



J. Kevin Stitt
Office of the Governor
State of Oklahoma

**NOTIFICATION FROM GOVERNOR J. KEVIN STITT
REGARDING SUBMITTED AGENCY RULES**

On July 23, 2026, the Construction Industries Board, pursuant to its legal authority to adopt rules codified at 59 O.S. §§ 858-625, 858-627, 1000.4, 1000.4a, 1000.5, 1002, 1151.2a, 1151.4, 1032, 1681 and 1850.3, submitted proposed permanent rule amendments to the Office of the Governor for approval or disapproval.

On August 20, 2026, I hereby approve all rules changes in Docket Numbers: 26-643, 644, 645, 646, 647, 648, 649 and 650.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

A handwritten signature in black ink, appearing to read "Kevin Stitt", is written over a horizontal line.

J. KEVIN STITT

ATTEST:

SECRETARY OF STATE

RULE IMPACT STATEMENT

TITLE 158. CONSTRUCTION INDUSTRIES BOARD CHAPTER 50. MECHANICAL INDUSTRY REGULATIONS

1. **STATEMENT OF NEED, LEGAL BASIS AND BRIEF DESCRIPTION OF PURPOSE OF PROPOSED RULE:** The statement of need is mainly to update rules to reflect recent legislation, SB1732, as supported by 59 O.S. §§ 1000.4 and 1850.3. The purpose of proposed amendments to 158:50-1-1 is to add statutory authority to assist with legislative rule requirements and legislative analysis and review during session; the purpose of proposed amendments to 158:50-1-2 also adds statutory authority to assist with legislative rule requirements and legislative analysis and review during session, adds a definition to clarify the intent of the licensing act for out-of-state workers applying for licensing based upon company employment experience, as well as a definition to assist education providers on what is needed for program approval that is mirrored in other trades, and another definition updated to clarify hours to reduce the number of “mis-calculated” hours and to clarify the hours are to be earned in the appropriate category; the purpose of the proposed amendments to 158:50-3-1 updates language to allow for digital transformation in licensing database system; the purpose of proposed amendments to 158:50-9-2 are for statutory cleanup and for SB1732 requiring a fee increase effective 7-1-2028. The rule is not mandated by federal law or required for participation or implementation of a federal program. There are no existing or proposed federal regulations intended to address activities regulated by the proposed rules.
2. **CLASSIFICATION OF THE RULE AS MAJOR OR NONMAJOR:** The proposed rule amendments that are required due to law changes created in SB1732 would make this a major rule. SB1732 does begin to change fees starting in FY29, so striking out the current fee amounts and leading an interested party directly to the statute for fee amounts ensures correct fee amounts are provided timely to the public and that if there are ever future law changes the interested party is always getting the most accurate and updated information.

Implementation of the proposed amendments related to the fee change created in SB1732 will require only routine administrative activities, including updating licensing forms; revising instructional materials; updating electronic licensing systems; updating website references; notifying regulated licensees/registrants of rule changes; providing staff training where necessary. The CIB anticipates these activities can be completed using existing personnel and resources.

From an economic perspective there has been no increase to fees since 2009, and higher licensing fees act as an increase in the cost of doing business. Contractors could absorb the added expense, pass some or all of it on to customers through higher prices, or reduce costs elsewhere to comply with the new fees.

The potential economic impact may vary by fiscal year since SB1732 establishes different fees for initial licenses, renewals and late renewals and not every license holder pays every

fee every year. There is also no way to know or accurately predict how many license holders/registrants there will be in the affected categories in FY29, when the fee change takes effect. It is believed that the economic impact could exceed the one-million-dollar threshold required over the initial five-year period to make this a major rule. For the purposes of making calculations as accurate as reasonably possible using current licensing data, FY26 licensing numbers are provided below followed by the methodology used to obtain a practical forecast of economic impact.

