and construction for residential or non-residential buildings or structures regulated by the rules of the board;



(ii) At least five years of experience as a skilled tradesman for structural carpentry, masonry, steel erection, or concrete construction work subject to inspection under a model building code of a national model code organization or a code adopted for non-residential buildings or structures within the scope of groups regulated by the rules of the board;

(iii) At least five years of experience as a full-time non-residential building official, residential building official, residential plans examiner, residential building inspector, or residential mechanical inspector in a certified residential building department;

(iv) In evaluating the experience requirements above, the board may accept applicable experience as specified in paragraph (E)(1) of this rule; or

(v) Successful completion of a trainee program pursuant to paragraph (F)(5) of this rule.

(b) Residential building department:

(i) At least three years of experience as a contractor or supervisor for residential or non-residential buildings or structures regulated by the rules of the board;

(ii) At least three years of experience as a skilled tradesman for work subject to inspection under a code adopted for buildings or structures regulated by the "Residential Code of Ohio" or the "Ohio Building Code";

(iii) In evaluating the experience requirements above, the board may accept applicable experience as specified in paragraph (E)(1) of this rule; or

(iv) Successful completion of a trainee program pursuant to section paragraph (F)(5) of this rule.

(8) Fire protection inspector. An applicant for fire protection inspector certification shall meet one of the following requirements:

(a) At least five years of experience in the installation of fire protection systems (automatic sprinkler systems, alternative automatic fire-extinguishing systems, standpipe systems, fire alarm and detection systems and fire pump systems) subject to inspection under a model non-residential building code of a national model code organization or a code adopted for non-residential buildings or structures within the

scope of groups regulated by the rules of the board; or

(b) At least five years of experience as a certified fire safety inspector or a certified fire protection system designer.

(c) In evaluating the experience requirements above, the board may accept applicable experience as specified in paragraph (E)(1) of this rule.

(9) Mechanical inspector. An applicant for a mechanical inspector certification shall meet one of the following requirements:

(a) Non-residential building department:

(i) At least five years of experience as a skilled heating, ventilating, and air conditioning ("HVAC") system and associated refrigeration, fuel gas, and heating piping tradesman for work subject to inspection under a model building code of a national model code organization or a code adopted for non-residential buildings or structures within the scope of groups regulated by the rules of the board;

(ii) At least five years of experience as a full-time residential building official, residential plans examiner, residential building inspector, or residential mechanical inspector in a certified residential building department;

(iii) In evaluating the experience requirements above, the board may accept applicable experience as specified in paragraph (E)(1) of this rule; or

(iv) Successful completion of a trainee program pursuant to paragraph (F)(5) of this rule.

(b) Residential building department:

(i) At least three years of experience as an "HVAC" system contractor or supervisor for residential or non-residential buildings regulated by the rules of the board;

(ii) At least three years of experience as a skilled tradesman for "HVAC" systems and the associated refrigeration, fuel gas, and heating piping for residential or non-residential buildings regulated by the rules of the board;

(iii) In evaluating the experience requirements above, the board may accept applicable experience as specified in paragraph (E)(1) of this rule; or

(iv) Successful completion of a trainee program pursuant to paragraph (F)(5) of this rule.

(10) Plumbing inspector. An applicant for a plumbing inspector certification shall meet one of the following requirements:

(a) At least seven years of experience in the installation of plumbing, subject to inspection under either a non-residential model building code of a national model code organization or a code adopted for non-residential buildings or structures and within the scope of groups regulated by the rules of the board;

(b) A degree in engineering or architecture and three years of experience in plumbing system design;

(c) In evaluating the experience requirements above, the board may accept applicable experience as specified in paragraph (E)(1) of this rule; or

(d) Successful completion of a trainee program pursuant to paragraph (F)(5) of this rule.

(11) Electrical safety inspector. An applicant for an electrical safety inspector ("ESI") certification shall meet one of the following experience requirements:

(a) Journeyman electrician or equivalent for four years, two years as an electrician foreman, and two years of experience as a building department "ESI" trainee;

(b) Journeyman electrician or equivalent for four years and three years of experience as a building department "ESI" trainee pursuant to paragraph (F)(5) of this rule;

(c) Four years of experience as a building department "ESI" trainee;

(d) Journeyman electrician or equivalent for six years; or

(e) An electrical engineer registered in the state of Ohio.

