VIRGINIA ACTS OF ASSEMBLY -- 2015 SESSION

CHAPTER 411

An Act to amend and reenact §§ 54.1-503 and 54.1-517.2 of the Code of Virginia, relating to the Virginia Board for Asbestos, Lead, and Home Inspectors; new home inspections; penalty.

[H 2103]

Approved March 23, 2015

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-503 and 54.1-517.2 of the Code of Virginia are amended and reenacted as follows:

§ 54.1-503. Licenses required.

A. It shall be unlawful for any person who does not have an asbestos contractor's license to contract with another person, for compensation, to carry out an asbestos project or to perform any work on an asbestos project. It shall be unlawful for any person who does not have an asbestos project designer's license to develop an asbestos project design. It shall be unlawful for any person who does not have an asbestos inspector's license to conduct an asbestos inspection. It shall be unlawful for any person who does not have an asbestos management planner's license to develop an asbestos management plan. It shall be unlawful for any person who does not have a license as an asbestos project monitor to act as project monitor on an asbestos project.

B. It shall be unlawful for any person who does not possess a valid asbestos analytical laboratory license issued by the Board to communicate the findings of an analysis, verbally or in writing, for a fee, performed on material known or suspected to contain asbestos for the purpose of determining the presence or absence of asbestos.

C. It shall be unlawful for any person who does not possess a license as a lead contractor to contract with another person to perform lead abatement activities or to perform any lead abatement activity or work on a lead abatement project. It shall be unlawful for any person who does not possess a lead supervisor's license to act as a lead supervisor on a lead abatement project. It shall be unlawful for any person who does not possess a lead worker's license to act as a lead worker on a lead abatement project. It shall be unlawful for any person who does not possess a lead project designer's license to develop a lead project design. It shall be unlawful for any person who does not possess a lead inspector's license to conduct a lead inspection. It shall be unlawful for any person who does not possess a lead risk assessor's license to conduct a lead risk assessment. It shall be unlawful for any person who does not possess a lead inspector's or lead risk assessor's license to conduct lead abatement clearance testing.

D. It shall be unlawful for any person who does not possess a license as a renovation contractor to perform renovation. It shall be unlawful for any person who does not possess a renovator's license to perform or direct others to perform renovation. It shall be unlawful for any person who does not possess a dust sampling technician's license to perform dust clearance sampling.

E. It shall be unlawful for any person who is not a certified home inspector pursuant to this chapter and who has not successfully completed the training module required by § 54.1-517.2 to conduct a home inspection on any new residential structure.

§ 54.1-517.2. Requirements for certification.

The Board may issue a certificate to practice as a certified home inspector in the Commonwealth to any applicant who has submitted satisfactory evidence that he has successfully:

1. Completed any educational requirements as required by the Board;

2. Completed any experience requirements as required by the Board; ~~and~~

3. Passed any written or electronic examination offered or approved by the Board*; and*

4. If conducting inspections on new residential structures, completed a training module developed by the Board in conjunction with the Department of Housing and Community Development based on the International Residential Code component of the Virginia Uniform Statewide Building Code.

The Board may issue a certificate to practice as a certified home inspector to any applicant who is a member of a national or state professional home inspectors association approved by the Board, provided that the requirements for the applicant's class of membership in such association are equal to or exceed the requirements established by the Board for all applicants.

2. That prior to July 1, 2016, the Virginia Board for Asbestos, Lead, and Home Inspectors shall develop, in conjunction with the Department of Housing and Community Development, a training module based on the International Residential Code component of the Virginia Uniform Statewide Building Code and make such training module available for use in accordance with this act.

3. That the first enactment of this act shall become effective on July 1, 2016.