



# UTAH LICENSING LAWS

# DOPL – Division Of Professional Licensing

- In Utah, there are over 100 occupations that require a license.
  - Barbering
  - Massage Therapy
  - Architecture
  - Contracting
- Enforcement of occupational licensing falls under the umbrella of the **Division Of Professional Licensing (DOPL)**, which resides within the **Department of Commerce**.
- DOPL is a consumer protection agency.



# Where To Get The Application

- [dopl.utah.gov/contracting](http://dopl.utah.gov/contracting)

 **UTAH DEPARTMENT OF COMMERCE**  
Division of Professional Licensing

**Contractor: All Classifications**

**APPLICANT INFORMATION**

**Business Legal Name:** \_\_\_\_\_  
*Note: If you are a Sole Proprietor, this is your full legal name.*

**Utah Division of Corporation Registration (entity) Number:** \_\_\_\_\_ **IRS Employee ID Number (EIN):** \_\_\_\_\_

**DBA (if applicable):** \_\_\_\_\_ **DBA Registration Number:** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_  
Street Address (including Apt/Unit/Site #) and/or PO Box

City \_\_\_\_\_ State \_\_\_\_\_ ZIP Code \_\_\_\_\_

**Email:** \_\_\_\_\_  
*Note: All Division notices and communication will be sent to this email.*

**Name of Local Contact for Licensing Purposes (if applicable):** \_\_\_\_\_

**Phone Number for Local Contact (if applicable):** \_\_\_\_\_

I understand that in all areas of this application the words "you", "I", and "applicant" apply to the entity listed above and all subsidiaries, owners, qualifiers, and prior entities and DBA's for which these individuals have been involved.

**AFFIDAVIT AND RELEASE**

1. I certify that I am qualified in all respects for the license for which I am applying in this application.
2. I certify that to the best of my knowledge, the information contained in the application and all supporting document(s) are true and correct, discloses all material facts regarding the applicant, and that I will update or correct the application as necessary, prior to any action on my application.
3. I authorize all persons, organizations, governmental agencies, or any others not specifically listed, which are set forth directly or by reference in this application, to release to the Division of Professional Licensing, State of Utah, any files, records, or information of any type reasonably required for the Division to properly evaluate my qualifications for licensure/certification/registration by the State of Utah.
4. I understand that it is the continuing responsibility of applicants and licensees to read, understand, and apply the requirements contained in all statutes and rules pertaining to the occupation or profession for which I am applying, and that failure to do so may result in civil, administrative, or criminal sanctions.
5. I certify that I do not currently pose a direct threat to myself, to my clients, or to the public health, safety or welfare because of any circumstance or condition.
6. I understand that I am responsible to update the Division of any changes relating to my license/certification/registration.

Signature of Authorized Signer: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name and Position of the Authorized Signer: \_\_\_\_\_

DOPL • Heber M. Wells Building • 160 East 300 South • P.O. Box 146741, Salt Lake City, UT 84114-6741  
[www.dopl.utah.gov](http://www.dopl.utah.gov) • telephone (801) 530-6628 • toll-free in Utah (866) 275-3675 • fax (801) 530-6511

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# Utah Construction Services Commission

- Recommends, assists, and supports DOPL in taking appropriate action in licensure and investigative matters.
- **9 Members**
- Made up of a variety of classifications, including general contractors, specialty contractors, electrical and plumbing contractors, and members of the general public.



# License Qualifiers

- In Utah a contractor's license is issued to a company rather than an individual.
- In order for the license to be valid, the company must consistently have a qualifier working for them.
- The qualifier must have material authority within the company, either as an owner or manager.