(12) Industrialized unit inspector. An applicant for an industrialized unit inspector certification shall meet one of the following requirements:

(a) Non-residential industrialized unit inspector:

(i) At least five years of experience as a construction contractor or supervisor for non-residential buildings or structures within the scope of groups regulated by the rules of the board;

(ii) At least five years of experience as a skilled tradesman for work subject to inspection under a model building code of a national model code organization or a code adopted for non-residential buildings or structures within the scope of groups regulated by the rules of the board;

(iii) At least five years of experience as a skilled tradesman for work subject to inspection under a residential dwelling code, a model building code of a national model code organization or a code adopted for non-residential buildings or structures regulated by the rules of the board; or

(iv) In evaluating the experience requirements above, the board may accept applicable experience as specified in paragraph (E)(1) of this rule.

(b) Residential one-, two-, and three-family dwelling industrialized unit inspector:

(i) At least three years of experience as a construction contractor or supervisor for non-residential buildings or structures within the scope of groups regulated by the rules of the board or as a construction contractor or supervisor for residential buildings or structures regulated by the rules of the board;

(ii) Certification as a non-residential industrialized unit inspector as specified in paragraph (E)(12)(a) of this rule;

(iii) At least three years of experience as a skilled tradesman for work subject to inspection under a residential dwelling code, a model building code of a national model code organization or a code adopted for non-residential buildings or structures regulated by the rules of the board; or

(iv) In evaluating the experience requirements above, the board may accept applicable experience as specified in paragraph (E)(1) of this rule.

(13) Medical gas piping inspector. An applicant for a medical gas piping inspector certification shall provide evidence verifying that the applicant has been certified by an "American Society of Sanitary Engineering (ASSE)" recognized third party certifier in accordance with "ASSE" standard 6020.

(F) Personnel certification application, filing and processing. Applications for certification shall be sent to the office of the board at least two weeks prior to a certification hearing. The application shall expire if not approved within one year of

receipt by the board. Applications for certification as an electrical safety inspector shall be submitted at least two weeks prior to a meeting of the electrical safety inspector advisory committee.

Each applicant shall also submit, with the application, payment of an initial fee of thirty dollars and evidence sufficient to show the board that the applicant is qualified. Such evidence may include proof of the statements made in the application, documentary evidence, affidavits, transcripts, diplomas, published data, photographs, or legible reproductions of the same, or any other documentation.

(1) Certification process. Upon receipt of a completed application and payment of an initial fee of thirty dollars, the board of building standard's certification committee shall review the application and make a recommendation to the board of building standards.

Exception: Upon receipt of a completed application for certification as an electrical safety inspector, the electrical safety inspector advisory committee shall review the application and make a recommendation to the board of building standards.

The committee may ask for additional information to be submitted by the applicant prior to making a recommendation to the board. If the committee requests additional information from the applicant, failure to submit the requested information within ninety days from the date of the request may be cause for disapproval of the application by the board. After receiving a recommendation from the committee, the board shall hold a certification hearing to take action on the application. The applicant may be present at the certification hearing to respond to any questions from the board and all interested persons appearing at such certification hearing may be given an opportunity to comment.

(a) Certification, approval or denial. Following the certification hearing, the board may approve, approve with conditions, table pending further review and/or receipt of additional documentation, deny the application for certification, or take such other action as the board deems appropriate. If the board requests additional information, failure to submit the requested information within ninety days from the date of the request shall be cause for disapproval of the application by the board. The board may request an interview of the applicant by the certification committee to assist the Board in making its evaluation of an application.

If the application is denied, in whole or in part, by the board of building standards, the applicant shall be notified in writing of such denial, the reason for the denial, and their rights of appeal pursuant to sections 3781.10 and 3781.101 and Chapter 119. of the Revised Code.

Hearings shall be held by the board of building standards and appeals shall be permitted on any proceedings for certification as provided in section 119.07 of the Revised Code and in paragraph (F)(7)(a)(v) of this rule.

(b) Records. The board shall retain, as a part of applications which have been approved, any or all documents submitted or electronic versions of such documents, which shall be properly marked for identification and ownership.

(c) Board action. All applications shall be considered individually by the board and the action taken shall be recorded in the minutes, noted on the application form, and the applicant notified as required.

(d) Examinations. All applicants shall furnish the board evidence of passing the board approved examinations for the appropriate certification category issued by a national model code organization or a testing agency or entity recognized by the board. Examinations required for certification may be completed before application is made for certification by the board.

(2) Issuance of certificate and renewal.

(a) Issuance of certification.