Here is a breakdown of the fee changes and the number of licensees (FY26) that could be affected:

Title 158, CH 50 Breakdown of FY29 Fee Changes			
License Type	Number of Licensees or Registrants in FY26	Current Fee	Fee after change from SB1732
Mechanical Apprentice - Initial	7,050	\$20.00	\$32.00
Mechanical Apprentice – Renewal		\$20.00	\$32.00
Mechanical Journeyman - Initial	5,303	\$50.00	\$80.00
Mechanical Journeyman - Renewal		\$75.00	\$120.00
Mechanical Journeyman - Renewal w/late fee		\$100.00	\$220.00
Mechanical Contractor - Initial	3,538	\$300.00	\$480.00
Mechanical Contractor – Renewal		\$200.00	\$320.00
Mechanical Contractor - Renewal w/ late fee		\$300.00	\$420.00

The methodology focuses on direct, measurable impact, primarily concerning fee increases and not negligible, secondary impacts on administrative costs (no new functions, just different amount of current function), the state economy, and local government. The analysis was conducted under the assumption that the costs (increased license/registration fees) are ongoing direct costs and does not induce market wide behavioral changes that would significantly affect the larger economy. Averages are being used in calculations below based on FY26 licensing numbers to project costs.

Calculation of the fee increase using stated methodology is:

7,050 Apprentices x \$12.00 fee increase = \$84,600.00
 5,303 Journeymen (no late fees included) x \$37.50 fee increase (avg) = \$198,862.50
 3,538 Contractors (no late fees included) x \$150.00 fee increase (avg) = \$530,700.00
 Total annually per FY: \$814,162.50 x 5 years = \$4,070,812.50

3. **DESCRIPTION OF THE CLASSES OF PERSONS AFFECTED:** The agency, members of industry and the public who are involved in or wish to be involved in the mechanical industry/trade licensed and regulated by the Construction Industries Board ("CIB"), continuing education providers, and citizens of Oklahoma.

4. **CLASSES OF PERSONS BENEFITTED:** The agency, members of industry and the public who are involved in or wish to be involved in the mechanical industry/trade licensed and regulated by the Construction Industries Board ("CIB"), continuing education providers, and citizens of Oklahoma.
5. **ECONOMIC IMPACT UPON AFFECTED CLASSES OF PERSONS:** From an economic perspective there has been no increase to fees since 2009, and higher licensing fees act as an increase in the cost of doing business. Contractors could absorb the added expense, pass some or all of it on to customers through higher prices, or reduce costs elsewhere to comply with the new fees.

The potential economic impact includes increase in license/registration fees as calculated above. However, it is difficult to accurately estimate any additional potential economic impact on the affected class of persons because SB1732 establishes different fees for initial licenses, renewals, and late renewals, and not every license holder incurs each type of fee annually. Additionally, some license holders may not be responsible for paying a license fee because the fee is covered by their employer or passed on to the consumer.

Besides whatever verbal or email communications were provided to legislators and the Governor's office by industry members during the 2026 legislative session, industry also provided four letters of support for SB1732 (copied to the agency) acknowledging: additional fee costs are never preferred, however there has not been a fee increase in almost 20 years, the board has demonstrated a strong commitment to fiscal responsibility and stewardship of license holder funds, inflationary pressures over time have increased costs and reduced purchasing power, SB1732 represents a practical step toward maintaining a stable and well-regulated environment for contractors across the state, the increases in SB1732 are a reasonable adjustment, fair, necessary and in the best long-term interest of licensed contractors and the construction industry across Oklahoma so that the Construction Industries Board has the resources necessary to maintain professional licensing standards, enforce compliance, and protect public safety.

6. **COSTS AND BENEFITS TO THE AGENCY:** Implementation of the proposed amendments related to the fee change created in SB1732 will require only routine administrative activities, including: drafting proposed rules, updating licensing forms; revising instructional materials; updating electronic licensing systems; updating website references; notifying regulated licensees/registrants of rule changes; providing staff training where necessary. The CIB anticipates these activities can be completed using existing personnel and resources. The benefit is to have clear, unambiguous rules in place to assist those impacted by the statutory changes.
7. **ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS:** The proposed amendments are not expected to create any economic impact upon political subdivisions or other public agencies.

Municipalities and counties responsible for permitting or inspection activities may benefit from improved consistency between these proposed administrative rules and current statutory requirements, resulting in greater administrative efficiency.