Name:	Smith HVACR Specialists	
City, State, Zip, Country:	SAINT GEORGE UT 84790 United States	
Profession:	Contractor	
License Type:	Contractor With LRF	
License Number:	11425236-5501	
Obtained By:	Application	
License Status:	Active	
Original Issue Date:	09/18/2019	
Expiration Date:	11/30/2023	
Agency and Disciplinary Action*:	NO DISCIPLINARY ACTIONS OR NO DISCIPLINARY ACTIONS WITHIN THE TIME FRAME ESTABLISHED IN UTAH CODE 63G-4-106 AND 107	
Docket and Citation Number(s):	N/A	
E-Prescriber:		

Classification(s):	Qualifier(s):	Association Date(s):
S350 - HVAC Qualifier	Darin K Smith	09/18/2019
S220 - Carpentry and Flooring Qualifier	Karen Smith	09/18/2019

[Back](#) [Do Another Search](#) [Obtain a License Verification](#)

# Time Requirements

- The qualifier must either:
  - Work for the company for not less than 12 hours a week.
  - Be at least a 20 percent owner of the business.
- Either of these are acceptable, it does not have to be both.



# Qualifier Limitations

- Qualifiers are allowed to hold up to three specialty trades.
  - The B100/E100/R100 etc. do not count as specialty trades.
- An individual may not serve as a qualifier for more than three companies without special written approval from DOPL.



# Background/Credit

- DOPL is authorized to pull financial and criminal reports on all of your owners and the business entity itself.
- The agency will look back 7 years for bankruptcy.
- 8 years for unpaid taxes, judgments, back child support, liens, etc.
- Be upfront and honest about anything you think might come up.



# Background/Criminal

- Misdemeanors
  - 10 Years
- Felonies
  - Life
- Plan to include:
  - Personal account of the incident
  - Police report
  - Court record
  - Probation/parole officer report



# Before You Submit

- Obtain your business entity.
  - [corporations.utah.gov](http://corporations.utah.gov)
- Obtain your business license.
  - Acquired in the city you reside.
- Obtain Liability Insurance
- Pass the business/law exam. (General Contractors)



# General Liability

- All contractors are required to maintain active general liability insurance with the Utah Division of Professional Licensing listed as the certificate holder.

DOPL

160 E 300 S

PO Box 146741

Salt Lake City, Utah 84114

- Minimum coverage is \$100,000 for each incident and \$300,000 in total and must cover all your scope of work for the license.

# Do I Need Worker's Compensation?

- Required when you have employees or owner-workers holding less than 8% ownership in the business.
  - Worker's Compensation Certificate (Insurance Company)
  - Unemployment Insurance Registration ([jobs.utah.gov](http://jobs.utah.gov))
  - Tax Withholding Account Number ([tax.utah.gov](http://tax.utah.gov))
- If you don't have employees and don't intend to hire employees you will need:
  - Worker's Compensation Coverage Waiver ([laborcommission.utah.gov](http://laborcommission.utah.gov))

# Scope Of Work

- All of the available trades and their scopes of work are documented in the licensing rule.
  - R156-55a-301
  - [rules.utah.gov](http://rules.utah.gov)
- Scopes change from time to time. Always reference [rules.utah.gov](http://rules.utah.gov) when in doubt.

# Incidental Work

- Be directly related to work being performed in the licensed specialty classification.
- Be able to be completed safely, and competently by the specialty contractor.
- Not exceed 10 percent of the overall cost of the contract.
- Never includes any plumbing or electrical work.



A yellow tracked excavator is positioned on a construction site, viewed from the side. The excavator's arm is raised, and the word "WEINER" is visible on the boom. The background features a clear blue sky with some light clouds, and the foreground is a blurred field of dry grass. The overall scene is illuminated by the warm light of a sunset or sunrise.

# GENERAL CONTRACTORS

# Experience Requirement

- Many trades require a specific amount of experience in order to apply.
- Experience is proven with W2s
- Applicants will self-certify the experience.
- DOPL classifies a year of full time work as 2,000 hours.



# B100 – General Contractor

- Builds free standing structures intended for the occupancy of human beings or animals.
- Includes the scope of all specialty trades, with just a few exceptions.
- Work takes place inside a parcel line.
- Requires 2 years of experience.



# B100 Limitations

- No plumbing or electrical work.
  - The B100 may hire a Journeyman or Master, to perform work for a single-family residence or a multi-family residence up to four units
- No HVAC work.
  - May self perform on residential projects up to 4 units.
- No factory built or manufactured housing.
- No elevator work.