(i) Upon submission of an application for certification for which the experience requirements are approved but evidence of successfully completing the required examination modules is not included, a one-time interim certification shall be issued to the applicant. No extensions shall be granted. The certificate shall state the interim certification classification being issued pursuant to paragraph (A) of this rule, expiration date, and limitations, if any, under which it has been issued. For the purpose of this paragraph the one-time interim certification period is for two years.

Before the end of the interim certification period, the certificate holder shall submit evidence of successfully completing the required examination modules and meeting any other certification requirements.

(a) If the interim certification has expired prior to completing all of the requirements, the board may consider certification of the individual if the applicant presents evidence of completing the outstanding examination(s) required in paragraph (F)(1)(d) of this rule within the year following

the expiration.

(b) Upon expiration, the individual shall not perform any duties for which the interim certification was received but may enter the trainee program as required in paragraph (F)(5) of this rule.

(ii) Upon submission of an application for certification for which the experience requirements are approved and evidence of successfully completing the required examination modules is included, an appropriate certificate shall be issued to the applicant. The certificate shall state the certification classification being issued, expiration date, and limitations, if any, under which it has been issued. For the purpose of this paragraph a certification period is for three years.

(b) Renewal. The certificate holder shall renew at three-year intervals.

(c) Applications for renewal. Applications for renewal of a certification shall be submitted to the board of building standards at least thirty days prior to the expiration date. In addition to a completed renewal application form prescribed by the board, applicants for renewal of certification shall submit a certification renewal fee of thirty dollars and evidence of having attended board-sponsored required continuing education courses or their board-approved equivalents and, other than Medical Gas Piping Inspectors, successfully completed thirty hours of approved educational courses prior to the expiration of the current certification.

Exception: Applications for renewal of medical gas piping inspector certifications shall include evidence verifying that the applicant's certification by an "ASSE" recognized third party certifier, in accordance with "ASSE" standard 6020, has been renewed.

(d) Failure to renew. Any individual whose certification has expired through failure to renew may obtain a renewal within one year from the date of its expiration provided the holder has met all requirements for renewal, including payment of the renewal fee. All applications for renewal of expired certifications shall be processed as renewals during the one year period following expiration. All applications for renewal of expired certifications submitted more than one year following the expiration shall be processed as a new application. In addition, if a holder of an expired certification that submits an application for renewal more than one year following the expiration shall also be required to satisfy the continuing education requirements prior to recertification. The holder of a certification that has expired shall not perform any duties for which a certification is required.

(3) Continuing education.

(a) Holders of board certifications shall:

(i) Complete the "Ohio Building Code Academy" requirements during their initial certification period.

Exceptions:

(a) Those individuals certified as medical gas piping inspectors pursuant to paragraph (E)(13) of this rule.

(b) Individuals certified as non-residential industrialized unit inspectors or residential industrialized unit inspectors.

(c) Individuals certified as plumbing inspectors pursuant to Chapter 3703. of the Revised Code with five years of experience as full-time employees of the division of industrial compliance in the Ohio department of commerce or of county boards of health.

(ii) Attend mandatory continuing education courses for their respective certification.

(iii) Complete at least thirty hours of board approved continuing education in their respective classification prior to the expiration date of the certification for each certification period other than their first.

(a) Exceptions:

(i) Medical gas piping inspectors, who maintain their certification in accordance with ASSE standard 6020.

(ii) The board shall extend a certification period upon receipt of documentation certifying that a holder of board certification has been called to active military duty described in section 5903.12(A)(3)(2) of the Revised Code during the current or previous certification period by the total number of months that the holder of the certification spent on active military duty. For the purposes of this section, any portion of a month served on active duty shall be considered one full month.

(b) Failure to complete. Failure to complete the number of hours

required shall result in forfeiture of the certification.

(c) Proof of completion. It shall be the responsibility of the certificate holder to furnish the board with proof of completion of all board approved courses for which credit is sought.

(b) Approval process for continuing education courses.

(i) Applications for approval. Applications for continuing education course approval shall be on forms prescribed by the board and submitted at least seven days prior to the meeting of the board's education committee or the electrical safety inspectors advisory committee for continuing education courses for electrical safety inspectors. (A meeting schedule is available on the board of building standards' web page at <http://www.com.ohio.gov/dico/bbs/>)

(ii) Application review. Upon receipt of a complete application for course approval, the board of building standards education committee shall review the application and make a recommendation to the board. Following receipt of the committee's recommendation, the board may approve, table pending further review and/or receipt of additional documentation, deny the application for course approval, or take such other action as the board deems appropriate.

