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# SENATE 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

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

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

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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

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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,  
31 ceramic tile, and other specialty licensed work required on a  
32 project without possession of those specific licenses; and  
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1 WHEREAS, in addition, the C-5 Cabinet, Millwork, and  
2 Carpentry Remodeling and Repairs specialty classification is  
3 automatically granted to "B" general building contractors; and  
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5 WHEREAS, the Contractors License Board has not recently  
6 reviewed the criteria, requirements, and procedures for "A"  
7 general engineering contractor licenses, "B" general building  
8 contractor licenses, and "C" specialty licenses; and  
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10 WHEREAS, a comprehensive evaluation of each licensing  
11 classification under chapter 444, Hawaii Revised Statutes, is  
12 necessary to instill confidence in the construction industry and  
13 ensure that all criteria, requirements, and procedures for the  
14 three licensing classifications are up to date; now, therefore,  
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16 BE IT RESOLVED by the Senate of the Twenty-seventh  
17 Legislature of the State of Hawaii, Regular Session of 2013,  
18 that the Contractors License Board is requested to conduct an  
19 assessment and prepare a report that evaluates each licensing  
20 classification under chapter 444, Hawaii Revised Statutes; and  
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22 BE IT FURTHER RESOLVED that the Contractors License Board  
23 is requested to include the following in the report:  
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- 25 (1) A comprehensive assessment and review of all licenses  
26 issued pursuant to chapter 444, Hawaii Revised  
27 Statutes, including the criteria, requirements, and  
28 procedures needed for "A" general engineering  
29 contractor licenses, "B" general building contractor  
30 licenses, and "C" specialty licenses, including all  
31 "C" specialty licenses that are automatically granted;  
32
- 33 (2) An assessment of whether the state licensing  
34 requirements are in line with similar licensing  
35 requirements in other jurisdictions and meet general  
36 construction industry standards and practices;  
37
- 38 (3) A specific evaluation of the definition of a C-5  
39 contractor, including whether this definition is too  
40 broad, whether this definition includes an appropriate  
41 balance between the work that is performed and the  
42 experience necessary for a license, and a  
43 determination of whether this definition should be  
44 modified;



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- 2 (4) A determination of whether chapter 77, Hawaii
- 3 Administrative Rules, appropriately reflects the
- 4 intent of the Legislature, with a specific focus on
- 5 the scope of work that corresponds to each contractor
- 6 classification;
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- 8 (5) Suggested amendments or modifications to the practice
- 9 of issuing licenses for each license classification,
- 10 as appropriate; and
- 11
- 12 (6) A brief description of the process the Board used in
- 13 making its findings and recommendations in the report;
- 14 and
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16 BE IT FURTHER RESOLVED that the Contractors License Board  
 17 is requested to look beyond the membership of the Contractors  
 18 License Board and actively engage other interested industry  
 19 stakeholders and union representatives when preparing its  
 20 assessment and report; and

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

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

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

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