

VIRGINIA ACTS OF ASSEMBLY -- 2014 SESSION

CHAPTER 763

An Act to amend the Code of Virginia by adding in Title 54.1 a chapter numbered 23.4, consisting of sections numbered 54.1-2355 through 54.1-2358, relating to the Department of Professional and Occupational Regulation; certification of natural gas automobile mechanics and technicians.

[H 516]

Approved April 7, 2014

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 54.1 a chapter numbered 23.4, consisting of sections numbered 54.1-2355 through 54.1-2358, as follows:

CHAPTER 23.4.

NATURAL GAS AUTOMOBILE MECHANICS AND TECHNICIANS.

§ 54.1-2355. Definitions.

As used in this chapter, unless the context requires a different meaning:

"Certified NG automobile mechanic or technician" means a person certified by the Director who offers to the public for compensation services relating to the repair, conversion, or maintenance of motor vehicles that use in whole or in part natural gas as a fuel.

"Department" means the Department of Professional and Occupational Regulation.

"Director" means the Director of the Department of Professional and Occupational Regulation.

"Motor vehicle" means an automobile, motorcycle, mobile home, truck, van, or other vehicle operated on public highways and streets.

"Natural gas" means a combustible mixture of gaseous hydrocarbons that accumulates in porous sedimentary rocks, especially those yielding petroleum, consisting usually of over 80 percent methane together with minor amounts of ethane, propane, butane, nitrogen, and, sometimes, helium used as a fuel.

§ 54.1-2356. Powers and duties of the Department.

The Department shall administer and enforce the provisions of this chapter. In addition to the powers and duties otherwise conferred by law, the Director shall have the powers and duties of a regulatory board as contained in §§ 54.1-201 and 54.1-202 and shall have the power and duty to:

1. Promulgate regulations in accordance with the Administrative Process Act (§ 2.2-4000 et seq.) that implement the provisions of this chapter and protect the public against incompetent, unqualified, unscrupulous, or unfit persons engaging in the activities regulated by this chapter. The regulations shall include requirements for (i) initial and renewal certification, (ii) standards of practice for certified NG automobile mechanics and technicians, (iii) grounds for disciplinary actions against persons certified under this chapter, and (iv) records to be kept and maintained by persons certified under this chapter.

2. Charge each applicant for certification and for renewal of certification a nonrefundable fee subject to the provisions of § 54.1-113.

3. Conduct investigations to determine the suitability of applicants for certification and to determine the certificate holder's compliance with applicable statutes and regulations.

§ 54.1-2357. Certification required.

No person shall use or assume the title "Certified NG Automobile Mechanic" or "Certified NG Automobile Technician" or any words, letters, signs, or devices to indicate that person is a certified NG automobile mechanic or technician unless certified by the Director.

§ 54.1-2358. Issuance of certification; waiver of examination.

The Director shall issue a certification to practice as an NG automobile mechanic or technician in the Commonwealth to every applicant who shall have complied with the requirements of this chapter and the regulations of the Director.

The Director shall certify any person who is a graduate of a program accredited by an accrediting organization or a professional program approved by the Director and who has one year of monitored experience in the performance of services relating to the repair or maintenance of motor vehicles and who has taken and passed the examination for certification.

The Director, in his discretion, shall determine whether an applicant's professional education and professional experience in the field of natural gas automobile mechanics are sufficient to establish eligibility for the examination.

The Director, in lieu of all examinations, may accept satisfactory evidence of licensing or certification in another state or country or the District of Columbia where (i) the qualifications for such licensure or certification are equal, in the opinion of the Director, to the qualifications required by the provisions of this chapter as of the date of application and (ii) the applicant is the holder of a license or certificate in good standing. Upon receipt of such satisfactory evidence and provided all other such

requirements of this chapter are complied with, a certificate shall be issued to such applicant.