8. **ECONOMIC IMPACT ON SMALL BUSINESS:** Where increased fee obligations exist, those obligations arise directly from statutory changes enacted by the Legislature in SB1732 rather than from discretionary rulemaking by the Board.

From an economic perspective there has been no increase in fees since 2009, and higher licensing fees act as an increase in the cost of doing business. Businesses have benefited from no fee increase for over 17 years. Contractors could absorb the added expense, pass some or all of it on to customers through higher prices, or reduce costs elsewhere to comply with the new fees. While employers might cover the cost of an employee's license/registration, not all do.

The potential economic impact includes increase in license/registration fees. However, it is difficult to accurately estimate any additional potential economic impact on small businesses because SB1732 establishes different fees for initial licenses, renewals, and late renewals, and not every license holder incurs each type of fee annually. Additionally, some employers could be paying their employees license/registration fees, but not all do.

9. **MEASURES TAKEN TO MINIMIZE COMPLIANCE COSTS:** The proposed amendments are the least costly or least intrusive method of achieving the purpose of the proposed rules and required statutory changes. There are no non-regulatory methods for achieving the purpose of the proposed rule changes.
10. **EFFECT OF THE PROPOSED RULE ON PUBLIC HEALTH:** The proposed amendments promote public health, safety and welfare by ensuring that Oklahoma Mechanical licensing regulations remain current, consistent, and fully aligned with statutory authority. Clear administrative rules support effective licensing, enforcement, examination, continuing education and licensee accountability, thereby helping ensure that mechanical work through the state continues to be performed by qualified individuals meeting statewide standards which should have a positive effect on public health.
11. **DETRIMENTS TO PUBLIC HEALTH IF THE RULE IS NOT ADOPTED:** Failure to adopt the proposed amendments would leave portions of the mechanical industry regulations and rules inconsistent with current statutes, create avoidable administrative uncertainty, increase the potential for inconsistent interpretation, and reduce the efficiency of licensing and enforcement activities. Maintaining outdated regulatory language could also create confusion for applicants, licensees, local jurisdictions and the public. Any alternative to adopting the rules would leave portions of the rules inconsistent with current statutes.
11. **DATE IMPACT STATEMENT PREPARED:** August 31, 2026

**TITLE 158. CONSTRUCTION INDUSTRIES BOARD
CHAPTER 50. MECHANICAL INDUSTRY REGULATIONS**

SUBCHAPTER 1. GENERAL PROVISIONS

158:50-1-1. Purpose

The rules in this Chapter set forth definitions, provide for categories and limitations of licenses, provide for registration of apprentices, establish bond and insurance requirements to preclude municipal requirements, adopt standards for mechanical work, and otherwise govern the licensee and implement the Mechanical Licensing Act, 59 O.S. § 1850.1, et seq., per 59 O.S. § 1000.1, et seq., specifically 59 O.S. §§ 1850.3 and 1000.4.

158:50-1-2. Definitions

The following words or terms, when used in this Chapter, shall have the following meaning, unless the context clearly indicates otherwise:

"Act" means Mechanical Licensing Act as found at 59 O.S. § 1850.1, *et seq.*

"Administrator" means the Administrator of the Board as described in the Construction Industries Board Act found at 59 O.S. § 1000.1, *et seq.*

"Applicant" means any person applying for an examination, for a license or registration, for continuing education approval, for review of plans and specifications or for a mechanical code variance from the standard of installation described in OAC 158:50-1-4 by the Construction Industries Board under the Act.

"Associated with and responsible for" means the relationship between a mechanical contractor and mechanical firm based on the mechanical contractor being a permanent employee, owner, partner, or officer in a corporate firm, and whereby the mechanical contractor shall give full time to the supervision and control of operations necessary to secure full compliance with the provisions of the Mechanical Licensing Act and this Chapter.

"Biomass" means organic material that comes from plants and animals, and is a renewable source of energy intended for fueled hearth products.

"Board" means the Oklahoma Construction Industries Board, 59 O.S. § 1000.4.