(a) Course approval number. Approved courses will be issued a course approval number with the prefix "BBSyyyy" based on the calendar year of the current code cycle.

(b) Course approval expiration. Continuing education course approval will expire on December thirty first of each year.

(c) Course update. The instructor or sponsor of any course(s) intended to be taught in a subsequent year, upon or near the expiration date of a current approval, shall resubmit an application for each course requesting an update. If approved, the instructor or sponsor shall receive a new approval and approval number for each course for the subsequent year. Any application for a course update shall be processed administratively as long as the course content has not changed.

(iii) Course credit. Board approved courses shall establish hour equivalencies for continuing education credit for each of the certification classifications requested. Course credit shall only be

given for training in the respective certification classification. Courses approved for more than one certification classification may be applied to each certification for which training is required. No credit shall be approved for duplicate courses within the same certification period. Instructors of board approved courses may apply course hours taught toward their own board certification continuing education requirements except for duplicate courses within the same certification period.

(iv) Approved course sponsor requirements. The following are requirements that apply to all approved continuing education courses:

(a) Date(s), time(s), and location(s) the course will be taught shall be provided to the board prior to the course presentation;

(b) If course content is modified, the course must be resubmitted for course approval;

(c) When promoting an approved course, the instructor shall make full and accurate disclosure regarding course title, course approval number, number of contact hours, certifications for which approval has been given, and all fees to be charged;

(d) Course sponsors shall provide participants with a certificate of completion containing the name of the participant, title of approved course, BBS approval number, date and location of session, number of contact hours awarded, certification types for which course is approved, and signature of authorized sponsor or instructor;

(e) The sponsors of an approved continuing education course shall provide the board with a legible copy of a list of participants who completed the course including: course name, date, and location of the session;

(f) Participants must attend the complete course(s) as presented by the instructor to receive the contact hours approved by the board. No partial credit shall be given to any participant failing to complete the entire course as approved. The sponsor shall verify the participant's attendance and completion of the course; and,

(g) The board does not provide retroactive approval for continuing education courses presented prior to submission of an application for approval.

(4) Elective temporary suspension. Certifications may be placed in elective temporary suspension upon written request to and approval by the board. Except for emergency circumstances, requests shall be in writing at least sixty days prior to the certification expiration date and supported by satisfactory evidence that the holder is withdrawing from active employment for which the certification is required.

(a) Restoring certification. Certifications placed in elective temporary suspension for a period of time not to exceed one three-year term following the expiration date may be restored to active status by the board upon written request. The request shall be supported by satisfactory evidence that the holder has completed thirty hours of continuing education for that certification and any board-sponsored mandatory training required, or their board-approved equivalents, during the time the certification was in suspension prior to the date of reinstatement. Payment of the thirty-dollar renewal fee shall accompany the request.

(b) Failure to restore certification. Certifications placed in elective temporary suspension for a period of time exceeding one three-year term following the original certification expiration date may be restored to active status by the board upon written request supported by evidence of passing of the appropriate examinations prescribed by the board, completion of the "Ohio Building Code Academy," and payment of the thirty-dollar renewal fee.

(5) Trainee program requirements. Individuals seeking certification as a trainee shall meet the requirements of this section.

(a) Trainee applicants. Trainees shall meet the following requirements:

(i) A trainee applicant shall be a full time employee of a political subdivision.

(ii) A trainee applicant shall be under the direct supervision of a trainee supervisor.

(iii) A master plan examiner trainee applicant shall also be a graduate of an "NAAB," "EAC-ABET," or similarly accredited architecture or engineering university program.

(iv) Building inspector or mechanical inspector trainee applicant:

(a) A building inspector or mechanical inspector trainee applicant for a non-residential building department shall also have at least one year of experience as a skilled tradesman for work

subject to inspection under either a model building code of a national model code organization or a code adopted for buildings or structures and within the scope of groups regulated by the rules of the board or shall submit evidence of eligibility for education credit pursuant to section paragraph (F)(6) of this rule.

(b) The building inspector or mechanical inspector trainee applicant for a residential building department shall also have at least one year of experience as a skilled tradesman for work subject to inspection under a residential or non-residential code adopted for buildings or structures regulated by the "Residential Code of Ohio" or the "Ohio Building Code," or shall submit evidence of eligibility for education credit pursuant to paragraph (F)(6) of this rule.