# E100 – General Engineering Contractor

- Performs construction of fixed works or components requiring specialized engineering knowledge. Their work is frequently infrastructure related and takes place outside a parcel line.
- Examples of work under this scope:
  - irrigation
  - drainage
  - **water power**
  - water supply
  - a railroad
  - a highway
  - a tunnel
  - an airport
- Requires 2 years of experience.



# E100 Limitations

- The E100 is prohibited from performing any construction of a structure built primarily for the support, shelter, and enclosure of persons, animals, and chattels. Contractors seeking to build these structures will need to obtain either the B100 or R100.
- The E100 license is also prohibited from self-performing plumbing, electrical, and mechanical work.



# R100 - Residential/Small Commercial

- The R100's scope is very similar to the B100 but there are some very significant limitations that candidates will want to be mindful of:
  - Construction of multi-family residences is limited to four units or more. So, a Duplex or Quadplex would be allowed under the license. But a full-scale apartment complex would require the B100.
  - For commercial construction the project must be under 20,000 square feet in size and no more than 3 stories above ground.



# P200 – General Plumbing Contractor

- This license includes all types of plumbing work, including residential and commercial jobs.
- Requires that the qualifier hold a Master Plumber license.
- Employees performing plumbing work must hold their apprentice license or higher.
- P201 license only covers residential.



# E200 – General Electrical Contractor

- This license includes all types of electrical work, including residential and commercial jobs.
- Requires that the qualifier hold a Master Electrician license.
- Employees performing electrical work must hold their apprentice license or higher.
- E201 license only covers residential.









# SPECIALTY TRADES

# R101 - Remodel/Repair

- Geared to small scale remodeling contractors.
- No change may be made to the bearing portions of the existing structure, including footings, foundation, and weight bearing walls.
- The entire project must be less than \$50,000 in total cost, including materials and labor.
- When you get an R101, you are prohibited from holding any other specialty trades.



# S220 - Carpentry & Flooring Contractor

- Includes structural framework with both wood and metal.
- Millwork, cabinets, countertops, and other carpentry related work.
- Installation of all types of flooring and subflooring products.
- Allows for incidental concrete work and footings, grading, and surface preparation.



## S270 - Drywall, Paint, and Plastering

- Allows for the installation of drywall and its components.
- All types of painting.
- Installation of insulating media.



# S330 - Landscape & Recreation Contractor

- Expanded recently to also include recreation related work.
- Grading and preparation of land.
- Planting of gardens, lawns, and other decorative vegetation.
- Recreation includes things like swimming pools, **athletic courts**, etc.
- Other odds and ends include retaining walls, pergolas, flagpoles, etc.
- Incidental concrete, excavation, and asphalt.



# H100 (S350) - HVAC Contractor

- Allows for the fabrication and installation of complete warm air heating, air conditioning and ventilating systems.
- Installation of refrigeration equipment, including built-in refrigerators, refrigerated rooms, insulated refrigerated spaces and other related equipment.
- Does not include electrical or plumbing work, but gas work may be allowed with an RMGA Certification.



# S350 Requirements

- Legislation has passed requiring applicants seeking an HVAC license to:
  - Complete two years of full time paid employment experience in the HVAC trade.
  - Pass an HVAC specific exam.

# RMGA Certification

- Authorizes work on gas appliances.
- 24 Hour prep course.
- The Certification exam is a multiple choice, 100 question, open book exam.