"Bonds and Insurance Unit" means the consolidated unit that processes bonds and insurance under the direction of the Construction Industries Board.

"Cheating" means any unapproved deviation from any official instruction given before, during or after a license examination, for the purpose of affecting or influencing the examination results or otherwise providing an undue advantage to any examinee.

"Chemical plant" means a chemical plant within the context of 59 O.S. §1850.10(D) including a fertilizer plant engaged in formulating chemicals ultimately used generally in the agricultural fertilizer industry.

"Committee" means the Committee of Mechanical Examiners, 59 O.S. § 1850.4.

"Contracting" means engaging or offering to engage in, on behalf of oneself or on behalf of another, any mechanical work which requires a valid and appropriate license from the Construction Industries Board as required by the Mechanical Licensing Act, regardless if said work is in exchange for monetary payment or otherwise.

"Credit Hour" or **"Hour"** means at least 50 minutes of classroom instruction with a 10 minute break.

"Direct supervision" means the on-the-job physical presence by the supervisor who must

be in the work area where the mechanical work is being performed and who also must be a licensed mechanical contractor or mechanical journeyman in the appropriate category for any mechanical work supervised.

"Endorsed apprentice" means a registered apprentice who met the qualifications, pursuant to OAC 158:50-9-5(i), to sit for the journeyman examination in the HVAC limited category and received a passing score on the examination, but who is working to complete the required one (1) year of verifiable experience as a registered apprentice prior to being issued the journeyman license.

"Experience" or "Mechanical experience" means qualifying verifiable mechanical experience obtained while employed by a licensed mechanical contractor when performing mechanical work as defined under 59 O.S. § 1850.2 including substantially equivalent U.S. Military experience per OAC 158:50-9-1.1, 158:1-3-10, and 59 O.S. § 4100.8, but does not include unregistered, unverified, unsupervised, unlicensed work, or other mechanical work excluded from the licensing requirements of the Mechanical Licensing Act unless otherwise provided in the act or this Chapter.

"Formal mechanical education" means a completion certificate of a technical school training program in mechanical construction and skills approved by the Committee which focuses on a course scope that sufficiently details a combination of multiple facets of mechanical construction trade work, consisting of a minimum of two hundred fifty (250) or more hours and may be used to substitute for a portion of the experience requirement for licensing.

"Fueled Hearth Product Work" means the installation, service or repair of biomass-fueled or natural gas-fired fireplace, fireplace insert, stove or log set and associated venting and piping that fuels or simulates a flame of a solid fuel fire, including accessories for use with natural gas. This does not include (a) gas piping work, (b) the servicing of gas piping, or (c) work associated with pressure regulating devices, except for factory installed appliance gas valves.

"Gas piping" means and includes all natural gas piping within or adjacent to any building, structure, or conveyance, on the premises up to the connection with a natural gas meter, regulator, or other source of supply.

"Ground source piping" means piping buried below the earth's surface or submerged in a water well, lake or pond and used in conjunction with a heat pump to provide heating, ventilation and/or air conditioning to a structure.

"Health care facility" includes but is not limited to hospitals, nursing homes, limited care facilities, clinics, medical or dental offices, and ambulatory care centers, whether permanent or moveable.

"Hearing Board" means the Mechanical Hearing Board, 59 O.S. § 1850.14.

"Humidification" when applied to air conditioning, means and includes an increase or decrease in moisture content of the air being conditioned and supplied to the space for human occupancy by means of that integral part of the entire air conditioning system, equipment, and control devices; when applied to refrigeration, means and includes an increase or decrease in the moisture content of the air or product being conditioned for a food preservation measure or manufacturing process by means of the integral part of the entire refrigeration system, equipment, and control devices.

"HVAC" or "heating, ventilation and air conditioning" means the process of treating air by controlling its temperature, humidity, and cleanliness and of supplying such air to spaces for human occupancy by means of an integrated system of air conditioning and ventilation equipment, accessories and control devices.

"ICC" means the International Code Council.

"Limited residential installer" means a type and category of mechanical license that is restricted to new installations in new construction for detached one or two family dwellings and multiple single family dwellings (townhouses) not more than three stories in height with a separate means of egress as regulated by this Chapter.