(v) A plumbing inspector trainee applicant shall have at least three years of experience in the installation of plumbing subject to inspection under either a model building code of a national model code organization or a code adopted for buildings or structures and within the scope of groups regulated by the rules of the board, or comply with the provisions of paragraph (E)(1) of this rule. Applicants may submit evidence of eligibility for education credit pursuant to paragraph (F)(6) of this rule.

(vi) An electrical safety inspector trainee applicant shall have two years of experience in the installation of electrical systems subject to inspection under either a model building code of a national model code organization or a code adopted for buildings or structures and within the scope of groups regulated by the rules of the board or shall submit evidence of eligibility for education credit pursuant to paragraph (F)(6) of this rule.

(b) Trainee supervisors. A trainee supervisor shall:

(i) Be a full time employee of the same political subdivision as the trainee and shall be available to the trainee during normal working hours;

(ii) Currently possess the certification for which the trainee is being trained;

(iii) Be responsible for no more than two trainees at one time and shall immediately notify the board of the trainee(s) under supervision;

(iv) Notify the board of any change in supervisor or trainee status within thirty days;

(v) Supervise, check, and sign the trainee's inspections and reports or a plans examiner trainee's plans examinations; and

(vi) Provide to the board a report documenting at least twenty-five inspections or plans examinations made yearly by the trainee under the direct supervision of the trainee supervisor, with an evaluation of the trainee at the end of the first six months of the program, at the end of one year, and annually afterward.

Exception: The trainee supervisor of a trainee engaged in making electrical inspections shall supervise and check the trainee's work and be responsible for and sign off on all of the trainee's inspections, reports, and interpretations.

(c) Trainee sponsor requirements. The trainee sponsor (county, township, or municipal corporation) shall:

(i) Direct the appropriate building official to certify to the board that the trainee is a full time employee of the county, township, or municipal corporation and is under the direct supervision of an individual possessing the certification for which the trainee is being trained; and

(ii) Provide the trainee with a copy of the current rules of the board.

(d) Trainee certification. The board shall issue a trainee certification to each applicant who has met the qualification requirements. The certification shall expire four years from the date of applicant approval by the board. After a minimum of two years, or four years for electrical safety inspector trainees, and upon satisfactory completion of the trainee program pursuant to paragraph (F)(5)(e) of this rule, the trainee may apply for certification in the respective classification. The trainee certification is not renewable and upon expiration the individual may not reapply as a new trainee for a period of one year.

(e) Trainee course and work requirements.

(i) Building, mechanical, or plumbing inspector trainee:

(a) The non-residential trainee shall attend and successfully complete two hundred hours of approved building code education courses. During the first year the trainee shall complete at least one hundred hours of course work, including completion of the "Ohio Building Code Academy" as required in paragraph (F)(3) of this rule, and complete the second one hundred hours prior to completion

of the trainee program. The trainee shall perform at least twenty-five inspections annually while in the trainee program under the direct supervision of the trainee supervisor.

(b) The residential trainee shall attend and successfully complete one hundred hours of approved building code education courses. The trainee shall perform at least twenty-five inspections annually while in the trainee program under the direct supervision of the trainee supervisor and shall complete the "Ohio Building Code Academy" as required in paragraph (F)(3) of this rule.

(ii) Master plans examiner trainee:

(a) A non-residential master plans examiner trainee shall perform at least twenty-five plans examinations yearly under the direct supervision of the trainee supervisor, complete at least ten hours of approved continuing building code education courses yearly, and become registered in Ohio as an architect or professional engineer prior to the completion of the trainee program.

(b) The residential plans examiner trainee shall perform at least twenty-five plans examinations yearly under the direct supervision of the trainee supervisor and complete at least one hundred hours of approved continuing building code education courses. The trainee shall also complete the appropriate examination requirements prior to the completion of the trainee program.

(iii) An electrical safety inspector trainee: The trainee shall attend and successfully complete two approved thirty-hour courses and related tests covering the fundamentals of electricity and the "National Electrical Code." During the first year, the trainee shall attend one of the two courses and pass the related test. The second course and test shall be successfully completed prior to the examination for a certification.

(6) Education credit. An applicant for a board certification may obtain credit for one year of the required experience through education pursuant to the following:

(a) Documentation. Supporting documentation shall be provided and may include a certificate of completion, a career passport, a transcript, a college degree or diploma granted by an accredited or state sponsored

institution.

