
SENATE CONCURRENT RESOLUTION

REQUESTING THE CONTRACTORS LICENSE BOARD TO CONDUCT AN
ASSESSMENT AND PREPARE A REPORT THAT EVALUATES EACH
LICENSING CLASSIFICATION UNDER CHAPTER 444, HAWAII REVISED
STATUTES.

1 WHEREAS, Hawaii's contractor licensing law, codified as
2 chapter 444, Hawaii Revised Statutes, is a consumer protection
3 statute intended to protect the public's health, safety, and
4 welfare when dealing with persons engaged in the construction
5 industry, and therefore requires a licensee to show experience
6 for each license obtained; and
7

8 WHEREAS, the Contractors License Board is the governing
9 board for contractors licensed in Hawaii; and
10

11 WHEREAS, the Contractors License Board issues "A" general
12 engineering contractor licenses, "B" general building contractor
13 licenses, and "C" specialty licenses; and
14

15 WHEREAS, the Contractors License Board has adopted
16 administrative rules that include various "C" specialty license
17 classifications with categories and descriptions of each
18 specialty license classification; and
19

20 WHEREAS, although payment of application, testing, and
21 license fees are required as part of the regulatory system for
22 contractors, the Contractors License Board automatically grants
23 seventeen additional "C" specialty licenses to licensed "A"
24 general engineering contractors and ten additional "C" specialty
25 licenses to licensed "B" general building contractors without
26 the need for further examination or additional payment of fees;
27 and
28

29 WHEREAS, past interpretations from the Contractors License
30 Board have determined that a "B" licensee may perform painting,



1 ceramic tile, and other specialty licensed work required on a
2 project without possession of those specific licenses; and

3
4 WHEREAS, in addition, the C-5 Cabinet, Millwork, and
5 Carpentry Remodeling and Repairs specialty classification is
6 automatically granted to "B" general building contractors; and

7
8 WHEREAS, the Contractors License Board has not recently
9 reviewed the criteria, requirements, and procedures for "A"
10 general engineering contractor licenses, "B" general building
11 contractor licenses, and "C" specialty licenses; and

12
13 WHEREAS, a comprehensive evaluation of each licensing
14 classification under chapter 444, Hawaii Revised Statutes, is
15 necessary to instill confidence in the construction industry and
16 ensure that all criteria, requirements, and procedures for the
17 three licensing classifications are up to date; now, therefore,

18
19 BE IT RESOLVED by the Senate of the Twenty-seventh
20 Legislature of the State of Hawaii, Regular Session of 2013, the
21 House of Representatives concurring, that the Contractors
22 License Board is requested to conduct an assessment and prepare
23 a report that evaluates each licensing classification under
24 chapter 444, Hawaii Revised Statutes; and

25
26 BE IT FURTHER RESOLVED that the Contractors License Board
27 is requested to include the following in the report:

- 28
29 (1) A comprehensive assessment and review of all licenses
30 issued pursuant to chapter 444, Hawaii Revised
31 Statutes, including the criteria, requirements, and
32 procedures needed for "A" general engineering
33 contractor licenses, "B" general building contractor
34 licenses, and "C" specialty licenses, including all
35 "C" specialty licenses that are automatically granted;
36
37 (2) An assessment of whether the state licensing
38 requirements are in line with similar licensing
39 requirements in other jurisdictions and meet general
40 construction industry standards and practices;
41
42 (3) A specific evaluation of the definition of a C-5
43 contractor, including whether this definition is too
44 broad, whether this definition includes an appropriate



balance between the work that is performed and the experience necessary for a license, and a determination of whether this definition should be modified;

- (4) A determination of whether chapter 77, Hawaii Administrative Rules, appropriately reflects the intent of the Legislature, with a specific focus on the scope of work that corresponds to each contractor classification;
- (5) Suggested amendments or modifications to the practice of issuing licenses for each license classification, as appropriate; and
- (6) A brief description of the process the Board used in making its findings and recommendations in the report; and

BE IT FURTHER RESOLVED that the Contractors License Board is requested to look beyond the membership of the Contractors License Board and actively engage other interested industry stakeholders and union representatives when preparing its assessment and report; and

BE IT FURTHER RESOLVED that the Contractors License Board is requested to transmit a draft report, including any recommendations for amendments to chapter 444, Hawaii Revised Statutes, and chapter 77, Hawaii Administrative Rules, to the Legislative Reference Bureau no later than November 1, 2013; and

BE IT FURTHER RESOLVED that the Legislative Reference Bureau is requested to submit a final report, including any recommendations for amendments to chapter 444, Hawaii Revised Statutes, and chapter 77, Hawaii Administrative Rules, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2014; and

BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be transmitted to the Director of Commerce and Consumer Affairs, Interim Director of the Legislative Reference Bureau, and Contractors License Board.