"Limited residential journeyman" means a type and category of mechanical license that is restricted to new installations for detached one or two family dwellings and multiple single family dwellings (townhouses) not more than three stories in height with a separate means of egress as regulated by this Chapter.

"Mechanical License Unit" means the staff and administrative support unit to the Committee of Mechanical Examiners and the Mechanical Hearing Board.

"Mechanical work" means the installation, maintenance, repair, or renovation, in whole or in part, of any heating system, exhaust system, cooling system, mechanical refrigeration system, ventilation system, medical gas system, medical-surgical vacuum systems, or any equipment or piping carrying chilled water, air for ventilation purposes, or natural gas, or the installation, maintenance, repair, or renovation of process piping used to carry any liquid, substance, or material, including steam and hot water used for space heating purposes not under the jurisdiction of the Department of Labor or Department of Health, provided that minor repairs and maintenance are excluded.

"Medical gas piping work" means the lay out, assembly, installation, and maintenance of pipe systems used in health care facilities for oxygen, nitrous oxide, medical air, carbon dioxide, helium, nitrogen, instrument air, medical-surgical vacuum, waste anesthetic gas disposal, mixtures thereof, or any other gaseous, partly gaseous substance, material or any mixtures thereof used in a health care facility. Replacing cylinders and filters, and performing routine and preventive maintenance that does not breach the integrity of the medical gas piping system and does not constitute the installation, repair, or replacement of medical gas piping shall not require a medical gas piping licensee.

"Medical gas journeyman" means a type and category of mechanical license that is restricted to medical gas piping.

"Minor repairs and maintenance" means minor repairs or maintenance as each are prescribed in the manufacturer's operating instructions to be performed by the equipment owner or his authorized agent, and shall not include replacement and repairs of any nature on natural gas piping, natural gas controls, the manufacturer installed controls and components, the vent system of fuel burning appliances, a breach of the integrity of a refrigeration system or any repair or maintenance which would violate the safe operation of the equipment.

"National Fireplace Institute" or **"NFI"** means the professional certification entity for planning and installing residential hearth fueled gas, wood, or pellet appliances and venting systems.

"Oklahoma Uniform Building Code Commission" or **"OUBCC"** means the state agency created under 59 O.S. § 1000.20, *et seq.*, and authorized to adopt all building codes and standards for residential and commercial construction to be used as minimum standards by all entities within this State.

"Petroleum refinery" means an industrial plant which processes petroleum for purposes of creating products derived from petroleum and includes industrial plants which produce and/or refine alternative fuels or petroleum additives. "Petroleum refinery" shall not mean gas processing plant or gas gathering pipeline operations.

"Petroleum refinery journeyman" means a type and category of mechanical license that is restricted to petroleum refinery process piping.

"Petroleum refinery process piping work" means the lay out, assembly, installation, and maintenance of pipe systems used in the petroleum refining process or product refining systems of a petroleum refinery.

"Process" means a series of operations performed in the making or treatment of a product.

"Process piping" means lay out, assembly, installation, and maintenance of pipe systems, pipe supports, and related hydraulic and pneumatic equipment for steam, hot water, heating, cooling, lubricating and fire sprinklers, not subject to regulation pursuant to the Alarm Industry Act, and industrial production and processing systems, and piping used to carry any gaseous, or partly gaseous, substance or material as part of a medical gas piping system.

"Reciprocity" means an agreement whereby a person holding a mechanical license or registration who is licensed in other states with substantially similar or greater licensure requirements may be licensed in this State after payment of a fee for licensing by reciprocity.

"Refrigeration system" means installation, repairing and servicing of a system employing fluid which normally is vaporized and liquefied in an air conditioning system, food preservation measure or manufacturing process.

"Variance" means the use of an alternative material or method of construction from that prescribed in the standard of installation as described in OAC 158:50-1-4 and/or other approved documents by the OUBCC for use at a particular location or project specified in the variance application; and

"Variance and Appeals Board" means the Oklahoma State Mechanical Installation Code Variance and Appeals Board.