(i) The applicant shall document nine hundred or more contact hours of training in an Ohio department of education approved vocational education program at the high school or adult level; or

(ii) The applicant shall document the completion of a baccalaureate degree or an associate degree program in building design or construction.

(b) Educational programs. Education credit shall not be prorated or combined for partial or full credit and shall be awarded only upon successful completion of a specific educational program. Miscellaneous course work or isolated classes shall not be considered.

(i) Vocational programs. Vocational instructional programs that are acceptable for credit include:

(a) Air conditioning, heating, and ventilation.

(b) Carpentry.

(c) Electricity.

(d) Masonry.

(e) Plumbing and pipefitting.

(f) Firefighting.

(ii) Technical programs. Technical education instructional programs offering associate degrees that are acceptable for credit include:

(a) Architectural/construction technology.

(b) Heating and air conditioning technology.

(c) Fire science technology.

(iii) Other programs. The successful completion of other specific vocational instructional programs of a minimum of nine hundred contact hours or technical education instructional programs may be considered by the board if the training is directly related to the design and construction of buildings or structures within the scope of groups regulated by the rules of the board.

An applicant for electrical safety inspector trainee may obtain

credit for one year of required experience through the completion of approved vocational training in the fundamentals of electricity.

(7) Certification, revocation or suspension. In accordance with division (E) of section 3781.10 of the Revised Code, a certification may be revoked or suspended upon receipt by the board of building standards of a written complaint from any person affected by the exercise of the authority granted under such certification, or by the board on its own motion pursuant to this paragraph.

(a) Complaint process. Upon receipt of a written complaint against a holder of a certification that is substantiated to the satisfaction of the board or upon the board's own motion:

(i) The board shall decide whether the information submitted warrants causing an investigation to be initiated or sending a notice of opportunity for hearing as outlined in paragraph (F)(7)(a)(iv) of this rule;

(ii) If a formal investigation is warranted, the subject of the investigation shall be notified that an investigation has been initiated by the board;

(iii) Upon completion of the investigation, findings shall be reported to the board.

(iv) The board may dismiss the complaint, table the matter for future action, or initiate action to suspend or revoke the certification. If the board decides to initiate action to suspend or revoke the certification it shall notify the certificate holder of the charges, pursuant to paragraph (F)(7)(c) of this rule, by certified mail, return receipt requested. The certificate holder shall be informed that a hearing, if desired, must be requested within thirty days from the date of the mailing to request a hearing before the board. The order shall inform the certificate holder that counsel may represent the certificate holder at the hearing. Failure by the certification holder to request a hearing within thirty days from the date of the mailing of the notification may cause the board, after a hearing, to uphold an order revoking or suspending certification.

(v) In the event that the certificate holder timely requests a hearing, the board shall decide to either conduct a hearing or appoint a hearing officer to conduct a hearing.

(a) Board decision to hold a hearing.

- (i) The board shall schedule a hearing to be held seven to fifteen days after receipt of the request.
  - (ii) The board may continue or postpone the hearing upon application by the party or upon its own motion.
  - (iii) The board shall conduct a hearing during which parties and witnesses can be examined and offer testimony in a manner that prevents unnecessary delay, and that ensures the development of a clear and adequate record. The hearing shall be conducted pursuant to the provisions of section 3781.10, 3781.101, and 119.09 of the Revised Code.
- (b) Board decision to appoint a hearing officer. The hearing officer shall submit, within thirty days after the conclusion of the hearing, a written report of the finding of fact and recommendations to the board for its consideration.
- (vi) Following the hearing or following receipt of the hearing officer's report, the board shall take action. The party affected shall be sent a certified copy of the board's action and informed by certified mail, return receipt requested, that the certification holder may appeal the order within fifteen days to the court of common pleas in Franklin county pursuant to sections 3781.10, 3781.101, and 119.12 of the Revised Code.
- (b) Building department personnel certification, hearings and appeals. Hearings shall be held by the board of building standards and appeals shall be permitted on any proceedings for certification as provided in section 119.07 of the Revised Code and in paragraph (F)(7)(a) of this rule.
- (c) Grounds for revocation or suspension. The board shall revoke or suspend an individual's certification if the board concludes that the individual has committed one or more of the following:
  - (i) The practice of fraud or deceit in obtaining the certification;
  - (ii) A felony or crime involving moral turpitude;
  - (iii) Gross negligence, incompetence, misconduct in performance of duties, or engaging in conduct that is considered a conflict of interest;
  - (iv) Failure to complete the continuing education requirements prior to

expiration date of the certificate;

(v) Violation of the duties described in section 104 of rule 4101:1-1-01 of the Administrative Code for non-residential certifications and section 104 of rule 4101:8-1-01 of the Administrative Code for residential certifications.