# For Example

- I want to build a 25 story skyscraper in downtown Salt Lake City.
- I want to do the entire project in-house with no subcontractors.
- What licenses do I need?
  - B100
  - E200
  - P200
  - S350
  - S510



# License Expiration

- Contractor's License Renewal Date:
  - November 30<sup>th</sup>, every odd year
- Renewal is waived if you get licensed in an odd year.
  - Get licensed on 05-04-2023
  - License will expire 11-30-2025



# Continuing Education

- Contractors must complete 6 hours of CE every 2 years.
  - 3 Hours (Or more) of core.
    - Construction codes/laws
    - Job site safety / OSHA 10 / OSHA 30
    - Governmental regulations
    - Finance / bookkeeping
    - Energy Efficiency
  - 3 Hours (Or less) of professional.
    - Land development / use
    - Planning and zoning
    - Professional development
    - Arbitration practices
    - Estimating
    - Marketing techniques

# Skipping CE

- Licensees may request waivers for CE in the following situations:
  - Medical Condition that prohibits attendance
  - **Humanitarian or ecclesiastical services**
  - Extended presence in geographical area where CE is not available



# Unlawful Conduct

- Unlawful conduct is behavior that is in a direct violation of the laws of the state.
- Can follow the same fine schedule as unprofessional conduct.
- In certain situations DOPL can press criminal charges:
  - Class A Misdemeanor
    - \$2500 Fine
    - 364 Days in jail

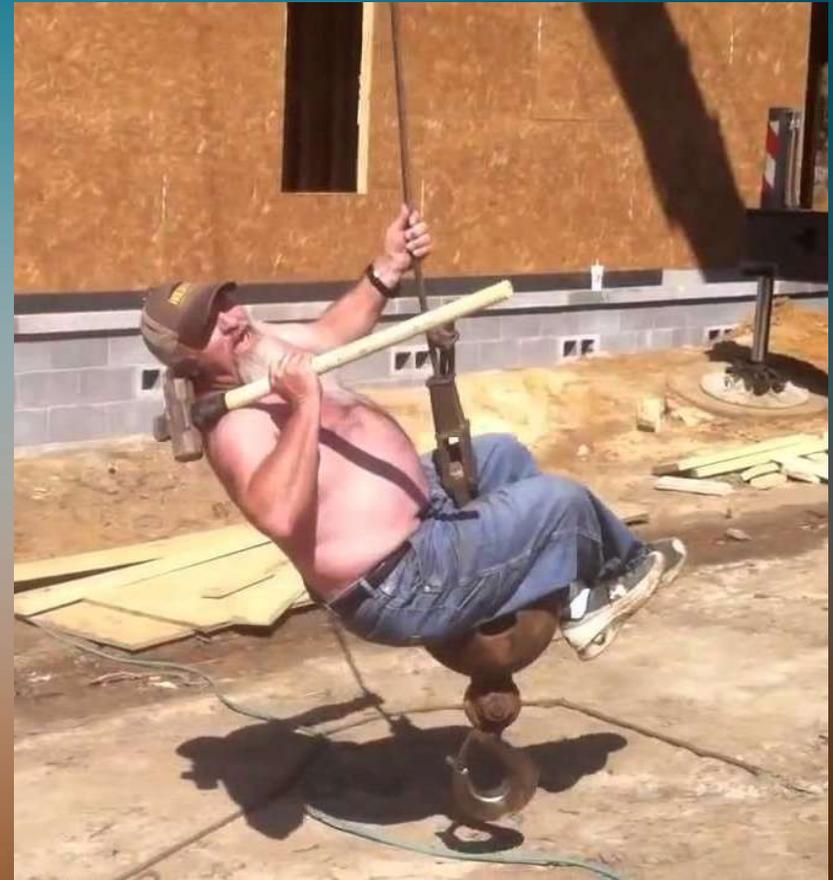


# Unlawful Conduct Examples

- Hiring an unlicensed subcontractor
- Allowing another person to use your license
- Working without a license
- Working outside the scope of a license
- Failing to acquire a building permit when required
- Failing to pay a citation from the division

# Unprofessional Conduct

- Unprofessional conduct may be illegal, but DOPL will issue fines rather than pursue criminal charges.
  - This does not mean you are ineligible from civil action.
- Fines:
  - First Offense
    - \$1,000
  - Second Offense
    - \$2,000
- Five year statute of limitations