"Verifiable experience" means mechanical experience obtained while employed by a licensed Mechanical contractor in the appropriate category, or by other means approved by the Committee of Mechanical Examiners including equivalent experience earned while serving in the U.S. Military, for which one (1) year of verifiable experience equals a minimum of two thousand (2000) hours in a year.

SUBCHAPTER 3. PROCEDURES OF THE COMMITTEE AND THE HEARING BOARD

158:50-3-1. Procedures of the Committee

The Committee shall serve the Board in an advisory capacity, assist and advise the Board on all matters pertaining to the formation of rules pursuant to the Act, and assist and advise the Administrator on the examination of applicants for licenses as a mechanical contractor or journeyman and on all matters related to the licensing of mechanical contractors and mechanical journeymen and the registering of mechanical apprentices, in accordance with this Chapter and the terms and conditions of the Act. The Committee shall make up a part of the Mechanical Hearing Board.

(1) Committee meetings are generally, unless otherwise stated by the Administrator, held in the principal offices of the Construction Industries Board referenced at OAC 158:1-3-1. The Committee shall oversee the continuing availability of the examination and shall meet as often as is necessary, but at least once each quarter. Meetings of the Committee will comply with the Oklahoma Open Meeting Act.

(2) The Committee shall work with the Construction Industries Board to provide for the administration, grading and processing of mechanical examinations, by contract or otherwise. The Committee may recommend regulations to the Administrator and to the Construction Industries Board, and shall act as advisor to the Administrator on mechanical matters.

(3) Application for licensure shall be done by filling out an application for examination ~~on a form provided by the Mechanical License Unit~~ Construction Industries Board.

(4) The public may communicate with the Committee, in person or by mail, through the Oklahoma Construction Industries Board. All records not privileged from disclosure by law are subject to the provisions of the Oklahoma Open Records Act, 51 O.S. § 24A.1, *et seq.* Copies will be provided upon payment of the fee for copies as set forth in OAC 158:1-3-5.

SUBCHAPTER 9. QUALIFICATIONS FOR MECHANICAL LICENSURE, LICENSE AND REGISTRATION FEES, DURATION OF LICENSE, MECHANICAL LICENSE APPLICATION, AND APPRENTICE REGISTRATION

158:50-9-2. License and registration fees and renewals

(a) **Examination fees for contractors and journeyman.** The Construction Industries Board, or its designated representative, may collect for the actual cost of any examination provided by this Chapter. The cost for each such examination referenced in OAC 158:50-9-1 shall be posted in plain view at the testing site that provides and administers the examination. Every person whose application for examination is approved shall be informed of the specific fee prior to sitting for the examination. The unit testing fee shall be the amount negotiated by the Administrator in accordance with the provisions of the Oklahoma Central Purchasing Act, but cannot exceed the maximum allowable fee pursuant to 59 O.S. § 1000.5(A)(2). Documentation confirming the contractual fee shall be available upon request.

(b) **Licensing, registration and application fee schedule for contractors, journeyman, and apprentices.** The licensure, application, registration and annual renewal fees shall be as follows:

- (1) contractors application - \$30.00
- (2) initial contractor license - ~~\$300.00~~ see 59 O.S. § 1000.5(A)(3)
- (3) renewal contractor license - ~~\$200.00~~ see 59 O.S. § 1000.5(A)(3)
- (4) renewal contractor late fee - ~~\$100.00~~ see 59 O.S. § 1000.5(A)(3)
- (5) journeyman application - \$25.00
- (6) initial journeyman license - ~~\$50.00~~ see 59 O.S. § 1000.5(A)(3)
- (7) renewal journeyman license - ~~\$75.00~~ see 59 O.S. § 1000.5(A)(3)
- (8) renewal journeyman late fee - ~~\$25.00~~ see 59 O.S. § 1000.5(A)(3)
- (9) apprentice application - \$5.00
- (10) apprentice registration - ~~\$20.00~~ see 59 O.S. § 1000.5(A)(3)

(c) **One time low-income fee waiver.** See OAC 158:1-3-13(c) regarding eligibility on a one-time, one-year fee waiver.