(d) Revocation or suspension. In the event of suspension or revocation of a certification, the individual shall no longer hold out to the public or any jurisdiction that the individual is certified to exercise enforcement authority or holds the board certification which has been suspended or certification revoked. During a suspension, the certificate holder shall comply with the training, reporting, auditing, or other remedial action required by the board. In addition to such other authority the board may have, the board is authorized to revoke the individual's certification for failure to comply with such remedial requirements.

(e) Probationary status. In the event of an investigation in which the board decides not to immediately suspend or revoke an individual's certification, the board may place the individual on probationary status for a period of time and require remedial action as the board deems appropriate. During this time the certificate holder shall comply with the training, reporting, auditing, or other remedial action required by the board. In addition to such other authority the board may have, the board is authorized to revoke or suspend the certificate holder's certification for failure to comply with such remedial requirements.

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4101:7-6-01

**Criteria for board recognition of accreditation bodies, conformity assessment bodies, and industry trade association certification programs.**

As authorized by division (C) of section 3781.10 of the Revised Code and as prescribed in section 114 of rules 4101:1-1-01 and 4101:8-1-01 of the Administrative Code, the board of building standards has adopted rules for the recognition of accreditation bodies, conformity assessment bodies, and industry trade association certification programs as specified in paragraphs (A) to (C) of this rule.

(A) General. Each specific board-recognized body shall comply with the following:

- (1) Initial application for recognition. Any accreditation body, conformity assessment body, or industry trade association certification program shall apply to the board, on board prescribed forms, to become recognized.
- (2) Maintaining recognition. Each recognized accreditation body, conformity assessment body, and industry trade association certification program shall renew with the board every three years to verify and ensure that their contact information, accreditation status, and scope of services are current and published on their website.
- (3) Fee. A fee is not required to make initial application or maintain recognition by the board.

(B) Board to maintain list of recognized bodies. A list of board recognized accreditation bodies, conformity assessment bodies, and industry trade association certification programs are located on the board's website at <http://www.com.ohio.gov/dico/bbs/> and labeled as "Recognized Accreditation Bodies", "Recognized Conformity Assessment Bodies", and "Recognized Industry Trade Association Certification Programs."

(C) Criteria for recognition. Each specific board-recognized body shall be categorized by type as defined in section 114 of rules 4101:1-1-01 and 4101:8-1-01 of the Administrative Code and shall meet the prescribed requirements for recognition in accordance with paragraphs (C)(1) to (C)(3) of this rule.

Board-recognition of accreditation bodies, conformity assessment bodies, and industry trade association certification programs that test, evaluate, inspect, or certify products shall be limited to those products within the scope of the Ohio building codes.

(1) Accreditation body. Recognition shall be based upon the following requirements:

- (a) Recognized accreditation bodies shall be independent and their personnel shall be free from all conflicts of interest relative to the bodies being evaluated and accredited.

- (b) Recognized accreditation bodies shall be a signatory to an international cooperation or an international mutual recognition arrangement of accreditation bodies that perform peer reviews to ensure the competence of the accreditation bodies.
  - (c) Recognized accreditation bodies cannot self-certify.
  - (d) Recognized accreditation bodies shall maintain conformity with "ISO/IEC 17011 Conformity Assessment - General Requirements for Bodies Providing Assessment and Accreditation of Conformity Assessment Bodies and Supplementary Documents."
  - (e) Recognized accreditation bodies shall ensure that all accredited laboratories comply with appropriate laboratory standards (i.e. "ISO/IEC 17025 General Requirements for the Competence of Testing and Calibration Laboratories").
  - (f) Changes to accreditation bodies' standing shall be reported to the board and also noted on each renewal application. Forms shall be accessed through the board's website.
- (2) Conformity assessment body. All recognized conformity assessment bodies shall comply with the following general and specific requirements:
- (a) General requirements.

    - (i) Recognized conformity assessment bodies shall be accredited and shall maintain their accreditations from a board recognized accreditation body.
    - (ii) Recognized conformity assessment bodies shall be independent and their personnel shall be free from all conflicts of interest relative to the materials, assemblies, or products being tested, inspected, or evaluated.
    - (iii) Board recognition shall be limited to those services within the current scope of a conformity assessment body's accreditation.
    - (iv) Changes to the accreditation certificate issued by a recognized national accreditation body shall be reported to the board and also shall be noted on each renewal application. Forms shall be accessed through the board's website.
  - (b) Specific requirements.