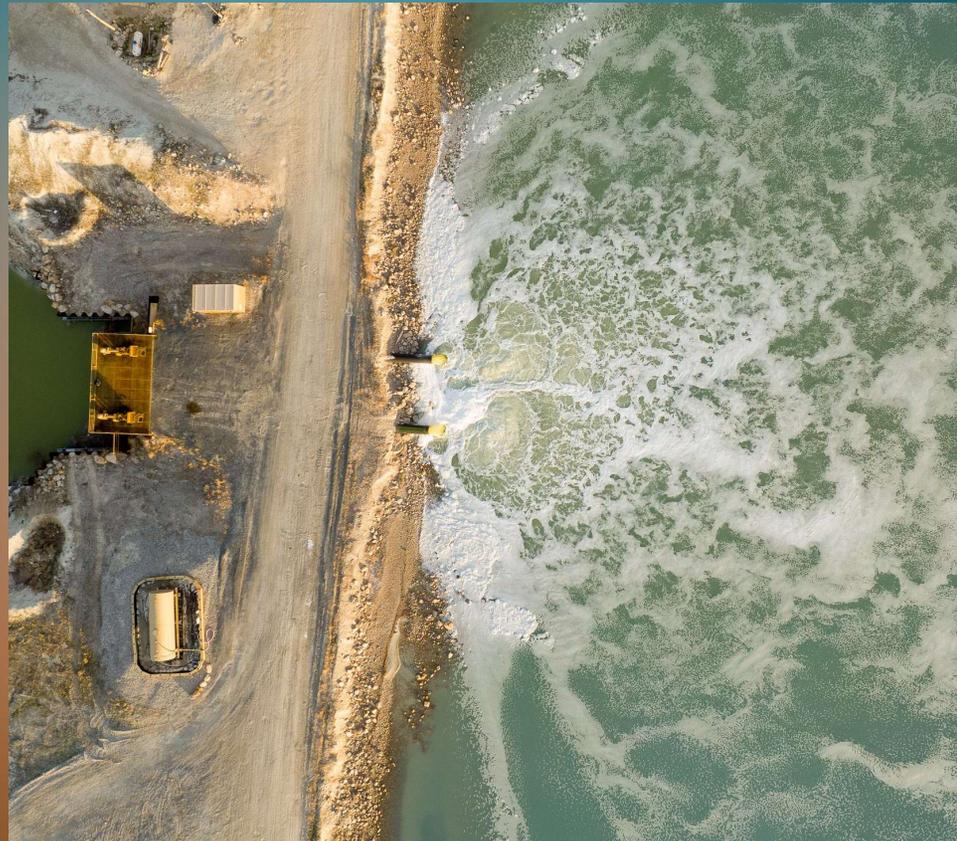


# Unprofessional Conduct Examples

- Any willful, fraudulent, or deceitful act that causes material injury to another.
- Contract violations that pose a threat or potential threat to public health, safety, and welfare.
- Failing to properly register a DBA with DOPL.
- Disregarding or violating the building and construction laws of the state.

# Utah Department Of Environmental Quality

- Safeguarding and improving Utah's air, land and water through balanced regulation.
- Agency oversees:
  - Air Quality
  - Drinking Water
  - Environmental Response & Remediation
  - Waste Management and Radiation Control
  - Water Quality
- [deq.utah.gov](http://deq.utah.gov)



# Asbestos

- When asbestos is present contractors are not authorized to remove it themselves.
- You must have an asbestos inspection performed before any work that may impact or disturb more than three square feet of building materials or three linear feet of pipe insulation.
- A homeowner does not need an asbestos inspection before demolishing or remodeling a home that *they own and live in or intend to live in.*



# Lead

- Federal law requires contractors that disturb painted surfaces in homes, child care facilities and schools, built before 1978 to be certified and follow specific work practices to prevent lead contamination.
- “Renovate Right” pamphlet should be given to all owners on projects where the structure is built before 1978.



# MADCAD

- Digital copies of all the building codes are available at [madcad.com](http://madcad.com)
- Free access can be granted by emailing:
  - [b5@utah.gov](mailto:b5@utah.gov)

