

STATEMENT OF SCOPE

Department of Commerce

Rule No. : Chapter Comm 5

Relating to Registration of Building Contractors and Subcontractors

1. Description of the objective of the rule.

The objective of this project is to require contractor registrations for businesses engaged in building construction. The contractor registrations would be for those building construction disciplines not currently required to have a license, certification or registration under chapter Comm 5.

The objectives of this rule project may be incorporated into more than one rule package and may include revisions to other chapters affected by the proposal.

2. Description of existing policies relevant to the rule and of new policies proposed to be included in the rule and an analysis of policy alternatives.

Chapter Comm 5 establishes licensing, certification and registration programs for a variety of building trades, both for individuals and businesses. Currently under ch. Comm 5, with the exception of dwelling contractors, electrical contractors, elevator contractors, and HVAC contractors, the department does not have a registration program for businesses engaged in building construction as contractors and subcontractors.

Under the statutory authority of chapters 101 and 145, Stats., the department has the responsibility to protect public health, safety and welfare in the design and construction of public buildings, places of employment and one- and 2- family dwellings. The department has established building codes that establish minimum standards for the protection of public health, safety and welfare. Compliance with the building codes is a shared responsibility involving building owners, designers and contractors. The proposed registration of building contractors and subcontractors is to enable the department to better communicate with such contractors and facilitate code compliance.

Not registering building contractors and subcontractors would be a lost opportunity to facilitate improved communication and code compliance for the construction of buildings. A possible alternative would be to credential the individuals who actually perform the work.

3. Statutory authority for the rule.

Chapters 101, and 145, Stats.

4. Estimate of the amount of time that state employees will spend to develop the rule and of other resources necessary to develop the rule.

The department estimates approximately 200 hours will be needed to perform the review and develop any needed rule changes. This time includes forming and meeting with advisory councils, if necessary, drafting the rule changes and processing the changes through public hearings, legislative review, and adoption. The department will assign existing staff to perform the review and develop the rule changes, and no other resources will be needed.

5. Description of all of the entities that will be affected by the rule.

It is anticipated that at least the following businesses and individuals would be affected by the rules: all contractors and subcontractors associated with building construction other than those already credentialed by the department. This would include general contractors, excavating contractors, fire alarm contractors, drywall contractors, insulation contractors, finish carpentry contractors, flooring contractors, framing carpentry contractors, glass and glazing contractors, equipment contractors, fire sprinkler contractors, masonry contractors, painting and wall covering contractors, plumbing contractors, poured concrete foundation and structure contractors, roofing contractors, siding contractors, structural steel and precast concrete contractors, and tile and terrazzo contractors.

6. Summary and preliminary comparison of any existing or proposed federal regulation that is intended to address the activities to be regulated by the rule.

An internet-based search of the *Code of Federal Regulations* (CFR) and the *Federal Register* did not find any federal regulations relating to the licensing and continuing education activities to be regulated under the rules.

Approved for publication in the Wisconsin Administrative Register at Madison, Wisconsin, this date: _____

DEPARTMENT OF COMMERCE

Aaron Olver, Deputy Secretary

Approved for implementation at Madison, Wisconsin, this date: _____

DEPARTMENT OF COMMERCE

Aaron Olver, Deputy Secretary