    - (i) Testing laboratory. Recognition shall be based upon the following

requirements:

(a) Accreditation shall be based upon compliance with "ISO/IEC Guide 17025 General Requirements for the Competence of Testing and Calibration Laboratories" or "IAS-AC89 Accreditation Criteria for Testing Laboratories."

(b) Board recognition shall be limited to those tests listed in each recognized testing laboratory's current scope of accreditation.

(ii) Product certification body. Recognition shall be based upon accreditation through compliance with "ISO/IEC Guide 65- General Requirements for Bodies Operating Product Certification Systems", "ISO/IEC 17065 Conformity Assessment - Requirements for Bodies Certifying Products, Processes and Services", or "IAS-AC370 Accreditation Criteria for Product Certification Agencies."

Product certification body types. The board will recognize the following two types of product certification bodies.

(a) Listing agency. Recognition shall be based upon the following requirements:

(i) Accreditation shall be based upon compliance with "ISO/IEC Guide 65- General Requirements for Bodies Operating Product Certification Systems", "ISO/IEC 17065 Conformity Assessment - Requirements for Bodies Certifying Products, Processes and Services", or "IAS-AC370 Accreditation Criteria for Product Certification Agencies."

(ii) A list or directory of certified products shall be kept current on the approved listing agency website.

(b) Evaluation service. Recognition shall be based upon the following requirements:

(i) Accreditation shall be based upon compliance with "ISO/IEC Guide 65- General Requirements for Bodies Operating Product Certification Systems", "ISO/IEC 17065 Conformity Assessment - Requirements for Bodies Certifying Products, Processes and Services", or "IAS-AC370 Accreditation Criteria for Product Certification

Agencies."

- (ii) Board recognized evaluation services cannot self-accredit.
  - (iii) Inspection body. Recognition shall be based upon accreditation through compliance with "ISO/IEC Guide 17020 General Criteria for the Operation of Various Types of Bodies Performing Inspection" or "IAS-AC98 Accreditation Criteria For Inspection Agencies."
  - (iv) Field evaluation body. Recognition shall be based upon accreditation through compliance with "ISO/IEC Guide 17020 General Criteria for the Operation of Various Types of Bodies Performing Inspection" or "IAS-AC 354 Accreditation Criteria for Field Evaluation of Unlisted Electrical Equipment."
  - (v) Special inspection agency. Recognition shall be based upon accreditation through compliance with "ISO/IEC Guide 17020 General Criteria for the Operation of Various Types of Bodies Performing Inspection" or "IAS-AC 291 Accreditation Criteria for Special Inspection Agencies."
  - (vi) Fabricator inspection program. Recognition shall be based upon accreditation through compliance with "ISO/IEC Guide 17020 General Criteria for the Operation of Various Types of Bodies Performing Inspection", "IAS-AC 157 Accreditation Criteria for Fabricator Inspection Programs for Reinforced Concrete", "IAS-AC 172 Accreditation Criteria for Fabricator Inspection Programs for Structural Steel", or "IAS-AC 196 Accreditation Criteria for Fabricator Inspection Programs for Wood Wall Panels."
  - (vii) Calibration laboratory. Recognition shall be based upon accreditation through compliance with "ISO/IEC Guide 17025 for General Requirements for the Competence of Testing and Calibration Laboratories" or "IAS-AC 204 Accreditation Criteria for Calibration Laboratories."
- (3) Industry trade association certification program. Recognition shall be based upon the following requirements:
- (a) Industry trade associations having a recognized certification program shall utilize independent third party auditors whose personnel are free from conflicts of interest relative to the materials, assemblies, products or quality management system procedures being audited.

- (b) Industry trade associations shall submit the description of their certification program which indicates how it operates and how third-party auditing is performed and evaluations are made.
- (c) Industry trade associations' certification program auditors shall produce a record that provides the means to effectively evaluate compliance and performance to the quality assurance program relative to the elements and requirements of the industry standard.
- (d) Changes to an industry trade associations' certification program shall be reported to the board and also noted on renewal applications.

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 3/1/06, 7/1/06, 7/1/07, 1/1/09, 7/1/09, 11/1/11,  
 3/11/12, 3/12/12(Emer.), 6/8/12, 3/1/13